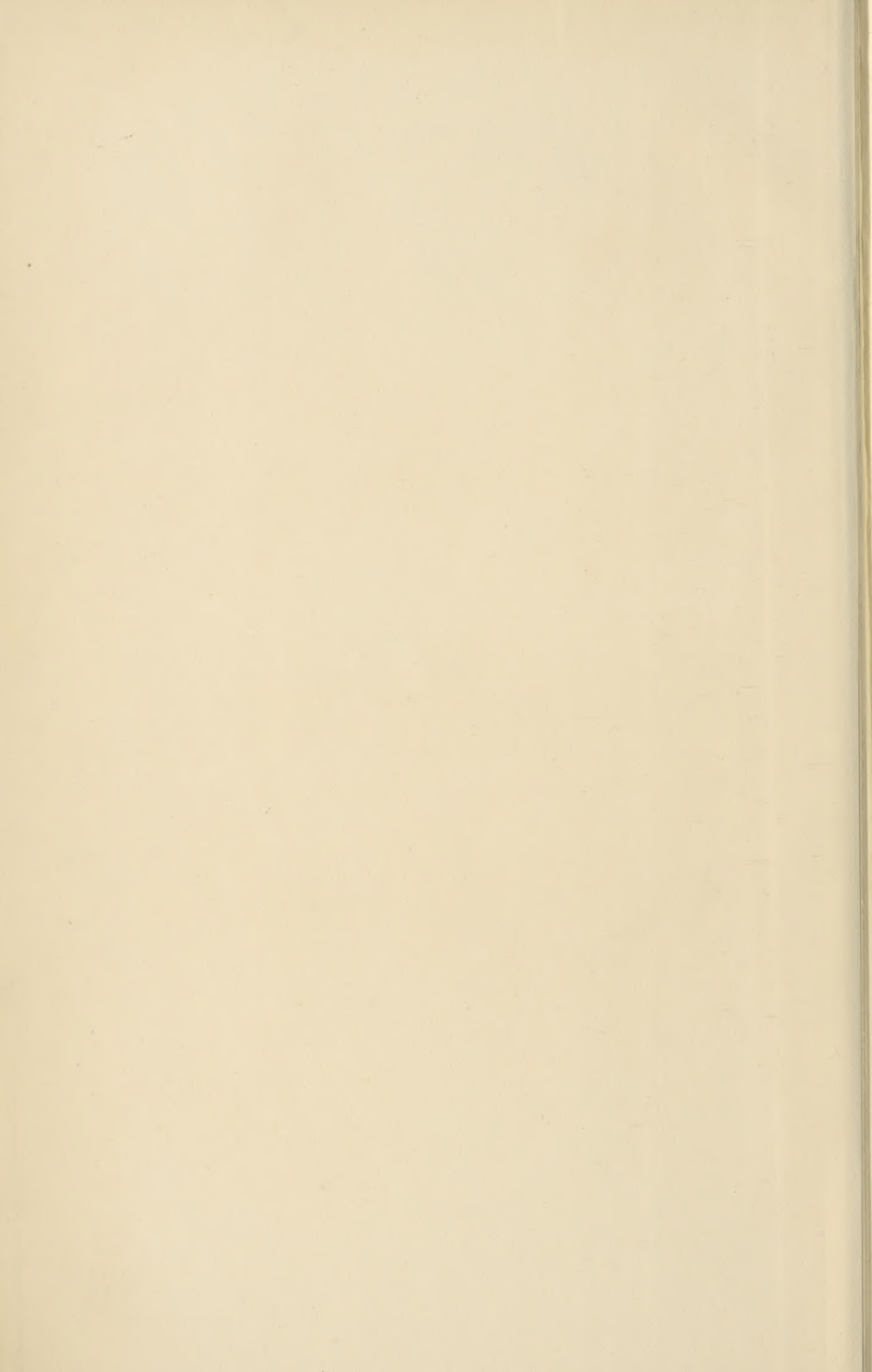


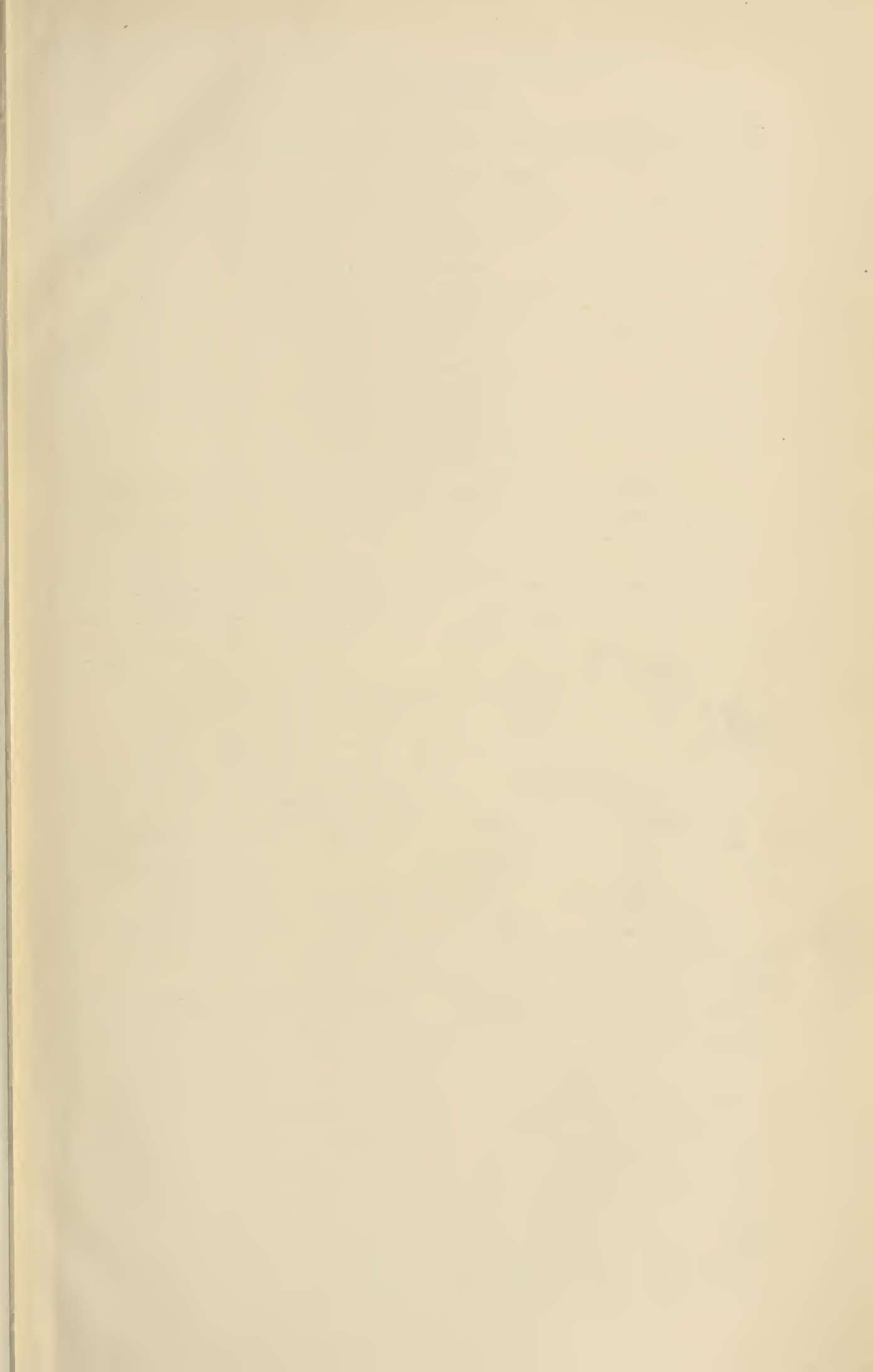
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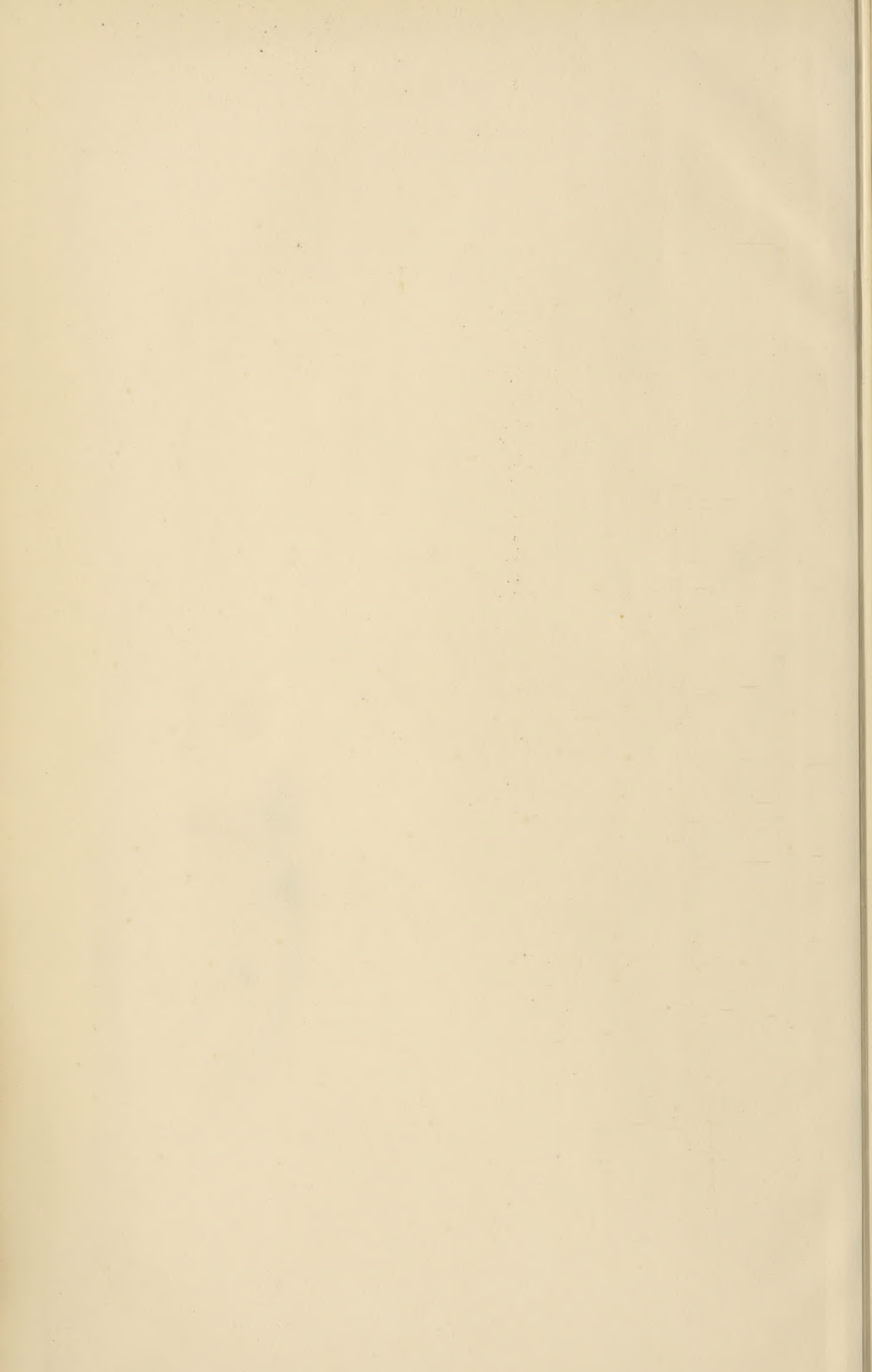
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(Volume VIII — 1928)

Abbreviations

Cl.	=	Council
Comm.	=	Commission
Cttee.	=	Committee
Govt.	=	Government
Int.	=	International.
Memo.	=	Memorandum.
Perm.	=	Permanent
Prelim.	=	Preliminary
Repr.	=	Representative
Resol.	=	Resolution
Sec. Gen.	=	Secretary-General
Tel.	=	Telegram

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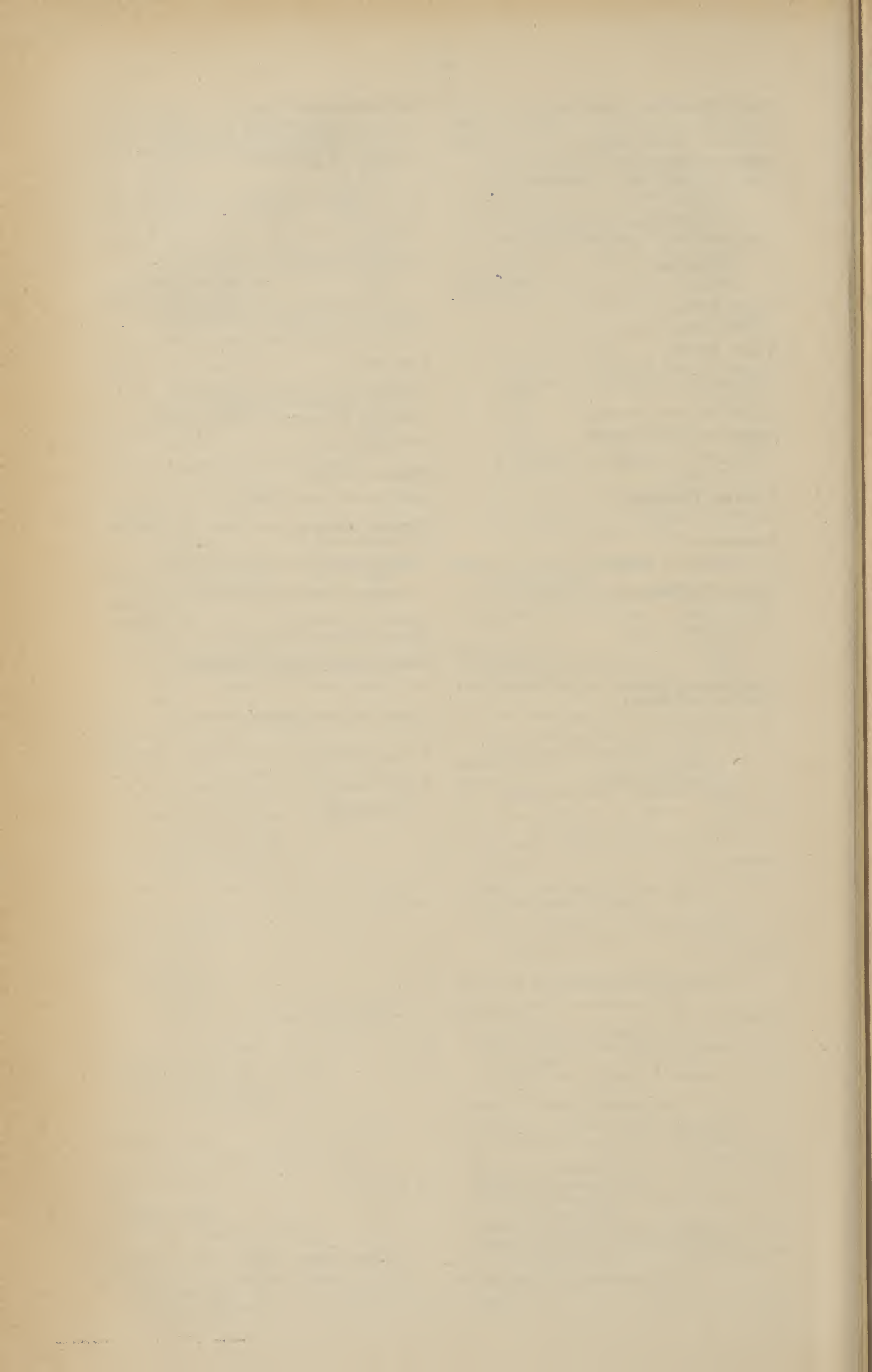
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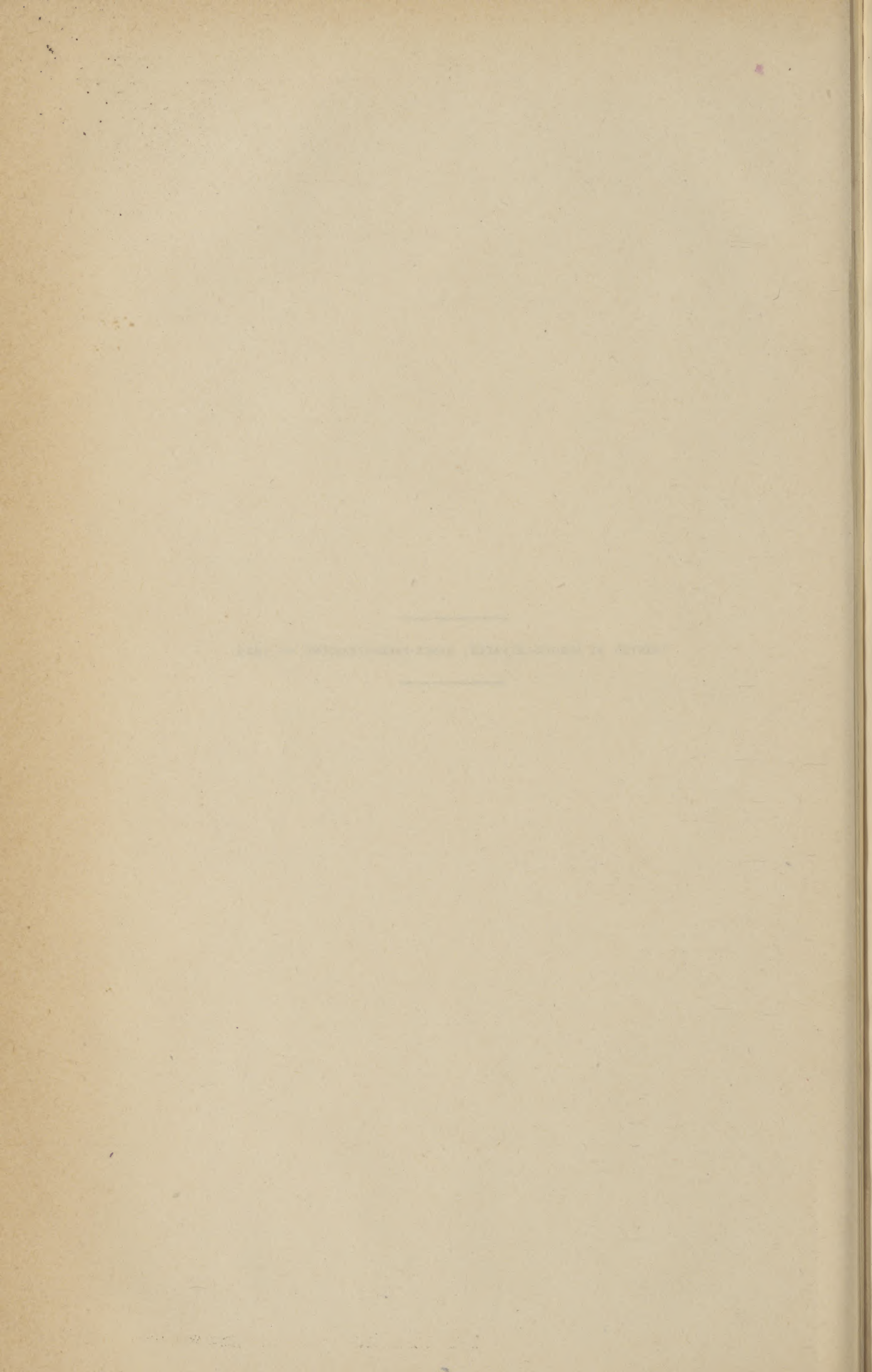
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I. — Summary of the Month.

The principal League meetings in January — a relatively calm period — concerned certain aspects of the work of the technical organisations and the preparation of the work of the Arbitration and Security Committee.

There were meetings of experts on bills of exchange, of sub-committees of the Committee on Intellectual Cooperation, and of wireless experts studying the question of the construction of a League radiotelegraphic station. In pursuance of a recommendation of the Conference on Import and Export Prohibitions and Restrictions, a small number of veterinary experts studied the possibility of reconciling the interests of animal exporting countries with those of countries taking measures of protection against animal disease.

The three rapporteurs of the Arbitration and Security Committee met in Prague, under the presidency of Dr. Benes, to draw up a general report on the subject.

The treaties registered in December and January included the Treaty of Friendship between France and the Kingdom of the Serbs, Croats and Slovenes, and the Treaty of Defensive Alliance between Italy and Albania.

II. — The Permanent Court of International Justice.

1. — NEW CASE. RIGHTS OF MINORITIES IN UPPER SILESIA ⁽¹⁾. (MINORITY SCHOOLS). (POLAND V. GERMANY).

On January 2nd, 1928, the German Government deposited with the Registry of the Court, by the intermediary of the German Legation at The Hague, a new Application instituting proceedings against the Polish Government on the subject of the exercise of certain rights of minorities provided for in the Germano-Polish Convention relating to Upper Silesia, signed at Geneva on May 15th, 1922. This Application deals, in particular, with the question of the exercise of minority rights with regard to elementary schools in Upper Silesia, which has already, on several occasions, been before the Council of the League. It states that, on December 8th, 1927, it was recognised by the Council that, in this respect, a difference of opinion exists between the German and Polish Governments with regard to the interpretation of certain articles of the Geneva Convention. The Application, moreover, alleges that Poland wishes to make the exercise of the rights under Articles 106 and 131 dependent on the establishment of certain conditions, i.e. before a pupil is sent to a minority school, his or her mother-tongue is to be ascertained, and the person legally responsible for the education of the child must be shown to be a member of the German minority. The German Government, on the other hand, asks the Court to give judgment that Articles 74, 106 and 131 of the Geneva Convention establish the unfettered liberty of an individual to declare that he belongs to a minority, and to choose the corresponding school for the child whose education has been entrusted to him, without his declaration being subject either to verification or question. Germany asks the Court also to rule that any measure singling out the minority schools to their detriment is incompatible with the equal treatment granted by Articles 65, 68 and 72, para. 2, and the Preamble to Section II. of the Convention.

The German Government also deposited its case in this new affair. The President of the Court fixed as the dates for the presentation of further documents in the written procedure (Counter-Cases, Reply and Rejoinder) February 4th and 22nd and March 10th, 1928, respectively.

According to the terms of the document notifying the Application, the German Government has designated as its Agent for these proceedings Doctor Budding, President of the Governmental District of Marienwerder. It has nominated as National Judge Dr. Walter Schücking, Professor of Law at Kiel University.

2. — THE CHORZOW FACTORY (MERITS)

On November 30th, 1927, the Polish Government filed its Counter-Case in the affair relating to the Chorzow Factory (Indemnities), which the Court had reserved for judgment on the merits in its judgment of July 26th, 1927. In order to comply with the wish expressed by the Polish Government, the President of the Court had extended until this date the time limit previously fixed for the filing of the Counter-Case. The German Government having, in its turn, asked for an extension of the time allowed for the presentation of the final documents of the written procedure, the President has decided to fix as the dates for the presentation of the Reply of the Applicant and the Rejoinder of the Respondent February 20th (instead of January 14th) and April 7th (instead of February 29th), 1928, respectively.

(1) This article has been written with the aid of information furnished by the Registry of the Court.

3. — NEXT SESSION

The Court has been convened for an Extraordinary Session, which will open on Monday, February 6th, and during which it will deal with the question relating to the jurisdiction of the Danzig Tribunals, which was submitted to it for an Advisory Opinion by Resolution of the Council dated September 22nd, 1927.

For this question the Court will be composed as follows : M. Anzilotti (Italy), President; M. Huber (Switzerland), former President; M. Weiss (France), Vice-President; M. Loder (Netherlands); M. Nyholm (Denmark); M. Altamira (Spain); M. Oda (Japan); M. Yovanovitch (Serb-Croat-Slovene Kingdom); M. Beichmann (Norway); M. Negulesco (Roumania); M. Wang (China).

M. Ehrlich, Professor at the University of Lwow, and M. Crusen, President of the High Court of the Free City of Dantzig, will sit on the Bench as National Judges.

III. — The Reduction of Armaments.

1. — COMMITTEE ON ARBITRATION AND SECURITY

Meeting of Rapporteurs.

The three rapporteurs of the Arbitration and Security Committee ⁽¹⁾, M. Holsti (Finland) — Arbitration; M. Politis (Greece) — Security; and M. Rutgers (Netherlands) — Articles of the Covenant, met at Prague on January 26th under the presidency of Dr. Benes, Chairman of the Committee, to prepare a general report for the next meeting of the Committee, which will be held on February 20th at Geneva.

Over and above the material collected by the Secretariat on arbitration and security problems, the rapporteurs had at their disposal memoranda from the Belgian, British, German, Norwegian and Swedish Governments.

2. — END OF THE INTER-ALLIED MILITARY CONTROL IN BULGARIA

The President of the Conference of Ambassadors has addressed to the Secretary-General a communication notifying him of the conclusion of the operations of the Liquidation Board to which the Conference entrusted the duty of securing the continued enforcement of the military clauses of the Treaty of Neuilly after the termination of the work of the Commission of Control established under Articles 94 and following of that Treaty. The note contains the following passage :

“The Conference desires to draw the special attention of the Council to the general conclusions set forth in Chapter XXIV of the Report. It appears that, although the laws and regulations enacted by the Bulgarian Government and the undertakings it has given to the Powers represented by the Liquidation Board would, if faithfully observed, ensure satisfactory execution of the clauses of the Treaty, the Liquidation Board has until quite lately found all too often that the new military laws, particularly so far as they concern army recruiting and organisation, have not been enforced or have been infringed. It also appears that, while the Bulgarian Government has undertaken that Article 21 of the Constitution, which embodies the principle of compulsory military service—a principle incompatible with the stipulations of the Treaty—should be revised at the first meeting of the National Assembly, no such revision has yet taken place.

(1) See *Monthly Summary*, Vol. VII, No. 12, p. 355.

"It will be for the Council of the League of Nations to draw its own conclusions from the facts reported by the Liquidation Board, particularly if it becomes necessary to apply Article 104 of the Treaty."

The Secretary-General has forwarded this communication to the members of the Council.

IV. — Legal and Constitutional Questions.

INTERNATIONAL ENGAGEMENTS

Registration.

Among the treaties and international agreements registered in December and January figure :

A Treaty of Friendship and an Arbitration Convention (Paris, November 11th, 1927), between France and the Kingdom of the Serbs, Croats and Slovenes, presented by the French and Serb-Croat-Slovene Governments;

A Treaty of Defensive Alliance (Tirana, November 22nd, 1927) between Albania and Italy, presented by the Italian Government;

An Agreement on Aerial Navigation with a view to the application of Article 128 of the Treaty of Trianon between the British Empire, France, Italy and Japan, and Hungary, presented by the Conference of Ambassadors;

An Arbitration and Conciliation Treaty (Stockholm, March 4th, 1927) between Belgium and Finland, presented by the Belgian Government;

A Treaty of Friendship (Warsaw, December 1st, 1924) between Estonia and Turkey, presented by the Estonian Government;

A Treaty of Commerce (Moscow, June 2nd, 1927) between Latvia and the Union of Soviet Socialist Republics, presented by the Latvian Government;

Treaties of Commerce and Navigation between the Economic Union of Belgium and Luxemburg and Guatemala, Estonia and Greece, and Finland and Greece;

A Convention on Conditions of Residence (October 6th, 1927) between Belgium and France, presented by the Belgian Government; and

Agreements on reciprocal legal assistance in civil and commercial matters between Czechoslovakia and Switzerland and Czechoslovakia and Estonia.

V. — The Technical Organisations.

1. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) Bills of Exchange and Cheques.

The Committee of Experts on Bills of Exchange met at Geneva from January 23rd to January 29th, with M. Percerou, Professor at the Paris Law Faculty, in the chair.

There were further present : M. Hans von Flotow (German), M. Max Vischer (Swiss), M. Xavier Janne (Belgian), M. Hermann Otavsky (Czechoslovak), M. Vivot (Argentine), M. Auguste Weiller (Italian), M. Joseph Sulkowski (Polish), and Mr. E. H. Bachard (British).

This Committee is composed of jurists, and is studying means of bringing as completely as possible into harmony legislation of the so-called continental type on

bills of exchange and cheques, by the establishment of regulations which will be submitted to Governments for approval and embodied in their national laws. For the solution of such conflicts of laws as must necessarily continue to exist after partial unification, the experts will endeavour to establish principles in regard to points on which legislation will remain free. These principles will be framed so as to be acceptable alike for signatories and non-signatories of the agreement contemplated.

At their January meeting the experts dealt in particular with questions concerning cheques — possibly more difficult to solve than those relating to bills of exchange. The use of cheques is of much more recent date and the laws on the subject are constantly changing. Moreover, there is a difference of opinion as to the exact value of a cheque, some regarding it as a means of payment, others as a promise to pay, i. e. a mere variation of the bill of exchange.

As these two meetings have not sufficed for the termination of their report and proposals for the Economic Committee, the experts will hold a third session in April next.

b) Meeting of Experts on Veterinary Questions.

On January 30th there was a meeting of experts on veterinary questions appointed by the Economic Committee to study the application of the resolution of the Conference on Import and Export Prohibitions and Restrictions concerning an enquiry into means of reconciling the interests of countries wishing to protect themselves against animal diseases with those of countries exporting animals.

The following took part in the work :

M. Burgi (Swiss), Chairman, Director of the Federal Veterinary Office; M. Hams (Czechoslovak), Ministerial Adviser, Director of the Veterinary Section of the Ministry of Agriculture; M. Jensen (Danish), Professor at the Royal Veterinary and Agricultural Institute, Chief of the State Veterinary Services, Member of the Royal Academy of Science, Copenhagen; M. Nowak (Polish), former President of the Council, former Rector of the University of Cracow, Professor of veterinary medicine at the Cracow Medical Faculty; M. Petrovitch (Kingdom of the Serbs, Croats and Slovenes), Inspector at the Ministry of Agriculture; M. Vallée (French), Professor, Director at the Research Laboratory of the Veterinary Services in the Ministry of Agriculture; M. Wehrle (German), Director of the Veterinary Section of the Health Ministry; M. Leclainche, representing the International Office of Animal Diseases.

An account of the meeting will be published in the next number of the Monthly Summary.

2. — COMMUNICATIONS AND TRANSIT

Question of a League Wireless Station.

The experts studying the technical aspects of the construction of a League wireless station sat at Geneva from January 26th to 28th under the chairmanship of General Ferrié (French), Director of Military Radiotelegraphy in the French War Ministry, Chairman of the International Committee of Wireless Telegraphy. They drew up a detailed description of the technical features of the station contemplated.

There were present Dr. Koomans, wireless engineer (Netherlands); Mr. Jaeger, Adviser in the German Postal Ministry; Colonel Lee (British), of the General Post Office; Professor Vallauri, of the Royal Naval Academy of Livorno (Italian).

At its final meeting the Committee heard Mr. Furrer, Director General of the Swiss Telegraph Service.

3. — INTELLECTUAL COOPERATION

a) *Instruction of Young People in the Aims and Existence of the League.*

In reply to a circular bringing to the notice of Governments the recommendations of the Committee of Experts for the Instruction of Young People in the Aims and Existence of the League, the Netherlands Government has informed the Secretary-General of the measures taken to arrange for such instruction in the Netherlands schools.

Before organising courses in schools, the Netherlands Government endeavoured to interest teachers in the work of the League. For this purpose, lectures were given for inspectors-in-chief of primary schools and at meetings of inspectors and teachers. The Minister of Education subsequently instructed the inspectors-in-chief to take the necessary steps to introduce courses on the League into the curricula of teachers' training colleges which had not already organised such instruction.

As regards the secondary schools, the inspectors have drawn the attention of teachers to the fact that history lessons should include instruction on the origin, foundation and work of the League, and that knowledge of these questions should be required at the final examinations. Chapters on the League have been inserted in certain school readers.

At universities, professors of international law deal with the League as part of international law, and subjects connected with the League are frequently chosen for theses.

The Minister of Education further issued a circular suggesting that some words should be said on the League in primary and secondary schools, colleges and teachers' training colleges on May 18th, 1927, anniversary of the first Hague Conference (1899). This measure is due to the initiative of the Netherlands League of Nations Society, which is also organising lectures on the League in secondary schools.

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The Canadian Government has informed the Secretary-General that the attention of the various provincial Governments has been drawn to the recommendations of the Experts.

The Lieutenant-Governor of the Province of Manitoba has had a special chapter prepared on the League, which will be included in one of the school readers and will appear in the edition printed for distribution on September 1st. The Advisory Board of the same province has passed a regulation requiring all students enrolled in the tenth grade of the secondary schools to study the special pamphlet prepared by the League of Nations Society in Canada.

The Lieutenant-Governor of Saskatchewan has made arrangements for the inclusion of a study of the aims of the League in the course for the schools of the province, and has issued a pamphlet on the subject for the use of teachers and pupils.

b) *Casts of works of Art.*

The experts on the question of casts of works of art met at Geneva on January 18th and 19th, under the chairmanship of M. Jules Destrée, of the Committee on Intellectual Cooperation. There were further present : M. Demmler (Germany), M. Capart (Belgium), Sir Cecil Harcourt Smith (Great Britain), M. Roussel (France), M. Gilleron (Greece), M. Attilio Rossi (Italy), M. Vetry (replacing M. Focillon, of the sub-committee on Arts and Letters), and M. Dupierreux, for the Institute of Intellectual Co-operation.

The Committee adopted a series of resolutions which will be forwarded to the Sub-Committee on Arts and Letters and the Committee on Intellectual Cooperation.

It recommended that the International Museum Office should compile a list of the principal cast workshops in the different countries and general information on their production, and that an international repertory of moulds should be prepared so as to determine what works of art it seemed desirable to cast. Further recommendations concerned the co-operation of official cast workshops for the joint execution of expensive or difficult casts and the organisation of joint exhibitions.

The International Museum Office will collect information on new casting processes and relevant questions.

The Committee also studied legal questions relating to casts made on originals or on other casts.

Belgium, France, Germany, Great Britain, Greece and Italy have already announced their intention of co-operating in this work.

c) *Coordination of Libraries.*

The Committee of Experts on Library Coordination met in Paris at the Institute of Intellectual Cooperation, to study the organisation of an international centre for national library information offices, in connection with the Institute.

The experts first considered the question of national centres. At the present date, such centres exist, or are being formed, in Germany, Austria, the United States, France, Great Britain, Hungary, the Netherlands, Sweden, Switzerland and Poland. It was recommended that similar offices should be created in all countries possessing a national or central library, and should dispose of the necessary material to direct intellectual workers to the libraries or special institutions where they would find the information required. The equipment should include printed catalogues, bibliographies, biographies, syllabus of special foundations, etc. The necessary funds for staff, etc. should be guaranteed by Governments.

The experts then examined the possibility of organising an international centre, to serve as a link between the national centres. This organisation would be in connection with the Scientific Relations Section of the Institute and would encourage relations between national centres, while referring to them all requests for information.

The meeting was attended by Madame Curie-Sklodowska, for the Committee on Intellectual Cooperation; Dr. Cowley, Librarian of the Bodleian Library, Oxford; M. Marcel Godet, Director of the Swiss National Library, Berne; Dr. Kruss, Director-General of the Prussian State Library, Berlin; M. Roland-Marcel, Administrator-General of the *Bibliothèque Nationale*, Paris; Dr. Beck, Director of the National Library, Vienna; M. Bonazzi, Director of the National Library, Rome; M. Collijn, Director of the Royal Library, Stockholm; Dr. Fuchs, Librarian of the Prussian State Library, Berlin; Sir Frederic Kenyon, Director of the British Museum; M. Kuntze, Director of the Jagellonne Library, Cracow; Dr. Pasteiner, Director of the Central Bibliographical Office of the Public Libraries of Hungary.

VI. — Miscellaneous Questions.

MEETING OF THE SUPERVISORY COMMISSION

The Supervisory Commission met at Geneva from January 25th to January 28th to examine certain administrative and financial questions referred to it by the Eighth Assembly.

It constituted its bureau, re-electing as chairman M. Stefan Osusky (Czechoslovakia), as vice-chairman Lord Meston of Agra (India) and as rapporteur M. Nederbragt (Netherlands).

There were present at the meeting M. Osusky (Czechoslovakia), M. Jean Réveil-aud (France), M. Nederbragt (Netherlands), M. Parra-Perez (Venezuela) and M. Alfred Nemours (Haïti).

VII. — Forthcoming Events.

- February 15th : Meeting of Sub-Committee of Experts on Maritime Tonnage, London.
- February 20th : Meeting of Committee on Arbitration and Security, Geneva.
- February 27th : Meeting of the Financial Committee, Geneva.
- February 27th : Meeting of the Advisory and Technical Committee for Communications and Transit, Geneva.
- March 1st : Meeting of the Committee of Experts for the Unification of Customs Nomenclature, Geneva.
- March 5th : Forty-Ninth Session of the Council,^F Geneva.
- March 12th : Meeting of the Committee on Traffic in Women, Geneva.
- March 12th : Meeting of Experts on the Coordination of Linguistic Bibliography, Paris.
- March 15th : Meeting of Experts on the Question of Translation, Paris.
- March 15th : Meeting of the Preparatory Commission for the Disarmament Conference, Geneva.
- March 19th : Meeting of the Child Welfare Committee, Geneva.
- March 19th : Meeting of the Preparatory Committee for the Conference of Government Statisticians, Geneva.
- March 23rd : Meeting of the Economic Committee, Geneva.

VIII. — Organisations and Commissions of the League of Nations.

I. — The Assembly.

(Consists of not more than three representatives of each State Member of the League.)

II. — The Council.

(Consists of the representatives of the British Empire, France, Germany, Italy and Japan, who are permanent members, and those of nine other States elected by the Assembly as laid down in the new "Rules dealing with the election of the nine non-permanent Members of the Council", their term of office, and the conditions of re-eligibility) (1).

Membership in 1927-1928.

British Empire	Sir Austen CHAMBERLAIN
Canada.	M. DANDURAND
Chile.	M. VILLEGAS
China	M. TCHENG LOH
Colombia.	M. URRUTIA

(1) See *Monthly Summary*, Vol. VI, No. 9, p. 232

Cuba.	M. AGUERO Y BETHANCOURT
Finland.	M. VOIONMAA
France	M. BRIAND
Germany	M. STRESEMANN
Italy.	M. SCIALOJA
Japan	M. ADATCI
Netherlands.	M. BEELAERTS VAN BLOKLAND
Poland.	M. ZALESKI
Roumania	M. TITULESCO

Secretariat of the Council and the Assembly.

Secretary-General : Sir James Eric DRUMMOND.

("The Secretary-General shall act in that capacity at all meetings of the Assembly and the Council". Art. 6 of the Covenant.)

III. — The Permanent Court of International Justice.

(The Judges are elected by the Assembly and the Council for a period of nine years. The President and the Vice-President are elected by the Court for a term of three years.)

Judges :

M. ANZILOTTI (President).	(Italian)
M. HUBER (former President).	(Swiss)
M. WEISS (Vice-President).	(French)
M. LODER	(Dutch)
Lord FINLAY	(British)
M. NYHOLM.	(Danish)
Mr. MOORE	(American)
M. DE BUSTAMANTE	(Cuban)
M. ALTAMIRA	(Spanish)
M. ODA	(Japanese)
M. Epitacio DA SILVA PESSOA.	(Brazilian)

Deputy-Judges :

M. YOVANOVITCH	(Serbian)
M. BEICHMANN	(Norwegian)
M. NEGULESCO	(Roumanian)
M. WANG CHUNG HUI.	(Chinese)

Registrar :

M. HAMMARSKJÖLD	(Swedish)
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Deputy-Registrar :

M. RUEGGER	(Swiss)
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IV. — Legal Questions.

**COMMITTEE OF EXPERTS FOR THE PROGRESSIVE
CODIFICATION OF INTERNATIONAL LAW**

(Constituted in accordance with a resolution of the Fifth Assembly. The members are appointed by the Council.)

M. HAMMARSKJÖLD (Chairman), Governor of Upsala (Sweden);
Professor DIENA (Vice-Chairman), professor of international law at the University
of Pavia, Member of the *Conseil du Contentieux diplomatique* at the Ita-
lian Ministry for Foreign Affairs (Italy);

- Professor BRIERLY, professor of international law at the University of Oxford (Great Britain);
- M. FROMAGEOT, Legal Adviser to the Ministry of Foreign Affairs (France);
- Dr. Gustave GUERRERO, Minister for Foreign Affairs of the Republic of Salvador;
- Dr. BERNARD C. J. LODER, former member of the Supreme Court of the Netherlands; judge and former President of the Permanent Court of International Justice (Netherlands);
- Dr. BARBOSA de MALGALHAES, professor of law at the University of Lisbon, former Minister of Foreign Affairs, Justice and Education (Portugal);
- Dr. ADALBERT MASTNY, Minister of Czechoslovakia in Rome, President of the Czechoslovak branch of the International Law Association (Czechoslovakia);
- M. MATSUDA, Doctor of Law, Japanese Ambassador in Rome (Japan);
- Sir MUHAMED RAFIQUE, former Judge at the High Court of the United Provinces (India);
- Dr. S. RUNDSTEIN, Barrister at the Court of Appeal, Legal Adviser to the Ministry for Foreign Affairs (Poland);
- Professor Walter SCHÜCKING, professor at the University of Kiel (Germany);
- Dr. José Leon SUAREZ, Dean of the Faculty of Political Sciences of the University of Buenos Aires (Argentina);
- Professor Charles DE VISSCHER, professor of law at the University of Ghent, Legal Adviser to the Ministry for Foreign Affairs (Belgium);
- Dr. WANG-CHUNG-HUI, Deputy Judge at the Permanent Court of International Justice (China);
- Mr. George W. WICKERSHAM, former Attorney-General of the United States, member of the Committee of International Law of the American Bar Association, President of the American Law Institute (United States).

PREPARATORY COMMITTEE FOR THE CODIFICATION CONFERENCE

(Appointed by the Council pursuant to a Resolution of the Eighth Assembly.)

- Professeur BASDEVANT (France), Professor at the Faculty of Law; Assistant Legal Adviser at the Ministry for Foreign Affairs;
- M. Carlos CASTRO RUIZ (Chili), Legal Adviser to the Chilean Legation in Great Britain;
- Professor FRANÇOIS (Netherlands), Head of the League of Nations Branch of the Ministry for Foreign Affairs;
- Sir Cecil James Barrington HURST (Great Britain), Legal Adviser to the Foreign Office;
- M. Massimo PILOTTI (Italy), Legal Adviser at the Ministry for Foreign Affairs.

V. — The Reduction of Armaments.

PERMANENT ADVISORY COMMISSION ON MILITARY, NAVAL AND AIR QUESTIONS

(Constituted by a Council Resolution of May 9th, 1920, pursuant to Article IX of the Covenant. The members are appointed by and are representatives of their Governments. The Presidents of the Plenary Commission and of the Military, Naval and Air Sub-Commissions are selected by rotation of the nations represented on the Commission for periods of four months.)

Members and Assistants.

- | | |
|---|------------------|
| Colonel H. A. C. TEMPERLEY | (British Empire) |
| Rear-Admiral W. A. Howard KELLY | (British Empire) |
| Group Captain W. F. MACNEECE-FOSTER | (British Empire) |

Squadron-Leader F. P. DON	(British Empire)
General M. VELIS	(Chile)
Admiral José T. MERINO	(Chile)
Brigadier-General M. YAO SIKIOU	(China)
Colonel A. BORRERO	(Colombia)
Commander D. WHITMARSH	(Cuba)
Colonel REQUIN	(France)
Major LUCIEN	(France)
Vice-Admiral JEHENNE	(France)
Commander DELEUZE	(France)
Lt.-Colonel H. E. MOUCHARD	(France)
Colonel F. von BOETTICHER	(Germany)
Lt.-Colonel F. Duemlein	(Germany)
Rear-Admiral Baron von FREYBERG EISENBERG	(Germany)
Commander W. MARSHALL	(Germany)
Colonel STRECCIUS	(Germany)
Lt.-Colonel M. SCHINDLER	(Germany)
Brig. General DE MARINIS STENDARDO DI RICIGLIANO	(Italy)
Colonel A. INFANTE	(Italy)
Commander Don F. RUSPOLI	(Italy)
Commander CUGIA DI SANT 'ORSOLA	(Italy)
Lt.-Colonel PELLEGRINI	(Italy)
Commander P. F. BITOSI (Air)	(Italy)
Captain GIBERTI	(Italy)
Brig. General SUGIYAMA	(Japan)
Lt.-colonel K. SAKAI	(Japan)
Commander SOGAWA	(Japan)
Rear-Admiral Viscount T. KATO	(Japan)
Captain K. ABE	(Japan)
Lieutenant MYAZAKI	(Japan)
Lt.-General C. van TUINEN	(Netherlands)
Major van VOORST TOT VOORST	(Netherlands)
Rear-Admiral H. G. SURIE	(Netherlands)
Lieut.-Commander D. VREEDE	(Netherlands)
Colonel T. KASPRZYCKI	(Poland)
Lt.-Colonel S. KUNSTLER	(Poland)
Captain E. SOLSKI	(Poland)
Commander A. STEBLOWSKI	(Poland)
General DUMITRESCO	(Roumania)
Colonel L. RADULESCO	(Roumania)

(The Governments of Canada and Finland have not yet communicated the names of their representatives.)

PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

(Constituted in virtue of a Resolution of the Sixth Assembly to direct and coordinate preparatory work for the Disarmament Conference.)

M. LOUDON (Chairman)	(Netherlands)
M. F. PEREZ	(Argentine)
Baron MONCHEUR	(Belgium)
	(Brazil)
M. D. BOUROFF	(Bulgaria)
Lord CUSHENDUN	(British Empire)
Dr. RIDDELL	(Canada)

M. E. VILLEGAS	(Chile)
M. TCHENG LOH.	(China)
M. URRUTIA.	(Colombia)
M. AGUERO Y BETHANCOURT.	(Cuba)
M. F. VEVERKA	(Czechoslovakia)
M. R. HOLSTI	(Finland)
M. PAUL-BONCOUR	(France)
Count BERNSTORFF	(Germany)
M. POLITIS	(Greece)
General DE MARINIS	(Italy)
M. N. SATO	(Japan)
M. MARKOVITCH	(Kingdom of the Serbs, Croats and Slovenes)
M. RUTGERS.	(Netherlands)
M. SOKAL.	(Poland)
M. P. COMNENE	(Roumania)
M. HENNINGS	(Sweden)
Mr. WILSON.	(United States of Ame- rica)

COMMITTEE ON ARBITRATION AND SECURITY

(Appointed by the Preparatory Commission, pursuant to a Resolution of the Eighth Assembly.)

M. BÉNÈS (Chairman).	(Czechoslovakia)
M. J. M. CANTILO	(Argentine)
Baron ROLIN-JACQUEMYNS	(Belgium)
	(Brazil)
Lord CUSHENDUN	(British Empire)
M. A. BOUROFF.	(Bulgaria)
Dr. W. A. RIDDELL	(Canada)
M. J. VALDES-MENDEVILLE.	(Chile)
M. TCHENG-LOH	(China)
M. F. URRUTIA	(Colombia)
M. A. AGUERO Y BETHANCOURT	(Cuba)
	(Spain)
M. R. HOLSTI	(Finland)
M. PAUL-BONCOUR	(France)
Count BERNSTORFF.	(Germany)
M. N. POLITIS.	(Greece)
General DE MARINIS	(Italy)
M. N. SATO	(Japan)
M. V. H. RUTGERS	(Netherlands)
M. F. SOKAL	(Poland)
M. N. P. COMNÈNE	(Roumania)
M. L. MARKOVITCH	(Kingdom of the Serbs, Croats and Slovenes)
M. UNDEN	(Sweden)
	(Uruguay)
M. M. LITVINOFF (Observer)	(Union of the Socialist Soviet Republics)

VI. — The Technical Organisation.

1. — ECONOMIC AND FINANCIAL ORGANISATION

ECONOMIC AND FINANCIAL COMMISSION

(Appointed by the Council, in accordance with a recommendation of the Brussels Financial Conference, 1920.)

M. Gustave ADOR (Chairman of the Commission). (Swiss)

Financial Committee.

Sir O. E. NIEMEYER (Chairman), Controller of Finance, British Treasury (British)
M. L. DUBOIS, President of the Swiss Banking Corporation (Swiss)
Comm. BIANCHINI, President of the Italian Bank Association (Italian)
M. JANSSEN, former Financial Minister (Belgian)
M. MELCHIOR, Warburg's Bank, Hamburg. (German)
M. C. E. TER MEULEN. (Dutch)
M. J. PARMENTIER, Hon. Director-General at the French Ministry of Finance (Substitute comte DE CHALENDAR) (French)
Dr. V. POSPISIL, Governor of the Czechoslovak National Bank (Czechoslovak)
Mr. JEREMIAH SMITH Jr (United States of America)
Sir Henry STRAKOSCH (South African)
M. Carlos TORNQUIST. (Argentine)
M. TSUSHIMA, Japanese Commercial Delegation (Japanese)
M. Marcus WALLENBERG, Vice-President of the Stockholm Enskilda Bank (Swedish)
Sir BASEL BLACKETT (India)

Economic Committee.

M. D. SERRUYS (Chairman), Director of Commercial Agreements in the French Ministry of Commerce. (French)
Dr. E. TRENDELENBURG (Vice-Chairman), Secretary of State in the German Ministry of Economics (German)
M. J. BRUNET, Envoy extraordinary and plenipotentiary Minister. (Belgian)
M. J. A. BARBOZA CARNEIRO, Commercial Attaché, Brazilian Embassy, London (Brazilian)
Sir SYDNEY CHAPMAN, Chief Economic Adviser to the British Government (British)
M. A. DI NOLA, Director-General in the Italian Ministry of Commerce. (Italian)
M. F. DOLEZAL, Under-Secretary of State in the Polish Ministry for Commerce and Industry (Polish)

- M. JAN DVORACEK, former Minister of Commerce (Czechoslovak)
M. N. ITO, Councillor of Embassy, Assistant-Director of the Japanese League of Nations Office. (Japanese)
M. G. JAHN, General-Director of the Central Statistical Office of Norway (Norwegian)
Mr. H. A. F. LINDSAY, Indian Trade Commissioner in London (India)
Professor E. NECULCEA (Roumanian)
Dr. Richard SCHÜLLER, Chief of Section in the Austrian Foreign Ministry (Austrian)
M. W. STÜCKI, Director of the Trade Division of the Federal Economic Department (Swiss)
A national of the United States of America

Corresponding Members :

- Mr. C. A. B. CAMPION (Australian)
M. G. CURCIN, Secretary-General of the Federation of Industrial Guilds (Yugoslavian)
M. A. JENSEN, Chief of the Department of Statistics, Ministry of Finance (Danish)
A national of China.
— Chile.
— Argentine.
— Venezuela.

CONSULTATIVE COMMITTEE OF THE ECONOMIC ORGANISATION

(Constituted by the Council pursuant to a Resolution of the Eighth Assembly.)

- M. Georges THEUNIS (Chairman), Minister of State. (Belgian)
M. LOUCHEUR (Vice-Chairman) deputy, former Minister (French)
M. COLIJN (Vice-Chairman), former Prime Minister, former Minister of Finance (Netherlands)
Sir ATUL CHANDRA CHATTERJEE (Vice-Chairman), High Commissioner for India in London (India)

Members :

- Sir Arthur BALFOUR, Chairman of the Committee on Trade et Industry. (British)
M. E. BELLONI, industrialist, deputy, Mayor of Milan. (Italian)
M. BENNI, deputy, President of the Fascist General Industrial Federation. (Italian)
Professor F. BERNIS, Secretary-General of the National Banking Council. (Spanish)
M. CHUAN CHAO, Secretary-General of the Permanent Delegation of China in Geneva. (Chinese)

- M. J. CLAN, President of the Danish Commission for the Conclusion of Commercial Treaties. (Danish)
- M. F. P. DA CUNHA LEAL, engineer, Governor of the Bank of Angola, former Prime Minister and Minister of Finance (Portuguese)
- M^{me} FREUNDLICH, President of the International Guild of Cooperative Societies (Austrian)
- M. GAUTIER, President of the National Federation of Agricultural Associations (French)
- M. Gustave GÉRARD, Director-General of the Central Industrial Committee of Belgium. (Belgian)
- M. GLIWIC, former Minister of Industry and Commerce, Vice-President of the Polish Smelting Syndicate (Polish)
- Count HADIK, former Minister of Supplies, President of the Section for Economic Policy of the National Association of Agriculturists. (Hungarian)
- Dr. HERMES, former Minister, member of the International Agricultural Commission. . . (German)
- Dr. F. HODAC, Professor of Political Economy, President of the Federation of Employers' Syndicates (Czechoslovak)
- M. E. JARAMILLO, Senator, Minister of Finance. . (Colombian)
- M. JOUHAUX, member of the Governing Body of the International Labour Office. (French)
- M. N. KAWASHIMA, Minister at Athens, former director of the Department of Commercial Treaties in the Foreign Ministry. (Japanese)
- Dr. Cl. LAMMERS, member of the Reichstag, member of the Board of Directors of the *Reichsverband der deutschen Industrie* (German)
- Dr. E. Laur, Director of the Swiss Peasants' Union (Swiss)
- Mr. W. T. LAYTON, Editor of the Economist . . . (British)
- M. E. MAYRISCH, President of the Board of Directors of the *Acîéries Réunies*, Burbach-Eich-Dudelange. (Luxemburg)
- M. F. VON MENDELSSOHN, President of the *Industrie-und Handelstag*. (German)
- M. DE MICHELIS, President of the International Institute of Agriculture. (Italian)
- M. MÜLLER, member of the Governing Body of the International Labour Office. (German)
- M. NASTA, Professor at the Agricultural College of Bucarest, Director-General at the Ministry of Agriculture and Domains (Roumanian)
- M. A. OERNE, Director-General of the Postal Service, former Minister of Communications (Swedish)
- M. Oudegeest, member of the Governing Body of the International Labour Office (Netherlands)
- M. DE PEYERIMHOFF DE FONTENELLE, President of the *Comité des Houillères de France*. . . (French)
- M. A. PIRELLI, President of the International Chamber of Commerce (Italian)

- M. POPLAWSKI, former President of the Union of Agricultural Associations, former Under Secretary of State in the Ministry of Finance. (Polish)
- Mr. ARTHUR PUGH, Vice-President of the General Council of the Trades Union Congress, Secretary of the Iron and Steel Trades Confederation. (British)
- M. A. QUEZADA, former Minister of Finance, former professor of political economy at the University of Santiago (Chilean)
- M. E. ROSSONI, President of the Fascist Syndical Federations (Italian)
- M. SERRARENS, Secretary-General of the International Federation of Christian Syndicates (Netherlands)
- Mr. ADAM SHORTT, Professor of Economics, Queens University (Canadian)
- M. VÄINÖ TANNER, Prime Minister of Finland Director-General of the Elanto Cooperative Society (Finnish)
- Dr. MILAN TODOROVIC, Chief of Section in the Foreign Ministry. (Yugoslavian)
- M. J. TSUSHIMA, Financial Commissioner of the Japanese Government in London. (Japanese)
- M. K. VARVARESSOS, Professor of Political Economy at Athens University. (Greek)
- Mr. F. VERNON WILLEY. (British)
- An Australian national.
- Two nationals of the United States of America.
- Two nationals of the Union of Soviet Socialist Republics.
- A member of the Financial Committee.
- Two members of the International Chamber of Commerce.

Sir SYDNEY CHAPMAN	} Five members of the Economic Committee.
M. G. JAHN.	
M. SCHÜLLER	
M. SERRUYS.	
Dr. E. TRENDLENBURG	

THE FINANCIAL RECONSTRUCTION OF AUSTRIA

a) *Committee of Control of the Guaranteeing States for the Austrian Loan.*

(Constituted in accordance with the second Reconstruction Protocol, Geneva, October 4th, 1922. The members of the Committee are nominated by their Governments.)

- M. MARIO ALBERTI, Director of the Credito Italiano, Milan (Chairman). (Italy)
- Dr. ROOS, Director of the Zemska Bank, Prague. (Czechoslovakia)
- M. ANDERSEN, of the Danish Ministry of Finance. (Denmark)
- M. DE LA HUERTA. (Spain)
- M. DINICHERT, Minister Plenipotentiary (Switzerland)
- M. JANSSEN, former Financial Minister (Belgium)

Count J. G. LAGERBIELKE, Delegate to the Swedish *Comptoir de la Dette Publique*. (Sweden)
 Sir O. NIEMEYER (Great Britain)
 M. R. J. H. PATIJN, Minister Plenipotentiary
 (Jonkheer W. F. van Lennep, Substitute). (Netherlands)
 M. SEYDOUX, Minister Plenipotentiary (France)

b) *Trustees for the Loan.*

(Appointed by the Council.)

M. Marcus WALLENBERG (Swedish)
 M. JANSSEN. (Belgian)
 Mr. JAY, of Morgan, Harjes & Co (American)

Agent at Vienna.

M. ROST VAN TONNINGEN (Netherlands)

c) *Member of Financial Committee appointed to administer the loan balance.*

M. L. DUBOIS (Swiss)

THE FINANCIAL RECONSTRUCTION OF HUNGARY

a) *Committee of Control.*

(Appointed by the Reparations Commission.)

M. CAVAZZONI (Chairman). (Italy)
 M. G. DJOURITCH (Vice-Chairman). (Serb-Croat-Slovene
 Kingdom)
 Sir Basil A. KEMBALL COOK (Great Britain)
 M. BOUNIOLS (France)
 M. E. NECULCEA (Roumania)
 Dr. V. POSPISIL (Czechoslovakia)

b) *Trustees for the Loan.*

(Appointed by the Council.)

M. BIANCHINI (Italian)
 Sir Henry STRAKOSCH (South African)
 M. C. E. TER MEULEN (Dutch)

Agent at Budapest.

Mr. R. TYLER. (American)

c) *Member of Financial Committee administering the loan balance.*

M. TER MEULEN. (Dutch)

GREEK REFUGEES SETTLEMENT COMMISSION

(Constituted under the Greek Refugees Protocol, Geneva, September 29th, 1923. Two members are nominated by the Council of the League.)

Mr. Charles EDDY (Chairman)	(American)
Sir John HOPE SIMPSON (Vice-Chairman)	(British)
M. A. PALLIS	(Greek)
M. A. LAMBROS	(Greek)

DANZIG MUNICIPAL LOAN

Trustee :

M. TER MEULEN	(Netherlands)
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ESTONIAN 1927 LOAN

Trustee :

M. A. JANSSEN	(Belgian)
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SETTLEMENT OF BULGARIAN REFUGEES

a) *Commissioner of the League of Nations at Sofia.*

(Appointed by the Council.)

M. CHARRON	(French)
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b) *Trustees for the Loan.*

(Appointed by the Council.)

M. BIANCHINI	(Italian)
M. WALLENBERG	(Swedish)
Sir Herbert LAWRENCE	(British)

COMMITTEE ON THE ALLOCATION OF EXPENSES

(Appointed by the Council in accordance with a decision of the First Assembly, for the purpose of drawing up a definite scheme for the allocation of the expenses of the League.)

M. RÉVEILLAUD, Chairman.	(French)
M. J. A. BARBOZA CARNEIRO.	(Brazilian)
Mr. F. PHILLIPS	(British)
M. SOLERI	(Italian)
Sir Henry STRAKOSCH	(South African)
M. Herluf ZAHLE	(Danish)
M. Bodgan MARKOVITCH	(Jugoslavian)

2. — COMMUNICATIONS AND TRANSIT

ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT ⁽¹⁾

(Constituted at the request of the First Assembly by the General Conference on Communications and Transit convened by the League at Barcelona in March 1921. The Committee consists of one member nominated by each of the States Members permanently represented on the Council and of other members nominated by States Members not so represented, chosen by the General Conference, the selection having regard as far as possible, to technical interests and geographical representation. The members hold office for two years.)

Chairman :

M. A. DE AGÜERO Y BETHANCOURT (appointed by the Cuban Government). Envoy Extraordinary and Minister Plenipotentiary in Germany and in Austria.

Vice-Chairmen :

M. G. POPESCO (appointed by the Roumanian Government), Engineer, Professor at the Polytechnic School, Bucharest.

M. A. STEVENARD (appointed by the Belgian Government), Inspector of Belgian Railways.

M. F. AMUNATEGUI (appointed by the Chilean Government), Engineer of Bridges and Roads; Secretary-General of the Mixed Courts of Arbitration.

Mr. J. G. BALDWIN (appointed by the British Government), Representative of Great Britain on the International River Commissions.

M. G. BROCKMANN Y ABARZUA (appointed by the Spanish Government), Inspector-General of Roads, Canals and Ports; President of the Council of Public Works.

M. G. DOBKEVICIUS (appointed by the Lithuanian Government), Consulting Engineer; former Councillor of Legation.

M. Silvain DREYFUS (appointed by the French Government), Vice-President of the General Council of Roads and Bridges and of the High Council of Public Works; member of the Central Commission for Rhine Navigation.

M. G. GUERRERO (appointed by the Salvador Government), Minister of Foreign Affairs.

M. OUANG-HANG (appointed by the Chinese Government), Railway Engineer, Technical Secretary at the Chinese Legation in Paris.

M. A. POLITIS (appointed by the Greek Government), Former director of Greek railways; Technical Adviser to the Greek Government at Paris.

M. H. REINHARDT (appointed by the Austrian Government), Former Ministerial Councillor.

M. N. SATO (appointed by the Japanese Government), Envoy Extraordinary and Minister Plenipotentiary; Director of the Japanese League of Nations Office at Paris.

Dr. A. SEELIGER (appointed by the German Government), Envoy Extraordinary and Minister Plenipotentiary; representative of Germany on the International River Commissions.

M. G. SINIGALIA (appointed by the Italian Government), Former Chief Inspector of the Italian State Railways; member of the Central Commission for Rhine Navigation.

M. G. SMITH (appointed by the Norwegian Government), Former Director-General of Norwegian Ports.

(1) This list gives the composition of the Transit Committee and of its permanent and temporary committees as it was at the date of the opening of the 3rd General Conference on Communications and Transit (August 1927). The composition of the new committee will be given in the March number of the *Monthly Summary*.

- M. F. J. URRUTIA (appointed by the Colombian Government), Envoy Extraordinary and Minister Plenipotentiary in Switzerland.
M. B. WINIARSKI (appointed by the Polish Government), Professor of Law at the University of Poznan.
A member to be appointed by the Government of Venezuela.

A. Permanent Committees.

I. *Permanent Committee for Ports and Maritime Navigation.*

Chairman : Sir NORMAN HILL, Bart.

a) *Committee for Ports.*

- M. SMITH (Chairman).
Mr. BALDWIN.
M. BROCKMANN y ABARZUA.
M. STIEVENARD.
M. B. Fernandez y MEDINA, Envoy Extraordinary and Minister Plenipotentiary of Uruguay in Spain; Chairman of the Ports Committee of the Second General Conference on Communications and Transit.
M. G. INGIANNI, Director-General of the Italian Mercantile Marine.
Dr. F. E. ROBINOW, Ministerial Councillor in the German Ministry for Communications.
M. P. H. WATIER, Director of Navigable Waterways and Maritime Ports in the French Ministry of Public Works.

b) *Committee for Maritime Navigation.*

- M. DE AGÜERO y BETHANCOURT (Chairman).
M. POPESCO.
M. SATO.
Sir Alan ANDERSON, Vice-President of the Chamber of Shipping of the United Kingdom, London.
M. D. BIANCARDI, Expert Adviser to the Italian Delegation in the Ports Committee of the Second General Conference on Communications.
M. M. BOEGER, President of the Shipowners' Association of Hamburg.
M. G. BRETON, Director-General of the *Chargeurs réunis*, Paris.
M. A. G. KRÖLLER, Member of the Economic Council of the Ministry for Foreign Affairs of the Netherlands.

II. *Permanent Committee for Inland Navigation.*

- M. Silvain DREYFUS (Chairman).
M. BALDWIN.
M. DOBKEVICIUS.
M. POPESCO.
M. ROSSETTI, President of the Permanent Technical Hydraulic System Commission of the Danube. Representative of Italy on the International River Commissions.
M. REINHARDT.
M. SEELIGER.
M. STIEVENARD.
M. WINIARSKI.
M. TSANG-OU, Chinese delegate to the Barcelona Conference.

III. *Permanent Committee for Transport by Rail.*

M. SINIGALIA (Chairman).

M. AMUNATEGUI.

M. BROCKMANN Y ABARZUZA.

M. OUANG-HANG.

M. POLITIS.

Sir Francis DENT, Chairman of the Railways Committee of the Second General Conference on Communications and Transit; ex-Managing Director of the South Eastern and Chatham Railway.

M. R. HEROLD, Chief of District of the Federal Railways, Zurich.

Dr. Otokar LANKAS, Director at the Czechoslovak Ministry of Railways.

M. SCHWOB, Director-General of Railways at the French Ministry of Public Works.

M. P. WOLF, Director of the German State Railway Company.

IV. *Permanent Committee on Electric Questions.*

M. DOBKEVICIUS (Chairman).

M. BROCKMANN Y ABARZUZA.

M. POLITIS.

M. J. CHUARD, Engineer; Director of the *Banque pour Entreprises électriques* at Zurich.

Dr. R. HAAS, Director of the *Kraftübertragungswerke*, Rheinfelden, Germany.

M. F. W. HANSEN, Director-General of Hydraulic Power and Canals in Sweden.

M. MAGNIER, Director of Hydraulic Power and Distribution of Electric Energy in the French Ministry of Public Works.

V. *Permanent Committee on Road Traffic.*

M. STIEVENARD (Chairman).

M. AMUNATEGUI.

M. REINHARDT.

M. O. BILFELDT, Head of Section at the Danish Ministry of Justice.

M. E. CHAIX, President of the *Conseil Central du Tourisme international*, Paris.

M. CRESPI, Vice-President of the International Federation of Automobile Clubs, President of the Automobile Club of Milan.

Professor E. DELAQUIS, Head of the Police Division at the Federal Department of Justice and Police, Berne.

Mr. P. C. FRANKLIN, of the Roads Department, Ministry of Transport, London.

M. E. MELLINI, Chief Inspector of Railways, Tramways and Automobiles of the Kingdom of Italy.

M. PFLUG, Ministerial Councillor at the German Ministry of Communications.

M. G. F. SCHÖNFELD, Administrator at the Department of Communications, The Hague.

M. WALCKENAER, Inspector-General of Mines at the French Ministry for Public Works.

VI. *Permanent Legal Committee.*

M. URRUTIA (Chairman).

M. GUERRERO.

M. WINIARSKI.

Mr. W. E. BECKETT, Assistant Legal Adviser, Foreign Office, London.

Jonkheer W. J. M. VAN EYSINGA, Professor at the University of Leyden.

- M. J. HOSTIE, former Legal Adviser to the Belgian Department of Marine; Secretary-General of the Central Commission for Rhine Navigation.
M. René MAYER, *Maître des requêtes au Conseil d'État*, Secretary-General of the *Conseil Supérieur des Chemins de Fer*, Paris.
Dr. SCIE TON-FA, of the Chinese Legation in Paris.

VII. *Budget Sub-Committee.*

- Mr. BALDWIN (Chairman).
M. Silvain DREYFUS.
M. GUERRERO.
M. OUANG-HANG.
M. SATO.
M. STIEVENARD.

B. Temporary Committees.

I. *Committee of Experts on Telegraphic Questions.*

- M. B. Fernandez y MEDINA (Chairman).
M. ARENDT, Ministerial Councillor in the German Ministry of Posts.
M. BOULANGER, Director of Telegraphic Communications in the French Department of Posts and Telegraphs.
M. H. L. ETIENNE, Director of the International Telegraphic Union.
M. G. GNAME, Head of Division in the Telegraphic Department of the Italian Ministry of Communications.
Mr. LOUDON, Head of Division in the General Post Office of Great Britain.

II. *Technical Committee for Buoyage and Lighting of Coasts.*

- M. P. H. WATIER (Chairman).
Admiral A. BELLENI, of the Italian Admiralty.
M. P. VAN BRAAM VAN VLOTEN, Director of the Technical Lighthouse Service of the Netherlands.
M. R. HÄGG, Director-General of the Royal Administration of Pilotage, Lighthouses and Buoys, Sweden.
M. S. INOMA, Secretary at the Ministry of Transport, Councillor to the Japanese League of Nations Office.
Admiral L. LANGLOIS, former Director-General and Chief of the Chilean Naval General Staff.
M. G. MEYER, Ministerial Councillor of the Navigable Waterways Section in the German Federal Ministry of Communications.
Captain M. NORTON, Director of the Portuguese Lighthouse Service.
Commander RAZICOTSICAS, Greece.
M. A. DE ROUVILLE, Chief Engineer for Bridges and Roads, and for the French Central Lighthouse and Buoyage Service.
Baron G. WREDE, Director-General of the Finnish Naval Administration.

For the International Hydrographic Bureau.

- Vice-Admiral NIBLACK, President of the Directing Committee of the Bureau.

III. *Technical Committee for Maritime Tonnage Measurement.*

- M. A. VAN DRIEL, Advisory Naval Architect to the Netherlands Navigation Inspection Service (Chairman).

- M. L. AALL, Chief Tonnage Surveyor in Norway.
M. ABE, representing the *Nippon Yusen Kaisha*, in London.
Mr. F. W. BICKLE, Principal Surveyor for Tonnage, Board of Trade, London.
M. G. BRETON.
M. P. A. LINDBLAD, Chief Tonnage Surveyor and Chief Inspector to the Central Administration of Trade and Industry in Sweden.
M. A. PALANCA, Naval Architect, Representative of the *Navigazione Generale Italiana*, Genoa.
Dr. F. E. ROBINOW.
M. SMORGONSKY, Naval Architect, Chief of the Maritime Department in the Central Bureau of the Registry of the U. S. S. R.

Sub-Committee of Experts.

- M. VAN DRIEL (Chairman).
Captain L. AALL.
Mr. F. W. BICKLE.
M. FALCETTI, Head of the Technical Department of the Italian Mercantile Marine, Rome.
M. RICHARD, Head of Section of the Customs Department, Ministry of Finance, Paris.
M. ROTTMANN, Chief Councillor to the Tonnage Measurement Department of the Reich, Berlin.
Mr. Charles SKENTELBERY, European Manager of the Maintenance and Repair Department, United States Shipping Board, London.

IV. *Committee on Private Law in Inland Navigation.*

- M. B. WINIARSKI (Chairman).
M. M. BALS, Councillor to the *Haute Cour de Cassation*, Bucharest.
M. P. CHARGUERAUD-HARTMANN, Secretary of the International Oder Commission, Legal Adviser to the Ministry of Marine in Paris.
M. J. HOSTIE.
M. H. DE JARMAY, Director of the Royal Hungarian Fluvial and Maritime Navigation Company.
Professor M. MITTELSTEIN, President of the Court of Appeal at Hamburg.
M. NAUTA, Barrister at Rotterdam.
M. C. ROSSETTI.
M. D. SITENSKY, Legal Adviser to the Czechoslovak Ministry of Commerce.

V. *Committee on Competition between Railways and Waterways.*

- Professor E. F. HECKSCHER, Professor of Political Economy at the Commercial University, Stockholm (Chairman).
M. EBERHARDT, Under-Secretary of State in the Ministry of Railways, Warsaw.
Mr. C. DILLON, Technical Delegate of Great Britain to the International Danube Commission.

VI. *Committee on Combined Transport.*

- M. Umberto BROCCA, Director-General of the Italian Maritime Services Company, Rome.
Jonkheer VAN DEN BERCH VAN HEEMSTEDÉ, Director-General of the International Air Traffic Association, The Hague.
Dr. O. LANKAS, Director at the Ministry of Railways at Prague.

- M. Gaston LEVERVE, Secretary-General of the International Railway Union, Paris.
M. Anton MENS, Director of the Freight Service of the firm of M. H. Müller and Co., Rotterdam.
M. Henri NIEMACK, Ministerial Councillor at the German Ministry of Communications.
M. RIPERT, Professor at the Faculty of Law of Paris.
Mr. Walter Leslie RUNCIMAN, of Runciman and Company, Shipowners, London, representing the International Chamber of Commerce.

a) *Sub-Committee on Combined Transport
between Railways and Waterways.*

- Dr. O. LANKAS (Chairman).
M. DE DOMONY, General Manager of the *Donaudampfschiffsgesellschaft* M. F. T. R., Budapest.
M. HOYER, Manager of the *Rhein-und Seeschiffahrt A. G.*, Cologne.
M. LEVERVE.
M. MITTLER, Commercial Manager of the Danube-Save-Adriatic Company, Vienna.
M. NIEMACK.
M. REK, Manager of the *Vereinigte Elbeschiffahrtsgesellschaften, A. G.*, Dresden.
Dr. SPIESS, of the German Ministry of Communications.

b) *Sub-Committee on Combined Transport
between Railways and Air Navigation.*

- M. NIEMACK (Chairman).
M. RIPERT.
Major WRONSKY, Manager of the *Lufthansa A. G.*, Berlin, appointed by the Chairman of the Advisory and Technical Committee.
Major WOODS-HUMPHREY, General Manager of the Imperial Airways Ltd., appointed by the Chairman of the Advisory and Technical Committee.
Jonkhcer VAN DEN BERCH VAN HEEMSTEDÉ.
M. POURCEL, Assistant Secretary-General of the International Railway Union.
M. RENARD, Member of the Air Transport Committee of the International Chamber of Commerce.

VII. *Committee on Statistics in Inland Navigation.*

- M. J. H. F. CLAESSENS, Director of Commercial Statistics, The Hague (Chairman).
M. P. DEMETRIAD, Engineer, Inspector-General; Director of Docks at Braila.
M. J. HOSTIE.
M. HOUPEURT, Chief Engineer of Bridges and Roads; Director of the National Office of Navigation, Paris.
Dr. Jean PIEKALKIEWICZ, Chief of Section of the Central Office of Statistics, Warsaw.
Dr. W. TEUBERT, *Oberregierungsrat* in the German Statistical Office.
M. F. VILFAN, Delegate of the Kingdom of the Serbs, Croats and Slovenes to the International Danube Commission.
M. Ludwig WERTHEIMER, Director-General of the D. D. S. G. Navigation Co., Vienna.

VIII. *Experts on Facilities for the Landing of Aircraft in the Neighbourhood
of the Seat of the League of Nations.*

- M. DUVAL, Head of the Airways Section of the Air Navigation Service at the French Ministry of Commerce and Industry.
Comm. Antonio MARESCALCHI, General Manager of the Aeronautical Construction Company Ltd., Genoa.
M. MILCH, member of the Board of Directors of the *Deutschen Luft Hansa*, Berlin.

- M. NIEUWENHUIS, General Manager of the *Koninklijke Luchtvaart Maatschappij* Works, Amsterdam.
- M. BOISSONNAS, Councillor of State, Head of the Department of Public Works, Canton of Geneva.
- M. GSELL, Supervisory Engineer at the Swiss Federal Air Office.
- M. Ed. LACROIX, Engineer in the Department of Public Works, Geneva.
- M. WEBER, Director of the Cointrin Aerodrome, Geneva.

IX. *Experts consulted on the possibility of establishing a wireless telegraph station for the use of the League of Nations.*

- M. EINTHOVEN, Wireless Telegraph Engineer, The Hague.
- General FERRIÉ, Director of Military Wireless Telegraphy at the French Ministry of War; President of the International Wireless Telegraph Committee.
- Dr. JAEGER, Counsellor at the German Ministry of Posts.
- Colonel LEE, of the General Post Office of Great Britain.
- Professor VALLAURI, of the Royal Naval Academy, Leghorn.

3. — THE HEALTH ORGANISATION

THE HEALTH COMMITTEE

The mandate of the members of the permanent Health Committee having expired at the end of 1926, twenty-four members were elected for a period of three years commencing on January 1, 1927.

President :

- Dr. Th. MADSEN, Director of the State Serum Institute,
Copenhagen. (Danish)

Vice-Presidents :

- (*ex officio*) M. O. VELGHE, Secretary-General of the
Ministry of the Interior and of Health, Brus-
sels; President of the *Comité permanent de*
l'Office international d'Hygiène publique. . . . (Belgian)

(*Elected for 1928*) :

- Dr. G. ARAOZ ALFARO, President of the National
Health Department, Buenos Ayres (Argentine)
- Dr. H. CARRIÈRE, Director of the Swiss Federal
Public Health Service (Swiss)

Members :

- Professor LÉON BERNARD, Director of the Insti-
tute of Hygiene of the Faculty of Medicine in
Paris; Technical Health Adviser at the French
Ministry of Health. (French)

- Sir George BUCHANAN, Senior Medical Officer,
British Ministry of Health. (British)
- Professor J. CANTACUZENE, Professor of Bacte-
riology and Director of the Institute of Expe-
rimental Medicine, Bucharest. (Roumania)
- Dr. Carlos CHAGAS, Director of the Oswaldo Cruz
Institute, Rio de Janeiro (Brazilian)
- Dr. Witold CHODZKO, former Polish Minister of
Health; Director of the State School of Hy-
giene, Warsaw (Polish)
- Surgeon General H. S. CUMMING, Chief of the
United States Public Health Service. . . . (American)
- Dr. J. H. L. CUMPSTON, Director-General of the
Commonwealth Department of Health (expert
adviser) (Australian)
- Colonel J. D. GRAHAM, Public Health Commis-
sioner with the Government of India. . . . (British)
- Dr. C. HAMEL, President of the *Reichsgesundheits-
amt* (German)
- Dr. Alice HAMILTON, Professor of Industrial
Hygiene at Harvard University (expert ad-
viser) (American)
- Dr. N. M. J. JITTA, President of the Public Health
Council of the Netherlands (Dutch)
- Professor Ricardo JORGE, Director-General of
Public Health, Lisbon (Portuguese)
- Dr. A. LUTRARIO, former Director-General of
Public Health, Italian Ministry of the Interior. (Italian)
- Professor B. NOCHT, Rector of the University
and Director of the Institute of Tropical Di-
seases, Hamburg (German)
- Professor Donato OTTOLENGHI, Professor of Hy-
giene at the Royal University of Bologna. . . (Italian)
- Professor Gustavo PITTALUGA, Professor of Para-
sitology in the Faculty of Medicine at Madrid. (Spanish)
- Dr. L. RAYNAUD, Inspector-General of the Public
Health Service of Algeria (French)
- Dr. M. TSURUMI, Representative of the Public
Health Service of Japan, Paris (Japanese)
- Dr. C. E. A. WINSLOW, Professor at the School
of Public Health of Yale University (expert
adviser) (American)
- A fourth expert adviser of Japanese nationality
is still to be nominated.

Secretary of the Committee :

Dr. L. RAJCHMAN, Medical Director

ADVISORY COUNCIL OF THE EASTERN BUREAU AT SINGAPORE

(Membership in december, 1927).

Chairman :

Colonel J. D. GRAHAM (British)

Vice-Chairman :

Dr. J. J. VAN LONKHUYZEN, Chief of Medical Service (*Burgerlijke Geneeskundige Dienst*), Weltevreden. Netherlands East Indies (Dutch)

Delegates :

- Dr. A. H. BALDWIN, Acting Director, Australian Institute of Tropical Medicine. (Australian)
- Dr. J. F. E. BRIDGER, Director of Medical and Sanitary Services, Colombo (British)
- Dr. PEREGRINO DA COSTA, Macao (Portuguese)
- Surgeon C. R. ESKEY (Observer), United States Public Health Service, Chief Quarantine Officer for the Philippine Islands, Manila. . . . (American)
- Dr. P. HERMANT, Principal Medical Officer attached to the Public Relief Department, Vinh, Annam. (French)
- Dr. A. L. HOOPS, Principal Civil Medical Officer of the Straits Settlements, Singapore. (British)
- Dr. Edmond JOURDRAN, Director of the Public Health Services, Hanoi, Tonkin (French)
- Dr. KIRIBAYACHI, Formosa (Japanese)
- Dr. S. NISHIKI, Medical Officer of the General Government at Chosen (Japanese)
- Dr. TAKANO, Japan (Japanese)
- Dr. VALLABHA, Siam. (Siamese)
- Dr. A. R. WELLINGTON, Chief Health Officer, Kuala Lumpur, Federated Malay States . . . (British)
- Dr. Ch. WINCKEL, Inspector, Public Health Service of the Netherlands East Indies, West Java Division, Weltevreden (Dutch)
- Dr. WU-LIEN-TEH, Director of the North Manchurian Plague Prevention Service, Harbin. . (Chinese)

Secretary of the Advisory Council :

Dr. R. GAUTIER, Director of the Eastern Bureau at Singapore.

Also attended :

Dr. Th. MADSEN,
Professor K. SHIGA (Japanese)

Committees Connected with the Health Committee.

1. — Committee of Health Experts on Infant Welfare.

Chairman :

Dame Janet CAMPBELL, Senior Medical Officer,
British Ministry of Health. (British)

Members :

Dr. Taliaferro CLARK, United States Public
Health Service, Paris (American)
Professor A. COLLETT, Ministry of Social Affairs,
Oslo. (Norwegian)
Professor Robert DEBRE, Associate Professor at
the Faculty of Medicine, Paris (French)
Professor C. GINI, President of the Central Sta-
tistical Institute of Italy, Rome (Italian)
Professor E. GORTER, Director of the Child Clinic
at The Hague (Dutch)
Professor C. PIRQUET, Director of the University
Child Clinic, Vienna (Austrian)
Professor F. ROTT, State Institute for the Cam-
paign against Infant Mortality, Charlotten-
burg, Berlin (German)

Corresponding Members and Experts :

Professor G. Araoz ALFARO (Member of the
Health Committee) (Argentine)
Dr. J. B. BARRETO, Chief Assistant to the Director
of the Federal Public Health Service of Brazil,
Rio de Janeiro. (Brazilian)
Dr. Velasco BLANCO, Deputy Director of the Fe-
deral Service of Hygiene, Bolivia (Bolivian)
Dr. Fernandez FIGUEIRA, Director-General of the
National Department of Public Health, Rio de
Janeiro. (Brazilian)
Professor Andres GUBETICH, Director of the Na-
tional Department of Health and of Public
Welfare, Asuncion. (Paraguayan)
Professor L. Calvo MACKENNA, Vice-President of
the National Society for Child Welfare; Me-
dical Director of the Orphanage of Santiago. . . (Chilian)
Professor Luis MORQUIO, Professor of Peditry at
the University of Montevideo (Uruguay)
Professor Alberto ZWANCK, Professor of Hygiene
at the Faculty of Medicine, Buenos Ayres. . . (Argentine)

2. — *Joint Commission of Experts for the Study of the Relations Between Public Health Services and Health Insurance Organisations.*

Chairman :

Sir George NEWMAN, Chief Medical
Officer at the British Ministry of
Health. (British)

Members :

Dr. E. BELLENCONTRE, President of the <i>Association générale des Médecins de France</i> , Paris.	(French)	Members nominated by the Health Committee.
Dr. A. FORAMITTI, Deputy Director of the Federal Public Health Service of Austria.	(Austrian)	
Dr. C. HAMEL	(German)	
Professor T. KITASHIMA, Chairman of the Council of the Japanese Medi- cal Association, Paris	(Japanese)	
Dr. J. KUHN, Editor-in-Chief of the <i>Ugeskrift for Læger</i>	(Danish)	
Dr. A. GRIESER, Director in the Ger- man Ministry of Labour	(German)	Members nominated by the Governing Body of the International Labour Office.
M. A. JAUNIAUX, Senator, Secretary- General of the <i>Union nationale des Fédérations de mutualités socialistes</i> , Brussels.	(Belgian)	
M. L. OLIVIER, member of the Exe- cutive Committee of the <i>Fédération nationale de la mutualité</i> , Paris.	(French)	
M. K. OSIOWSKI, Director of the Cen- tral Union of Health Insurance Funds, Warsaw.	(Polish)	
Mr. E. PORTS, Honorary Secretary of the National Association of Insu- rance Committees.	(British)	
Dr. L. WINTER, former Minister for Social Welfare; Vice-President of the Central Union of Health In- surance Funds, of Czechoslovakia, Prague.	(Czechoslovak)	

3. — *Cancer Commission.*

Chairman :

Sir George BUCHANAN (British)

Members :

Professor LÉON BERNARD (French)
Dr. H. CARRIERE (Swiss)
Dr. N. M. JITTA (Dutch)
Dr. Alberto LUTRARIO (Italian)

Sub-Committee of Statisticians of the Cancer Commission.

Chairman :

Professor M. GREENWOOD, Medical Officer (Medical Statistics), Ministry and Vital Statistics, London School of Hygiene, University of London. (British)

Members :

Dr. H. T. DEELMAN, Professor of Pathological Anatomy, University of Groningen (Dutch)
 Dr. Janet E. LANE-CLAYTON, Investigation Officer of the Ministry of Health Department Committee on Cancer (British)
 Professor Henri W. METHORST, Director of the Central Bureau of Statistics of the Netherlands (Dutch)
 Professor Alfredo NICEFORO, Professor of Statistics and Demography, University of Naples. (Italian)
 Professor Eugène PITTARD, Professor of Anthropology, University of Geneva (Swiss)
 Professor Gustave ROUSSY, Professor of Pathological Anatomy at the Faculty of Medicine of the University of Paris (French)

4. — *Smallpox and Vaccination Commission.*

Chairman :

Professor Ricardo JORGE. (Portuguese)

Members :

Sir George BUCHANAN. (British)
 Dr. CARRIERE (Swiss)
 Dr. JITTA (Dutch)
 Dr. MADSEN (Danish)

Corresponding Members and Experts :

Dr. F. R. BLAXALL, Government Lymph Establishment, London (British)
 Professor GILDEMEISTER, of the *Reichsgesundheitsamt* (German)
 Professor H. A. GINS, Robert Koch Institute, Berlin (German)
 Professor H. Mervyn GORDON, St. Bartholomew's Hospital and College, London. (British)
 Professor, E. GROTH, of the *Landesimpfanstalt*, Munich (German)
 Dr. C. GUÉRIN, Director of the Pasteur Institute, Lille. (French)
 Professor C. LEVADITI, Pasteur Institute, Paris. . (French)
 Professor E. PASCHEN, *Staatliche Impfanstalt*, Hamburg (German)
 Professor G. SOBERNHEIM, Director of the Health Institute of the University, Berne. (Swiss)

5. — *Commission of Expert Statisticians*

Chairman :

Dr. H. WESTERGAARD, Professor of Statistics at
the University of Copenhagen. (Danish)

Members :

Dr. Haven EMERSON, Professor of Public Health
Administration, Columbia University, New
York (American)
Professor C. GINI, President of the Central Sta-
tistical Institute of Italy, Rome. (Italian)
M. Michel HUBER, Director of the *Statistique
générale de la France*, Paris (French)
Dr. E. ROESLE, Director of Medical Statistics,
Reichsgesundheitsamt (German)
Mr. S. P. VIVIAN, Registrar General of England
and Wales. (British)

6. — *Commission of experts for the study of tuberculosis
and sleeping sickness in Equatorial Africa.*

Chairman :

Dr. Andrew BALFOUR, Director of the School of
Hygiene and Tropical Medicine, London. . . (British)

Members :

Dr. A. G. BAGSHAW, Director of the Bureau of
Hygiene and Tropical Diseases, London. . . (British)
Professor E. Van CAMPENHOUT, Director of the
Health Service of the Colonial Office. . . . (Belgian)
Professor Gustave MARTIN, Principal Medical
Officer of the Second Class, Colonial Forces;
late Chief of the Mission charged with the
Study of Sleeping-Sickness in Equatorial
Africa. (French)

7. — *International Sleeping Sickness Commission.*

Chairman :

Dr. H. Lyndhurst DUKE, Head of the Laboratory
at Entebbe, Uganda. (British)

Members :

Dr. L. VAN HOOF, Head of the Laboratory at
Léopoldville, Belgian Congo (Belgian)
Professor F. K. KLEINE, of the Robert Koch Ins-
titute, Berlin. (German)
Dr. G. LAVIER, Associate Professor at the Faculty
of Medicine, Paris (French)
Major M. PERUZZI, Lecturer on Pathological
Anatomy at the University of Florence. . . (Italy)
Dr. M. M. PRATES, Head of the Bacteriological
Laboratory at Lourenço Marquez, Portuguese
East Africa (Portuguese)

8. — *Malaria Commission.*

Chairman :

Dr. LUTRARIO (Italian)

Members :

Professor CANTACUZÈNE (Roumanian)
 Professor CHAGAS (Brazilian)
 Professor Nocht. (German)
 Professor OTTOLENGHI (Italian)
 Professor PITTALUGA (Spanish)
 Dr. RAYNAUD (French)

Corresponding Members and Experts :

Dr. L. ANIGSTEIN, State Institute of Hygiene,
 Warsaw (Polish)
 Dr. M. A. BARBER, Special Expert of the United
 States Public Health Service. (American)
 Dr. M. F. BOYD, International Health Division
 of the Rockefeller Foundation. (American)
 Professor E. BRUMPT, of the Faculty of Medicine
 at the University of Paris. (French)
 Dr. DE BUEN, Inspector of the Central Malaria
 Commission, Madrid (Spanish)
 Professor M. CIUCA, of the Faculty of Medicine at
 the University of Jassy. (Roumanian)
 Lt.-Col. S. R. CHRISTOPHERS, Central Research
 Institute, Kasauli, India. (British)
 Colonel S. P. JAMES, Ministry of Health (British)
 Dr. A. LABRANCA, of the Public Health Service,
 Rome. (Italian)
 Professor E. MARCHOUX, Pasteur Institute, Paris. (French)
 Professor E. MARCINOWSKY, Director of the Ins-
 titute of Tropical Medicine, Moscow. (Russian)
 Dr. K. MARKOFF, Inspector of Malaria attached
 to the Public Health Service of Bulgaria. . . (Bulgarian)
 Dr. A. MISSIROLI, Director of the Experimental
 Station for Anti-Malaria Work, Rome. . . . (Italian)
 Dr. C. MOUTOUSSIS, Director of the State Hygienic
 Laboratory, Athens. (Greek)
 Professor K. SCHILLING, of the Robert Koch Ins-
 titute for Infectious Diseases, Berlin. (German)
 Dr. A. SFARCIC, Director of the Anti-Malaria
 Station at Trogir Kingdom of the S. C. S. . (Jugo-Slav)
 Professor N. H. SWELLENGREBEL, of the Institute
 of Tropical Medicine, Amsterdam. (Dutch)
 Dr. C. M. WENYON, director of the Welcome
 Scientific Research Bureau, London. (British)

9. — *Commission on Standardisation of Sera, Serological Reactions and Biological Products.*

Chairman :

Dr. Th. MADSEN (Danish)

Members :

Professor A. CALMETTE, Assistant Director of the
Pasteur Institute, Paris (French)

Professor H. H. DALE, Director of the Bio-Chemical and Pharmacological Departments of the National Institute of Medical Research, London (British)

Professor W. KOLLE, Director of the Institute of Experimental Therapy, Frankfort-on-Main. (German)

Dr. G. W. MCCOY, Director of the Hygienic Laboratory of the United States Public Health Service, Washington, D. C. (American)

10. — *Commission on Education in Hygiene and Preventive Medicine.*

Chairman :

Professor Léon BERNARD (French)

Members :

Professor CANTACUZENE (Roumanian)

Dr. CHODZKO (Polish)

Dr. HAMEL (German)

Professor Ricardo JORGE (Portuguese)

Dr MADSEN (Member. (Danish)

Professor OTTOLENGHI (Italian)

Professor PITTALUGA (Spanish)

Corresponding Members and Experts :

Dr. Andrew BALFOUR, Director of the School of Hygiene and Tropical Medicine, London. . . (British)

Dr. A. GROTJAHN, Professor of Social Hygiene at the University of Berlin. (German)

Sir George NEWMAN, Chief Medical Officer, Ministry of Health, London. (British)

Dr. A. STAMPAR, Director of the Health Service, Ministry of Public Health (Yugoslavian)

Professor W. H. WELCH, Director of the School of Public Health, Johns Hopkins University, Baltimore (American)

11. — *Expert Commission on Plague.*

Lt.-Col. W. H. C. FORSTER, Director of Public Health, Lahore, Punjab. (British)

Dr. F. H. GUERIN, Director of the Public Health Services, Cholon, Indo-China. (French)

Dr. Fabian HIRST, Public Health Department, Colombo. (British)

- Lt.-Col. F. P. MACKIE, Bombay Bacteriological Laboratory, Parel, Bombay (British)
 Dr. L. OTTEN, Director of the Public Health Services, Batavia, Java, Netherlands East Indies. (Dutch)
 Dr. WU-LIEN-TEH, Director of the North Manchurian Plague Prevention Service, Harbin. (Chinese)
 A Japanese Expert.
 Dr. S. M. NIKANOROV, Department of Bacteriology at the University, Saratov. (Russian)

12. — *Opium Commission.*

Chairman :

- Dr. CARRIERE (Swiss)

Members :

- Dr. CHODZKO (Polish)
 Professor Ricardo JORGE (Portuguese)
 Professor NOCHT (German)
 M. VELGHE (Belgian)

Expert :

- Professor E. VON KNAFFL-LENZ, Professor at the Faculty of Medicine of the University of Vienna (Austrian)

4. — INTELLECTUAL COOPERATION

COMMITTEE ON INTELLECTUAL COOPERATION

(Appointed in accordance with a resolution of the Second Assembly.)

- Mr. G. A. MURRAY (Vice-Chairman),⁽¹⁾ Professor of Greek at Oxford University; Member of the Council of the British Academy; Chairman of the Executive Committee of the League of Nations Union.
 M^{lle} K. BONNEVIE, Professor of Zoology at the University of Oslo; Member of the Academy of Sciences of Oslo.
 Sir J. C. BOSE, Founder and Director of the Bose Research Institute, Calcutta; Professor Emeritus of the Presidency College Calcutta; Fellow of the Royal Society of London; Fellow of the Asiatic Society.
 M. Julio CASARES, Publicist, Member of the Royal Spanish Academy.
 M. A. DE CASTRO, Director-General of the Department of Education of Brazil.
 M^{me} CURIE-SKLODOWSKA, Professor of Physics at the University of Paris; Honorary Professor of the University of Warsaw; Member of the Paris *Académie de Médecine*, of the Polish Academy and of the Scientific Society at Warsaw, Foreign Member of the Amsterdam and Stockholm Academies of Sciences.
 M. J. DESTRÉE, Deputy; Former Minister for Sciences and Arts; Member of the *Académie royale de Belgique* and of the *Académie belge de langue et de littérature françaises*
 M. A. EINSTEIN, Professor of Physics at the Universities of Berlin and Leyden; Member of the Academy of Sciences at Berlin, Foreign Member of the Royal Society of London and of the Academy of Sciences at Amsterdam.
 M. L. LUGONES, Former Inspector-General of Public Education; Director of the National Library of Professors at Buenos Ayres; Professor of Aesthetics

(1) A successor has not yet been appointed to the late Chairman of the Committee, Professor Lorentz.

- at the National University of La Plata; Member of the National Academy of Sciences, Cordoba; Publicist; Editor of *La Nación*, Buenos Ayres.
- Mr. R. A. MILLIKAN, Director of the Norman Bridge Laboratory of Physics at the California Institute of Technology; Foreign Secretary of the National Academy of Sciences, Washington; Vice-President of the National Research Council of the United States; Member of the International Research Council; Exchange Professor to Belgium.
- M. Paul PAINLEVÉ, Member of the Institut de France; Member of the *Académie des Sciences* of Bologna, Stockholm, Upsala, *Lincei* of Rome; Deputy of the Seine; former President of the Council; Minister of War.
- M. G. DE REYNOLD, Professor at Berne University; former Dean; Chairman of the Swiss Committee on Intellectual Co-operation; Chairman of the Catholic Union for International Studies; Member of the Permanent Committee of the International Eucharistic Congress; Secretary-General of the International Foundation for Science.
- M. Alfred Rocco, Professor of the Faculty of Political Sciences at the University of Rome; Professor at the University of Commerce of Milan; Member of the *Accademia Nazionale dei Lincei*; Member of the *Consiglio di Contenzioso Diplomatico d'Italia*; Member of the Academy of Sciences, Letters and Arts of Padua; Vice-President of the Governing Body of the Fascist National Institute of Culture; former Under-Secretary of State for Pensions, for the Treasury and Finance; former President of the Chamber of Deputies; Minister of Justice and Public Worship; Deputy.
- M. Aikitu TANAKADATE, Doctor of Science; Professor Emeritus at the Imperial University of Tokyo; Member of the Imperial Academy of Sciences, Tokyo, and its representative in the House of Peers; Vice-President of the National Research Council of Japan.

I. Sub-Committee for University Relations.

Members :

- M. DE CASTRO.
 Mr. MILLIKAN.
 Professor Gilbert MURRAY.
 M. DE REYNOLD.
 M. ROCCO.
 M. TANAKADATE.

Associate Members :

- M. CASTILLEJO, Secretary-General of the *Junta para Ampliación de Estudios*, Madrid.
- Mr. Vernon KELLOGG, Secretary-General of the National Research Council of the United States.
- M. Teodor ODHNER, Professor at the Natural History Museum at Stockholm; Vice-Secretary of the Swedish Academy of Sciences; Member of the Managing Council of the University of Stockholm.
- M. Raymond THAMIN, Professor at the *Sorbonne*.
- M. VON GOTTL-OTTLILIENFELD, Professor of the Theory of Political Economy at the University of Berlin.
- M. Oscar DE HALECKI, Professor at the University of Warsaw; Member of the Society of Arts and Letters of Warsaw; Director of the Office of Polish Universities.
- Baron A. DE KORANYI, Professor of Medicine, Director of the Third Medical Clinic at the Royal Hungarian University, Budapest.

II. Sub-Committee of Sciences and Bibliography.

Members :

M^{lle} BONNEVIE.
Sir J. C. BOSE.
M^{me} CURIE.
M. EINSTEIN.
M. PAINLEVÉ.

Associate Members :

M. GODET, Director of the Swiss National Library, Berne.
M. KRUSS, Director-General of the State Library, Berlin.
M. ROLAND-MARCEL, Director of the National Library, Paris.
Mr. SCHRAMM, Member of the National Research Council of the United States.
Dr. COWLEY, Librarian of the Bodleian Library, Oxford.
M. OTTO JESPERSEN, Professor at Copenhagen University.
M. THIBAUDET, Professor of French literature at Geneva University; publicist.
M. IONESCU-MIHAESTI, Deputy Director of the Institute of Sera and Vaccines of
Bucarest; professor at the Faculty of Medicine at Jassy University.
M. ANTONIO GARBASSO, Professor at the University of Florence.

III. Sub-Committee for Arts and Letters.

a) Section for Letters.

Members :

M. LUGONES.
M. DE REYNOLD.

Associate Members :

M. JELINEK, Adviser to the Minister for Foreign Affairs, Prague; writer.
M^{lle} Hélène VACARESCO, *Femme de Lettres*, Delegate of Roumania to the Assembly
of the League of Nations.
M. Paul VALÉRY, of the *Académie française*.
M. KIPPENBERG, Director of the *Insel* publications, Leipzig.
M. Vittorio ROSSI, Professor of Italian literature at the University of Rome.
Mr. John GALSWORTHY, novelist and playwright.
M. Salvador DE MADARIAGA, Professor of Spanish Literature at Oxford University;
former Director of the Disarmament Section of the League of Nations.

b) Arts Section.

Member :

M. DESTRÉE.

Associate Members :

M. BAUD-BOVY, President of the *Commission fédérale des Beaux-Arts*, Switzerland;
M. FOCILLON, Professor at the *Sorbonne*.
M. TOESCA, Professor of the History of Art at the University of Rome.
M. Felix VON WEINGARTNER, Composer and Conductor.
Sir Cecil HARCOURT SMITH, Surveyor of H. M. the King of England's Works of Art.

M. GRAUL, Director of the Arts and Crafts Museum and of the Museum of Decorative Arts.

Mr. Edward T. DENT, Slade Professor of Music at Cambridge University; Fellow of King's College, Cambridge.

IV. *Sub-Committee on Intellectual Rights.*

Member :

M. CASARES.

Associate Members :

M. KNOPH, Professor at the University of Oslo.

M. Marcel PLAISANT, Deputy, France.

M. RUFFINI, Senator, former Minister, Italy.

M. OSTERTAG, Director of the *Bureaux internationaux réunis de la propriété industrielle, littéraire et artistique*, Berne.

M. Fernand MAURETTE, representing the International Labour Office.

M. GALLIE, Secretary-General of the International Confederation of Intellectual Workers.

CORRESPONDENTS :

M. A. DOPSCH (Austria), Professor of General History and former Rector of the University of Vienna; member of the Academy of Sciences, Vienna.

M. Emile RACOVITZA (Roumania), Professor of Spelaeology at the University of Cluj; President of the Roumanian Academy.

M. Jaroslav KALAB (Czechoslovakia), Professor of International Law at the University of Brno.

M. Hoo-TSI (China), Professor of Philosophy at the University of Peking.

The Venerable Henry John CODY (Canada), Archdeacon of York, Canada; Rector of St. Paul's Church, Toronto; Minister of Education, Ontario.

Georges REMOUNDOS, Professor at the University of Athens, Chairman of the Greek National Committee on Intellectual Cooperation.

SUB-COMMITTEE OF EXPERTS FOR THE INSTRUCTION OF CHILDREN AND YOUNG PEOPLE IN THE AIMS OF THE LEAGUE

Professor Gilbert MURRAY (British), Chairman	} Members of the Committee on Intellectual Cooperation.
M. DESTREE (Belgian)	
M. CASARES (Spanish)	

M. SCHELLBERG (German), Adviser to the Prussian Ministry of Education.

M. Arturo CORREA (Chilian), Professor at Santiago University.

M. LUIS A. BARALT (Cuban), Professor and author of works on teaching.

M. PETER MUNCH (Dane), author of several school history books, delegate of Denmark to the League Assembly.

Mme DREYFUS-BARNEY (French), vice-chairman of the Peace Section of the International Council of Women, liaison officer for the joint Committee of International Organisation and the Institute of Intellectual Cooperation.

Mr. S. N. CHATURVEDI (Indian), Licentiate of Teaching (Allahabad University).

M. Giuseppe GALLAVRESI (Italian), Professor of History at Milan University and author of works on history, member of the Milan School Board.

- M. NITOBÉ (Japanese), Professor at Tokio University, member of the Japanese Academy.
 M. KIRITZESCO (Roumanian), Director of Secondary Schools at the Ministry of Education.
 M. BOGDAN GAVRILOVITCH (Serbian), former Rector of Belgrade University.

VII. — The Permanent Mandates Commission.

(Constituted in accordance with Paragraph 9 of Article XXII of the Covenant, to receive and examine the annual reports of the Mandatory Powers and to advise the Council on all matters relating to the observance of the Mandates. Appointed as experts and not as Government representatives.)

Members :

- M. FREIRE D'ANDRADE, former Foreign Minister. (Portuguese)
 Dr. L. KASTL, Director of the *Reichsverband der Deutschen Industrie*. (German)
 Sir Frederick D. LUGARD, former Governor of Nigeria (British)
 M. M. MERLIN, Honorary Governor General of Colonies (French)
 M. Pierre ORTS, Minister plenipotentiary (Belgian)
 M. L. PALACIOS, Professor at Madrid University. (Spanish)
 M. D. VAN REES, Vice-Chairman, former Vice-Chairman of the Dutch East Indies (Dutch)
 Marquis A. THEODOLI, Chairman, former Under-Secretary of State at the Colonial Ministry. . (Italian)
 Mme A. WICKSELL, Doctor of Laws. (Swedish)
 M. Chiyuki YAMANAKA, former Councillor of Legation (Japanese)
 M. William RAPPARD, Rector of Geneva University (Swiss)

Representative of the International Labour Organisation.

Mr. GRIMSHAW.

VIII. — Social and Humanitarian Questions.

ADVISORY COMMITTEE ON TRAFFIC IN OPIUM

(Appointed by the Council in accordance with a resolution of the Assembly, December 15th, 1920, for the purpose of securing the fullest possible cooperation between the various countries in regard to the Opium Convention of 1912, and assisting and advising the Council in dealing with any question which may arise in this connection.)

Members :

- M. BOURGOIS (France)
 Sir John CAMPBELL. (India)
 M. CAVAZZONI. (Italy)
 Prince CHAROON (Siam)
 (Not yet appointed). (China)
 Dr. Manuel CUELLAR. (Bolivia)
 Sir Malcolm DELEIVINGNE. (Great Britain)
 M. BARTOLOMEU FERREIRA (Portugal)
 Dr. ANSELMINO. (Germany)
 M. SATO (Japan)
 M. W. G. VAN WETTUM (Netherlands)

M. FOTITCH.	(Kingdom of the Serbs, Croats and Slovenes)
Dr. CARRIÈRE.	(Switzerland)
Mr. PINCKNEY TUCK *	(United States of Ame- rica)

* (Appointed by his Government to attend in an unofficial capacity.)

Assessors :

M. BRENIER.
Mr. LYALL.
Colonel Arthur WOODS.

ADVISORY COMMISSION FOR THE PROTECTION
AND WELFARE OF CHILDREN AND YOUNG PEOPLE

(Reconstituted in 1925, under a Resolution of the Fifth Assembly, in order to include child welfare work.)

Members appointed by Governments :

Count CARTON DE WIART	(Belgium)
Dr. Estrid HEIN.	(Denmark)
Mr. S. W. HARRIS	(British Empire)
Dr. Gertrude BAUMER	(Germany)
Don Pedro SANGRO y Ros de OLANO (Chairman) .	(Spain)
Miss ABBOTT	(United States)
M. REGNAULT	(France)
Marquis PAULUCCI DE CALBOLI.	(Italy)
M. SATO	(Japan)
M. Stanislas POSNER.	(Poland)
M. CIUNTU	(Roumania)
Dr. Paulina LUISI	(Uruguay)

Assessors for Traffic in Women and Children Committee.

International Bureau for Suppression of traffic in Women and Children.

Appointment not yet made).

M^{me} AVRIL DE SAINTE-CROIX, Women's International Organisations.

M^{me} DE MONTENACH, *Association catholique internationale des œuvres de protection de la jeune fille.*

M^{me} CURCHOD-SECRETAN, *Fédération des Unions Nationales des Amies de la jeune fille.*

Mr. S. COHEN, Jewish Association for the Protection of Girls and Women.

M. VARLEZ, Liaison Officer with the International Labour Office.

Assessors for Child Welfare Committee.

M. Henri ROLLET, *Association Internationale pour la Protection de l'Enfance.*

Dr. HUMBERT, League of Red Cross Societies.

Dame Katharine FURSE, International Organisation of Boy Scouts and Girl Guides.

Miss Eglantine JEBB, *Union internationale de Secours aux enfants.*

Miss Eleanor RATHBONE, Women's international organisations.

Mr. BASCOM JOHNSON.

Miss Julia LATHROP, National Conference of Social Work.

Miss Charlotte WHITTON, Social Service Council of Canada and Canadian Council of Child Welfare.

Mlle BURNIAUX, International Federation of Trade Unions.
Prof. Léon BERNARD, Health Organisation of the League of Nations.
M. DE REYNOLD, Intellectual Cooperation Committee.
Mr. JOHNSTON, International Labour Office.

Special Body of Experts appointed by the Council with a view to an enquiry into the traffic in women and children.

Princess Christina GIUSTINIANI BANDINI.
M. Isidore MAUS.
M. Alfred DE MEURON.
Dr. William SNOW (Chairman).
Mr. S. W. HARRIS.
Dr. Paulina LUISI.
M. LE LUC.
M. SATO.

PREPARATORY COMMITTEE FOR THE INTERNATIONAL RELIEF UNION

(Appointed by the Council under a Resolution of the Fifth Assembly.)

Chairman :

Senator Giovanni CIRAULO, Substitute Delegate for Italy at the Fifth and Sixth Assemblies, Honorary President of the Italian Red Cross.

Chairman of Meetings :

M. KÜLZ, former Minister, President of the Conference for the creation of an International Relief Union.

Members :

Baron E. CARTON DE WIART, Director of the *Société générale de Belgique*, delegate of the Belgian Government to the Commission for Relief in Belgium, during the war of 1914-1918. Substitute : Senator FRANÇOIS, Treasurer-in-Chief of the Belgian Red Cross.

Lt.-Colonel DRAUDT, Vice-President of the German Red Cross.

Mr. TRACEY KITTREDGE, Director-General of the League of Red Cross Societies.

M. P. G. LAURIN, Director-General of the *Riksförsäkringsanstalten*, Stockholm.

M. André MATER, Barrister at the Court of Appeal, Paris, technical adviser to the French Delegation at the Fifth and Sixth Assemblies.

Mr. Algernon MAUDSLAY, member of the Council of the British Red Cross, member of the Anglo-Belgian Refugee Commission in 1914.

M. Fernandez y MEDINA, Minister of Uruguay at Madrid, rapporteur on the Ciraolo scheme to the Fifth and Sixth Assemblies.

M. Maurice SARRAUT, senator, member of the French Delegation to the Fifth Assembly. Substitute : M. René CASSIN, Professor of law at Lille University, substitute-delegate at the Fifth and Sixth Assemblies.

M. Georges WERNER, professor of law at Geneva University, Member of the International Committee of the Red Cross.

IX. — Commissioners appointed by the League of Nations

Saar Basin Governing Commission.

(Constituted under the Treaty of Versailles. The members are appointed annually.)

M. KOSSMANN.	(Saar)
M. MORIZE	(French)
Sir Ernest WILTON (Chairman)	(British)
M. VEZENSKY.	(Czechoslovak)

A member to be appointed by the Council to succeed M. LAMBERT, who has resigned.

High Commissioner of the League of Nations in Danzig.

(Appointed under Article 103 of the Treaty of Versailles.)

Dr. VAN HAMEL	(Dutch)
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President of the Upper Silesian Mixed Commission.

(Appointed by the Council under the German-Polish Convention on Upper Silesia (Article 564) of May 15, 1922.)

M. Félix CALONDER	(Swiss)
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President of the Upper Silesian Arbitral Tribunal.

(Appointed by the Council under the German-Polish Convention on Upper Silesia (Article 564) of May 15, 1922.)

M. G. KAECKENBEECK	(Belgian)
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Greco-Bulgarian Emigration Commission.

(Two members, including the President, nominated by the Council in accordance with the Greco-Bulgarian Reciprocal Emigration Convention of November 27, 1919, Article 8.)

Colonel A. C. CORFE.	(New-Zealander)
Colonel J. DE REYNIER	(Swiss)

Greco-Turkish Exchange of Population Commission.

(Three members, including the President, nominated by the Council in accordance with the Greco-Turkish Exchange of Populations Convention of January 30, 1923.)

M. H. HOLSTAD.	(Norwegian)
General Manrique DE LARA.	(Spanish)
M. K. M. WIDDING	(Danish)

Commissioner of the League of Nations for the Execution of the Provisions of Article 107 of the Treaty of Lausanne.

(Appointed by the Council.)

M. H. STABLO	(French)
------------------------	----------

Hydraulic System Commission of the Danube.

(The Chairman is appointed by the Council.)

M. Carlo ROSSETTI (Chairman) (Italian)

X. — Budget Questions.

SUPERVISORY COMMISSION

(Appointed by the Council in accordance with a decision of the Second Assembly for the purpose of supervising the financial working of the League and advising the Assembly and the Council on such financial and administrative matters as they may refer to it.)

Members :

Dr. Stefan OSUSKY (Chairman). (Czechoslovakia)
Lord MESTON OF AGRA (Vice-Chairman). (India)
M. Jean RÉVEILLAUD (French)
Dr. J. A. NEDERBRAGT (Rapporteur). (Netherlands)
Dr. C. PARRA-PEREZ (Venezuela)

Deputy Members :

M. HERLUF ZAHLE (Denmark)
M. Alfred NEMOURS (Haïti)

Auditor of League Accounts :

M. A. CERESA (Italy)

Deputy Auditor :

Dr. F. VIVALDI (Italy)

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These publications may be obtained from the Secretary General.

There are English and French Editions of all publications, with the exception of the **Report of Proceedings** of the Conference, London 1919, and the **Tabulation of Storm Warning and Coastal Signals** which are issued in English only. The edition required should be specified.

MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VIII. No. 2.

Published on March 15th, 1928.

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I. — Summary of the Month.

The principal event in February was the meeting of the Arbitration and Security Committee on the 20th, to consider memoranda prepared by its rapporteurs on arbitration, security and certain articles of the Covenant. This Committee was still in session at the end of the month.

The Preparatory Committee for the first Conference on the Codification of International Law met at the beginning of the month, and organised an international enquiry concerning laws of nationality, territorial waters and the responsibility of States as regards damages.

The Permanent Court of International Justice assembled in Extraordinary Session to give an advisory opinion as to the jurisdiction of the Danzig Courts in respect of claims made by Danzig officials in the Polish Railway Service against the latter.

The Preparatory Committee for the International Relief Union held a short meeting on February 23rd and 24th. The Advisory Committee on Communications and Transit, and the Financial Committee, met on February 27th, and were still in session at the end of the month.

The Governing Commission of the Saar Territory sent in its thirty-second quarterly report, describing the situation in the territory during the last quarter of 1927.

II. — The Permanent Court of International Justice.

1. — JURISDICTION OF THE DANZIG TRIBUNALS.

The Permanent Court of International Justice met in extraordinary session on February 6th to examine the request of the Council for an advisory opinion in regard to a dispute between the Polish Government and the Senate of the Free City of Danzig as to the right of Danzig officials who had entered the Polish Railway Service to have recourse to Danzig Tribunals in cases concerning financial claims between them and the Polish Administration.

The Court was constituted as follows: M. Anzilotti (Italy) President, M. Huber (Switzerland) Former President, M. Weiss (France) Vice-President, M. Loder (Netherlands), M. Nyholm (Denmark), M. Altamira (Spain), M. Oda (Japan), M. Yovanovitch (Serb-Croat-Slovene Kingdom), M. Beichmann (Norway), M. Negulesco (Roumania), M. Wang (China), M. Ehrlich (Poland) and M. Bruns (Danzig).

The dispute in question originated in 1925. Up to that moment, according to the assertions of the Polish Government, the differences of opinion which had arisen between the Polish Railway Administration and its Danzig agents had always been settled amicably or, if necessary, through the intervention of the League High Commissioner. But, from that time, officials had brought actions before the Danzig Courts concerning their money claims against the Polish administration. These Courts had ruled that they had jurisdiction to try these actions and the Polish Government had objected to the jurisdiction.

By a note sent on January 11th, 1926, to the Danzig High Commissioner, the Polish Government announced that in future it would not take official notice of actions of this nature and could not execute any judgments rendered under those conditions by the Danzig Courts. The Danzig Government on May 27th, 1926, requested the High Commissioner to obtain by mediation the withdrawal of the Polish declaration. As negotiations did not lead to any result, the High Commissioner issued a decision, which was not entirely accepted by the Danzig Government.

The first part of the decision states that the Polish contention that Danzig Courts have no jurisdiction in regard to pecuniary claims brought against the Polish Administration by railway officials who had passed from the Danzig service into the Polish service could not be upheld. The second part adds that in respect of such claims the Danzig Courts have no jurisdiction wherever claims of this nature are based upon the agreement of October 22nd, 1921, known as the *Beamtenabkommen* and concluded between the Free City and the Polish Government for the purpose of regulating the position of Danzig officials.

The first part of this decision was accepted both by Poland and Danzig. The question referred to the Council and subsequently to the Court concerns the second part of the decision.

The Court has to decide whether the decision of the High Commissioner of April 8th, 1927, is well founded in law.

Public hearings on February 7th and 8th were devoted to the oral statements of the parties. The point of view of the Free City was expounded by M. Gilbert Gidel, Professor at the Faculty of Law of Paris, that of the Polish Government by M. J. Limburg, formerly leader of the Bar at The Hague, member of the Netherlands State Council.

2. — DENUNCIATION OF THE CHINESE-BELGIAN TREATY OF 1865 (1)

By an Order made on June 18th, 1927, the Court had definitely fixed February 15th as the time limit for the presentation of the Counter-Case of the Chinese Government in this suit, the whole of the written proceedings to be terminated on May 15th, that is to say, in time to enable the Court to hear the case at its ordinary session in 1928.

Nevertheless, at the expiration of the time thus allowed for the filing of the Chinese Counter-Case, the Court had received a request from the Belgian Government asking it not to declare the Chinese Government in default even if it failed to file the above-mentioned document within the time fixed, provided however that that document were filed before February 25th.

The Court having granted this request, the Belgian Government, in agreement with the Chinese Government, made an application for the extension by six months of all the times for the written proceedings in the suit.

The Court, by an Order made on February 21st, granted this application and fixed August 15th, 1928, as the time limit for the filing of the Chinese Counter-Case, the whole of the written proceedings to be terminated on November 15th.

3. — MINORITY SCHOOLS IN POLISH UPPER SILESIA

The judges *ad hoc* appointed by the Parties in this case, namely Germany (Applicant) and Poland (Respondent), are Professor Schücking, of the University of Kiel, and Professor Rostworowski, of the University of Cracow. The Agents are Dr. Budding, President of the Administrative District of Marienwerder, for Germany, and M. Mrozowski, President of the Supreme Court of Warsaw, for Poland.

The Polish Government having asked for an extension of the time allowed for the filing of its Counter-Case, the Court has granted the request, but has maintained March 10th as the date for the conclusion of the written proceedings, in order that it may be able to hear the Case, which it regards as urgent, in the course of the present session.

4. — CHORZOW FACTORY (INDEMNITIES). — MERITS

The proceedings in this Case have progressed according to arrangement, so that it will be ready for hearing on April 7th.

5. — JURISDICTION OF THE COURT

In addition to the Governments enumerated in previous numbers of the *Monthly Summary*, the Danish and Polish Governments have now sent to the Registrar their reply to his circular letter of March 24th, 1927. This brings up the number of replies received to twenty-five.

(1) This and the following articles of this chapter have been written with the aid of information furnished by the Registrar of the Court.

III. — Arbitration, Security and Reduction of Armaments.

1. — SECOND SESSION OF THE ARBITRATION AND SECURITY COMMITTEE ⁽¹⁾

The Arbitration and Security Committee met at Geneva on February 20th, with Dr. Benes in the chair, to consider the Memoranda prepared by its rapporteurs at Prague ⁽²⁾. The documents submitted included three memoranda — by M. Holsti (on Arbitration and Conciliation), M. Politis (on Security), and M. Rutgers (on Articles 10, 11 and 16 of the Covenant) — and an introduction which was the joint work of the Chairman and the rapporteurs.

The memoranda were submitted as the individual work of the rapporteurs — who assumed full responsibility for them, not as delegates of their Governments, but in their personal capacity — and as contained suggestions which might form a useful basis for discussion by the Committee.

After a general discussion, which lasted from February 20th to 22nd the Committee set up a Drafting Committee composed of its Bureau :

The Chairman (Czechoslovakia), vice-Chairmen, M. Urrutia (Colombia) ⁽³⁾ and M. Undén (Sweden), the three Rapporteurs M. Holsti (Finland), M. Politis (Greece) and M. Rutgers (Holland); and of the Representatives of Argentina, the British Empire, France, Germany, Italy, Japan, and Poland.

Summary of the Reports ⁽⁴⁾.

The introduction to the three Memoranda emphasised in the first place that the Covenant created a measure of security which needed to be appreciated at its full value. It could be applied in such a way that, in the majority of cases, it could prevent war. The common will for peace could be exercised within the framework of the Covenant—the more effectively because that instrument did not provide any rigid code of procedure for the settlement of international crises. Memoranda from the various Governments, like preceding reports, illustrated the present impossibility of drawing up a complete list of measures in advance; nevertheless there was constant evolution towards improvements in the methods employed by the Council within the ambit of the Covenant, so that resort to war without the responsibilities for such a step being manifest to the whole world, was becoming more and more difficult to imagine.

Although there was an omission in Article 15, paragraph 7, of the Covenant from a legal point of view, nevertheless from a political standpoint there was a latent influence for peace in the freedom of action which it threatened to restore to the Members of the League in circumstances upon which the public opinion of the world would be able to pass judgment. Before abandoning the attempt to produce a unanimous report, the Council would have made so many efforts to obtain a settlement that public opinion in all countries would be enlightened as to the real incidence of the responsibility in case of the failure of its efforts.

The Covenant provided Members of the League with a measure of security which it was their duty to develop still further by co-operating resolutely for the establishment of peace. This duty had indeed been observed during the last few years by a great number of States which had concluded special or collective treaties of arbitration and security. This method of special or collective treaties appeared

(1) An account of the proceedings will be given in next number.
For composition of Committee see the January number of the *Monthly Summary*.

(2) See *Monthly Summary*, Vol. VIII, No. 1, p. 3.

(3) M. Urrutia was prevented from attending this session.

(4) This summary is necessarily very brief.

at the present moment to be the only practical means which could be recommended to States in search of more effective guarantees of security. Those nations which considered the general measure of security afforded by the Covenant as inadequate for their needs must, at the present moment, regard the conclusion of security pacts with other States in the same geographical area as the only practical or possible form of supplementary guarantees.

The introduction pointed out that the Rapporteurs had been careful to avoid the use of general and too rigid formulae. They had sought material for a solution within the framework of the Covenant and in harmony with its spirit without proposing any alteration in the text.

Arbitration and Conciliation.

The Rapporteur on Arbitration and Conciliation, M. Holsti (Finland), traced the remarkable progress in the number of treaties between pairs or small groups of States, saying that their characteristic feature was a greater readiness to accept arbitration or conciliation, if not for all possible disputes, at least for all those of a juridical nature, and the tendency to abandon traditional reservations or to restrict their scope. Methods of procedure had improved, and the procedure of conciliation in particular was largely a post-war creation.

He considered that there could be little doubt that this progress had been mainly due to the influence of the Covenant, the positive measures which the League had been able to take, and the active discussion of these subjects by the Assembly. The rapporteur then made a certain number of suggestions.

Should the Committee on Arbitration and Security consider it desirable to prepare a model general treaty of arbitration, despite the difficulties which at present stand in the way, it would perhaps be well to follow the system of the Locarno treaties; that is to say, to provide for obligatory arbitration only in the case of juridical disputes, leaving other disputes to be settled by a procedure of conciliation. The Swedish draft on this principle might be adopted as a basis for discussion, with certain latitude in the way of reservations.

It would be useful if the Committee were to prepare one or more models of special arbitration treaties.

Even if the Committee did not consider it necessary to recommend a general arbitration treaty, a general conciliation treaty might still be considered. The difficulties arising from the universality of the treaty were similar but they were probably less serious than in the case of arbitration.

M. Holsti pointed out that in the arbitration and conciliation treaties registered with the Secretariat, nine kinds of reservations might be found. Apart from reservations which appeared to have fallen into disuse (such as "Honour", "interest of third states") and very special reservations (such as questions relating to the war of 1914 and constitutional questions), the number of reservations might be reduced to four points—vital interest, territorial status, domestic jurisdiction, and prior events.

Security.

M. Politis (Greece), the Rapporteur on Security questions, considered there was only one possible way of endeavouring to increase the guarantees of security, namely, in the conclusion of separate agreements or regional pacts of non-aggression, of pacific settlement of disputes and mutual assistance, or of non-aggression only. The more logical and speedy method of a general treaty binding on all States Members must be excluded for the time being. After the two unsuccessful attempts of 1923 and 1924 it would not merely be useless from a practical point of view but dangerous for the prestige of the League to make a third attempt, for the objections raised to the earlier attempts still existed. The type of security agreement most

easily brought into line with the Covenant appeared to be a regional pact of non-aggression, arbitration and mutual assistance. Among the questions which would have to be taken account of in model security treaties, M. Politis suggested three which must always be dealt with if a security pact were to achieve its object, namely, (1) the exclusion of resort to war; (2) the organisation of pacific procedure for the settlement of all disputes; (3) the establishment of a system of mutual assistance, linked with the functions of the Council.

It would be essential to make it plain that the condemnation of war related only to aggressive war by specifying that force might still be resorted to for purposes of legitimate defence, in the application of Article 16 of the Covenant, or in execution of a decision of the League.

The formula employed in the Rhineland pact and the separate agreements modelled upon it was to be recommended, namely, the Contracting Parties "mutually undertake that they will in no case attack or invade each other or resort to war against each other",

Whenever possible the establishment of demilitarised zones might play an important part in enforcing the provisions of a regional pact.

To fill up the gap left by Article 15, paragraph 7 of the Covenant, it was suggested that the Council in the event of failure to reach unanimity, might be empowered to take a decision by a specified majority in the capacity of arbitrator. This, being equivalent to an arbitral award, would be covered by Article 16. Or it might be provided that the Council, if it failed to reach unanimity, would refer the dispute to a body of arbitrators, determining by a specified majority the constitution, procedure, and powers of such a body. In every case there would be a final decision, any violation of which, accompanied by resort to war, would come under Article 16.

As regards the determination of an aggressor, in the event of hostilities breaking out between signatories of a regional pact, the Council might order the belligerents to observe an armistice, the terms of which would be settled by a two-thirds majority, and agree that any belligerent refusing such armistice or violating it should definitely be regarded as the aggressor. The question of a Council decision by a majority vote or otherwise called for closest consideration.

The provisions of the Rhineland Pact concerning flagrant aggression might be adopted in regional pacts wherever the situation was analogous. It would be possible to insert in these definite regional pacts clauses embodying offers of military assistance, not only against a Pact-breaking State, but also against a third aggressor.

As the conclusion of such pacts should facilitate and prepare a general agreement for the reduction and limitation of armaments, they might also contain clauses connecting security with disarmament.

It was suggested that regional pacts should be examined by the Council from the point of view of their conformity with the Covenant and their connection with other regional pacts already concluded. If regional pacts in various parts of the world, and more particularly in Europe, were to constitute the elements of a general system of security, they must be linked up with one another and bear a coherent relationship in a comprehensive scheme in harmony with the Covenant. M. Politis thought that it might be expedient to consider a resolution by the next Assembly inviting the Council to study the possibility of lending its good offices to States who may desire to conclude security pacts.

Provisions of the Covenant.

M. Rutgers (Holland) in his memorandum on Articles 10, 11 and 16 of the Covenant, stated that it did not seem advisable to draw up a rigid and complete code of procedure in times of emergency. The task of the League was to maintain peace and to fulfil this task it must, above all, prevent war. The application of

repressive measures, which could not but have serious consequences, would only take place in extreme cases where preventive measures had unfortunately failed. A hard and fast definition of the expressions "aggression" and "resort to war" would not be free from danger, since it might oblige the Council and the Members of the League to pronounce on a breach of the Covenant and apply sanctions at a time when it would be preferable to refrain for the moment from measures of coercion. There would also be the risk that criteria might be taken which, in unforeseen circumstances might lead to a State which was not in reality responsible for hostilities being described as an aggressor.

In order to facilitate the application of Article 16 in case of need, M. Rutgers was of opinion that it was necessary to make a full and conscientious use of other articles, especially of Article 11, which enabled the Council to keep in touch with developments in a conflict and so to construct a basis for the decisions which it might be called upon to take under Article 16.

To ensure effective action by the Council, particularly under Articles 4, 10, 11 and 16 of the Covenant, M. Rutgers attached great importance to the technical studies for the improvement of communications affecting the League. He considered that as regards Article 16, it was desirable that the uncertainty resulting from the amendments of 1921 should be put an end either by their ratification or their final abandonment. In the event of resort to war, it would be well that the Council should declare whether a breach of the Covenant had taken place and should state which of the parties had broken it.

Apart from the recommendations provided for in paragraph 2 of Article 16 concerning participation in military sanctions, it would be desirable for the Council in some cases to make recommendations to the Members regarding the application of the measures of economic pressure mentioned in the first paragraph of Article 16. The Council could consult economic and financial experts in the countries specially concerned.

The study of the question of the financial assistance to be given to a State victim of an aggression should be pursued both from the technical and the political points of view. In carrying out this study, the possibility of providing assistance even before Article 16 is applied, should be examined.

2. — DRAFT DISARMAMENT CONVENTION BY THE UNION OF SOCIALIST SOVIET REPUBLICS

The Delegation of the Union of Socialist Soviet Republics has addressed to the Secretary-General, for discussion at the forthcoming meeting of the Preparatory Commission of the Disarmament Conference ⁽¹⁾, a Draft Disarmament Convention with an explanatory memorandum which has been communicated to the States Members of the League of Nations.

The Convention is in five chapters it aims at the complete and general disbandment of all armed forces within a period of four years from the entry into force of the Convention, so as to restrict the possibility of armed conflicts from the first year onwards.

Chapter I provides for the disbandment of all the effectives of the land, sea and air forces, of War Marine and Aviation Ministries, of general staffs and military schools, and for the destruction of all documents and returns relating to military trained reserves, military enlistment, and mobilisation.

Chapter II deals with material, and provides for the destruction of all types of land, naval and air armament, of fortifications and of naval and air bases, and for the transformation of arms and munitions factories.

(1) Owing to a printing error, the name of M. Litvinoff, delegate of the U. S. S. R., was omitted from the list of the members of the Preparation Commission given in the January number of the *Monthly Summary*.

Chapter III concerns the organisation of the protection on land and at sea of State and private property, of the natural resources of the sea and of submarine cables. It contemplates the organisation of a police service for the repression of piracy and the slave trade.

Chapter IV regulates the supervision of disarmament and provides for the constitution of a permanent international commission and of central and local commissions in each State.

Chapter V deals with the conclusion of supplementary agreements on various questions relating to disarmament, the ratification of conventions and the solution of questions arising from a breach of the convention.

IV. — Legal and Constitutional Questions.

1. — PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW. — FIRST SESSION OF THE PREPARATORY COMMITTEE FOR THE CODIFICATION CONFERENCE

The Preparatory Committee for the Codification Conference met at Geneva from February 6th to February 15th with M. Basdevant (France) in the chair.

There were further present : M. François (Pays-Bas), Sir Cecil Hurst (Grande-Bretagne), M. Pilotti (Italie), M. Carlos Ruiz (Chili).

It examined three questions,—nationality, territorial waters, responsibility of States—which the Assembly had referred to the Conference which it is proposed to convene in 1929. On each of them the Committee decided to proceed to an enquiry and to approach States Members and non-Members of the League, in order to obtain full and precise information on the following subjects :

The state of their positive law, internal and international, with as far as possible, full details as to bibliography and jurisprudence;

Information derived from their practice at home and abroad; and other views as regards possible additions to the rules in force, and how to make good existing deficiencies in international law.

The information should bear on the following points :

1. *Nationality* : the general principle of international law that the acquisition and loss of nationality fall solely within the domestic jurisdiction of each State; double nationality; effects of the naturalisation of parents on the nationality of minors; nationality of children of unknown parents; cases of double nationality or loss of nationality by a woman as the result of marriage with a foreigner; effects of adoption on the nationality of the adopted child, etc., etc.

2. *Territorial waters* : the nature of the rights possessed by a State over its territorial waters; the extent of such rights; the position as regards territorial waters around islands; straits; demarcation between inland waters and territorial waters; limitation upon the exercise of the sovereignty of coastal States as regards jurisdiction and fiscal questions, foreign warships in territorial waters.

3. *Responsibility of States for damages caused on their territory to the person or property of foreigners* : the legal basis of the international responsibility of States as resulting from acts of a legislative, judicial or executive organ; acts of individuals or mobs in riots or insurrections; pecuniary reparation or other compensation for damages, etc.

Governments will be asked to send in their replies by October 31st at the latest.

The next session of the Committee will open on January 28th, 1929.

2. — INTERNATIONAL ENGAGEMENTS

Registration.

Among the treaties and international engagements registered in February figure :

Agreements between the South African Union and Portugal concerning the frontier between the mandated territory of South-West Africa and Angola, and the utilisation of the Kunene waters for hydraulic plant, flooding and irrigation in South-West Africa. Both these agreements were signed at Capetown, the first on June 22nd, 1926, the second on July 1st, 1926, and presented for registration by the South African Union;

Treaties of commerce and navigation between Guatemala and Italy, Finland and Turkey, Austria and Finland, the Economic Union of Belgium and Luxembourg, and the Serb-Croat-Slovenes;

An agreement between Germany and Poland concerning the application of Article 312 of the Versailles Treaty, signed at Berlin on January 24th, 1927, presented for registration by Poland;

A Protocol concerning the opening of customs routes and frontier stations between Germany and Poland, presented for registration by Poland;

A series of agreements between Poland and Czechoslovakia concerning the distribution, exchange and loan of Acts of the former Austrian and Hungarian Authorities in those countries, presented for registration by Czechoslovakia;

An agreement between Germany and Norway concerning the suppression of the passport visa between the two countries, signed at Oslo on January 17th, 1928, presented for registration by Norway;

An agreement between Estonia and the Union of Soviet Socialist Republics, concerning the settlement of frontier conflicts, signed at Tallinn on August 8th, 1927, presented for registration by Estonia.

V. — The Technical Organisations.

1. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) Meeting of the Financial Committee.

The Financial Committee met at Geneva on February 27th, with Sir Otto Niemeyer in the chair, to examine questions concerning the settlement of Greek and Bulgarian refugees and the financial reconstruction of Bulgaria and Portugal.

It will also consider questions relating to the balance of the Hungarian, Austrian and Danzig loans, and financial assistance for States attacked.

M. Gustave Ador (Swiss), Sir Otto Niemeyer (British), M. Armani (Italian), M. de Chalendar (French), M. Dubois (Swiss), M. Janssen (Belgian), M. Melchior (German), M. ter Meulen (Netherlands), M. Pospisil (Czechoslovak), Mr. Jeremiah Smith (American), Sir Henry Strakosch (South African), M. Tsushima (Japanese), M. Wallenberg (Swede) are attending this session.

An account of the proceedings will be given in the next number of the *Monthly Summary*.

b) Abolition of import and export prohibitions and restrictions.

Signature of the Convention.

Up to February 1st, 1928, twenty-six States had signed the Convention for the Abolition of Import and Export Prohibitions and Restrictions (Geneva, November

8th, 1927), by which the Contracting Parties undertook to suppress, subject to certain exceptions, all prohibitions and restrictions within six months after the coming into force of the Convention.

Eighteen States signed the Convention at the moment of its conclusion, namely, Austria, Belgium, Great Britain and Northern Ireland, Bulgaria, Czechoslovakia, Denmark, Egypt, Finland, France, Germany, Hungary, Italy, Japan, Luxemburg, the Netherlands, Roumania, Siam, and Switzerland; and the United States, Estonia, Latvia, Norway, Poland, Portugal, the Serb-Croat-Slovene Kingdom and Sweden signed between November 8th and February 1st.

By Article 6 of the Convention certain Contracting Parties were entitled to make reservations of a temporary character ⁽¹⁾ to the general rule for the abolition of all prohibitions and restrictions.

Among the States which signed the Convention on its conclusion, the following submitted reservations which the Conference discussed and accepted : Austria, Belgium, Great Britain and Northern Ireland, Germany, Czechoslovakia, Egypt, France, Hungary, Italy, Japan, Luxembourg and Roumania.

The Convention provided for the deposit of further reservations up to February 1st. The United States, Estonia, Latvia, Norway, Poland, Portugal and Sweden, who signed the Convention between November 8th and February 1st, deposited reservations which will be examined at a meeting of the signatories early in July 1928, at which the conditions and date of the coming into force of the Convention will be settled.

Bulgaria and Czechoslovakia have recently made fresh reservations which will be examined in July.

Meeting of Experts on Veterinary Questions.

The Sub-Committee of Experts on Veterinary Questions met at Geneva from January 30th to February 2nd, to give effect to a resolution of the Conference on Import and Export Prohibitions and Restrictions. This Sub-Committee was instructed by the Economic Committee to consider what guarantees might be given by cattle-exporting countries, what facilities might be granted by importing countries on the basis of these guarantees, and in general to determine the best methods for applying veterinary supervision, taking into account the economic interests of the exporting countries and without prejudice to the interests of countries desiring to take precautions against animal diseases.

The experts examined the problem as a whole and came to the conclusion that for the purpose indicated by the Conference, it was indispensable that each State should possess a veterinary organisation capable of exercising efficacious sanitary supervision over the whole of its territory. They also considered that each country should publish a regular health bulletin prepared on the standard lines adopted by the Committee of the International Office for Contagious Diseases of Animals.

Arrangements were made to obtain as promptly as possible accurate and full information on the working of the veterinary services in the principal countries most directly concerned.

The experts decided to meet in June to examine the situation in the light of these new data.

(1) The first two paragraphs of Article 6 of the Convention read :

(a) "The High Contracting Parties, recognising that there exist in the case of certain of them situations of fact or of law which prevent the latter from immediately undertaking, as regards certain specified products, the engagements entered into under the previous articles, have deemed it equitable to authorise these High Contracting Parties to make a reservation in regard to certain temporary exceptions, which the latter undertake to withdraw as soon as the circumstances from which they arise cease to exist.

(b) Moreover, the High Contracting Parties, recognising that the abolition of certain import or export prohibitions or restrictions applied by some of them would involve the latter in grave difficulties, and that, moreover, these prohibitions or restrictions do not prejudicially affect the trade of other countries, have also deemed it equitable to authorise these High Contracting Parties to make a reservation in regard to these exceptions."

2. — COMMUNICATIONS AND TRANSIT

Meeting of the Advisory Committee.

The Committee on Communications and Transit met at Geneva on February 27th, and was still in session at the end of the month. It considering reports from its Committees and Sub-Committees on road traffic, combined transport, competition between railways and waterways, and unification of transport statistics, and the question of communications affecting the League in times of emergency (landing-ground for airplanes, the construction of a wireless station, identification of aircraft).

The agenda also includes consideration of certain resolutions of the third General Conference on Communications and Transit (August 1927).

This meeting is attended by M. Reinhard (Austria), M. Enciso (Argentine), M. Restrepo (Colombia), M. Dreyfus (France), Mr. J. C. Baldwin (Great Britain), M. Seeliger (Germany), M. Athanase Politis (Greece), M. Sinigalia (Italy), M. Ito (Japan), M. Duzmans (Latvia), M. Schlingemann (Netherlands), M. Vasconcellos (Portugal), M. Djouritchitch (Kingdom of the Serbs, Croats and Slovenes), M. Phya Sanpakitch Preecha (Siam), M. Hansen (Sweden), and M. Herold (Switzerland).

Mr. Roper (International Air Traffic Commission), M. Hostie (Secretary-General of the Central Rhine Commission), M. Pourcel (International Railway Union), M. de Ronsier (International Chamber of Commerce), M. van der Berch van Heemstede (International Air Traffic Association) are also taking part in the work of this session.

An account of the proceedings will be given in the next number of the *Monthly Summary*.

3. — INTELLECTUAL COOPERATION

a) *Education of Young People in the Aims and Existence of the League.*

The Department of External Affairs of the South African Union has informed the Secretary-General of the arrangements made by the states and provinces of the Union to give effect to the recommendations of the Eighth Assembly with regard to the instruction of young people in the existence and aims of the League.

The Departments of Education of the various states have organised such instruction in the training colleges for teachers and have included in school books chapters on the League.

Most of the universities of the Union have organised lectures on the League.

*
* * *

The Danish Government has also informed the Secretary-General of the measures it has adopted for this purpose.

It draws attention to the fact that, since 1925, arrangements had been made for history lessons in primary and secondary schools, in teachers' training colleges and popular universities to include courses on the work of the League. On the first Monday in September—the opening day of the Assembly—a special lesson is given in all schools on the League.

b) *Preservation of Documents.*

A Committee of Experts met on February 1st at the Institute of Intellectual Cooperation to study measures for the preservation of the ink and paper used in printing important documents.

The experts examined the technical aspects of the problem. They recommended that all newspapers should follow the example of English and American papers have a special edition of each number printed on linen paper.

They drew attention to the fact that permanent exhibition had most injurious effects upon documents of historical value and should be replaced by temporary exhibitions.

These recommendations will be submitted to the Committee on Intellectual Cooperation at its July meeting.

The meeting was attended by Professor Fruin, Director of the State Archives, chairman (Netherlands); M. Roland-Marcel, General Manager of the *Bibliothèque nationale* (French); Professor Arribert, of the *Ecole de Papeterie* of Grenoble University (French); Professor Herzberg, Director of the *Staatliches Materialprüfungsamt*, Berlin; Dr. Holwech, Statsguardein, Oslo (Norwegian); Mr. Hilary Jenkinson, Officer in charge of Repairs at the Public Records Office (British); M. Ojetti (Italian); and Professor Pirenne, Member of The Belgian Royal Academy, professor of History at Ghent University (Belgium).

VI. — Administrative Questions.

THIRTY-SECOND REPORT OF THE SAAR GOVERNING COMMISSION

The Governing Commission of the Saar Territory has addressed to the Secretary-General its thirty-second report describing its work and the situation in the Territory during the last quarter of 1927.

Economic and Social situation.

The Franco-German negotiations on the customs regime of the Saar basin are continuing. The agreements of August 5th and November 6th, 1926, have been prolonged.

Two strikes broke out during the quarter, one in the metal industry and the other among the railway workers. In each case the Commission intervened and succeeded in bringing the strike to an end.

The difficulties of the coal mines in marketing their products continued. There were a few "unemployment days" in October and December. In order to compensate in some measure the resulting fall in wages, the Mining Administration continued to pay family allowances for the unemployment days. It also granted each worker a special allowance of 100 francs at the end of the year and increased considerably the amount of coal stocked in order to reduce to a minimum the number of unemployment days. During the quarter the gross production of the mines was, 3,662,633 tons. The total production during the year was 14,874,820 tons compared with 15,103,135 tons in 1926. The persons employed at the end of 1927 numbered 67,345 compared with 73,807 at the end of 1926.

Political Situation.

The Advisory Council held plenary meetings on October 11th and December 5th, in the course of which its members gave their opinion on draft decrees concerning housing, bills of exchange, civil and penal procedure, and conciliation offices for questions concerning farming hunting and fishing leases.

The Technical Committee met six times, giving its opinion on the above draft decrees and also on others concerning air traffic, young people's welfare free employment agencies the amendment of the law on the bar, electricity and gas supplies.

As the mandate of the members of the Advisory Council expired on December 31st, the Governing Commission decided that elections should be held on March 25th. The members elected will remain in office until March 31st, 1931.

The mandate of the members of the Technical Committee, which also expired on December 31st, 1927, has been prolonged until December 31st, 1928.

Administration.

A new housing decree was promulgated. In 188 of the 290 *communes* of the territory, normal circumstances have been re-established as regards housing legislation.

Since 1920, the Governing Commission has encouraged house-building by the creation of an office for the construction of cheap dwellings, by the construction of houses belonging to the State, by adapting barracks for dwelling purposes, and by financing building from the pension fund for civil servants. At the end of 1927, 3,084 new dwellings had been made available.

The Social Insurance Agreement of 1923 between the Governing Commission and the German Government has been revised.

The Governing Commission and the French Government have signed two declarations settling certain questions regarding bail and legal assistance.

As regards education, the Commission considered that the time had come to give effect to the decisions of the Assembly and to organise in the Saar schools courses on the aims and existence of the League. In order to interest all teachers in the question, the Department of Education placed it on the agenda of all teachers' meetings in December, and asked them to submit practical proposals.

VII. — Social and Humanitarian Questions.

INTERNATIONAL RELIEF UNION

The Preparatory Committee of the International Relief Union met at Geneva, on February 23rd and 24th, to consider what measures should be taken to further the definite establishment of the Union.

The Committee drew the attention of the Council to the fact that only seventeen countries had so far signed the Convention, founding the Union namely : Belgium, Bulgaria, Colombia, Cuba, Danzig, Ecuador, Finland, France, Germany, Guatemala, Italy, Monaco, Poland, Roumania, Spain, Turkey and Uruguay.

It considered that it would be desirable that the greatest possible number of States should sign the convention, which would be open for signature until April 30th, 1928. After that date States could only accede to it.

The Committee thanked the Red Cross Organisations for the assistance they had promised.

It appointed a Permanent Committee composed of M. Kuelz, Senator Ciraolo and Senator François, to take all necessary steps, possibly with the cooperation of other members, to enable the work to begin.

The meeting was attended by : M. Kuelz, former German Minister, Senator Ciraolo, Honorary President of the Committee and of the Italian Red Cross; Senator François, General Manager of the Belgian Red Cross; Lt. Colonel Draudt, Vice-President of the German Red Cross; Mr. Kittredge, Secretary-General of the League of Red Cross Societies; M. Laurin, Director-General of the Royal Swedish Administration of Compulsory Life Insurance; M. Matter, Barrister at the Paris Court of Appeal; M. Werner, Professor of Law at Geneva University, Member of the International Red Cross Committee.

VIII. — Other Questions.

1. — SZENT-GOTTHARD INCIDENT

The Roumanian, Serb-Croat-Slovene and Czechoslovak Governments have addressed to the Secretary-General requests for the Council to examine the incident which occurred on January 1st, 1928, at the St. Gotthard station on the Austro-Hungarian frontier.

The three requests are based on the decision of the Council of December 11th, 1926, and on the rules adopted on September 27th, 1924, with regard to the exercise of the right of investigation.

The question has been placed on the agenda of the March meeting of the Council.

2. — OBITUARY

a) *Death of Professor Lorentz.*

Professor Lorentz, Chairman of the Committee on Intellectual Cooperation, died on February 4th.

The Secretary-General expressed the sincere sympathy of the League Secretariat with the Netherlands Government and the family of the deceased.

M. Destrée represented the Committee of Intellectual Cooperation at the funeral.

b) *Death of Madame Bugge-Wicksell.*

Madame Bugge-Wicksell, Member of the Permanent Mandates Commission since the beginning, died on February 20th.

The Secretary-General addressed to the Swedish Government a telegram expressing the sympathy of the League Secretariat.

IX. — Forthcoming Events.

March 15th : Committee of Experts on the Question of Translations, Paris.

March 15th : Preparatory Commission for the Disarmament Conference, Geneva.

March 19th : Child Welfare Committee, Geneva.

March 19th : Preparatory Committee for Conference of Government Statisticians, Geneva.

March 23rd : Economic Committee, Geneva.

April 10th : Eleventh Session of the Advisory Committee on Traffic in Opium and other Dangerous Drugs, Geneva.

April 11th : Committee of Experts on Bills of Exchange, Geneva.

April 25th : Permanent Committee for the Standardisation of Sera and Biological Products, Frankfurt-on-Main.

April 30th : Supervisory Commission, Geneva.

April 30th : Health Committee, Geneva.

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MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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I. — Summary of the Month.

The past month was marked by an event of unusual importance, namely, the decision of the Spanish Government to take back its notice of withdrawal from the League and to resume full collaboration, without conditions or reservation. The correspondence between the President of the Council and the Prime Minister of Spain is given in the present issue of the Monthly Summary.

The Forty-Ninth Session of the Council, with the St.-Gotthard incident and the Hungarian Optants case; the completion of a series of draft treaties by the Arbitration and Security Committee; the meeting of the Disarmament Commission, with discussion of the Soviet proposal for complete disarmament; a conference on trade restrictions in hides and bones; meetings on economic questions, tariff nomenclature, statistics and child welfare; constituted the other principal events in an unusually busy month.

The principal questions dealt with by the Council concerned the seizure of machine-gun parts at the St. Gotthard Railway Station, and the Hungarian Optants.

As regard the first, the Council, after a public debate, appointed a Committee of Three to examine all the details and report to its next session. This body is empowered to seek the assistance of technical experts from the League organisations and, if necessary, to send them to the spot.

A settlement of the Hungarian Optants question was proposed on the basis of reconstituting the Mixed Arbitral Tribunal. The Hungarian representative accepted; but as the Roumanian representative agreed, on the request of his colleagues to consult his Government and the session did not allow sufficient time for this consultation, the question was included in the agenda of the June session.

The Council also considered certain general questions of organisation, such as the number of its meetings each year, the powers of its Acting-President in the intervals between sessions, and the action which might be taken as regards the ratification of conventions concluded under the auspices of the League.

Similarly, the Council voted a unanimous resolution asking Spain and Brazil to continue and Costa Rica to resume collaboration with the League.

Pursuing its work of economic and financial reconstruction, the Council authorised the issue of the Bulgarian loan and examined the conditions for authorising the loan requested by Portugal.

Questions concerning Danzig were withdrawn from the agenda pending the conclusion of certain negotiations, and the advisory opinion of the Permanent Court on the jurisdiction of the Danzig Courts noted.

The Council approved the reports of the following Committees and Commissions: the Permanent Mandates Commission, the Economic Committee, the League Building Committee, the Preparatory Committee for the International Relief Union. It examined the statute of the Educational Cinematographic Institute which the Italian Government has offered to found in Rome.

* * *

Several other important meetings were held during the month on the subject of arbitration, security and disarmament, economic and transit questions, and social and humanitarian questions.

The Arbitration and Security Committee drew up draft general conventions for the pacific settlement of international disputes, and draft treaties of security on the basis of the memoranda prepared in Prague by its Chairman and three rapporteurs. It decided to proceed with the second reading of these texts in June, and at that time to draft bilateral treaties.

The Preparatory Commission for the Disarmament Conference held its fifth session, Turkey being represented for the first time. The Commission discussed the draft convention for general, complete and immediate disarmament, submitted by the delegation of the Union of Socialist Soviet Republics, and drew the attention of Governments to proposals submitted by the German delegation with regard to possible improvements in the League Military Year-Book, and to a draft scheme for the reduction of armaments also submitted by the Soviet delegation.

A conference for the abolition of Export Prohibitions and Duties on Hides and Bones drew up two protocols by which the delegates undertook to recommend their Governments to conclude an agreement.

The Economic Committee made a special study of the new tendency of the commercial policy of various States towards an unhampered and equitable system of commercial exchanges. It also dealt with the question of the treatment of foreign nationals and enterprises.

The Committee of Experts on Tariff Nomenclature made a preliminary examination of replies received up to the present from the different authorities consulted.

The Preparatory Committee for the Statistical Conference contemplated for the end of 1928 prepared a programme indicating the different categories of statistics and the principles to be adopted in compiling statistics with a view to their comparability.

The Advisory Commission for the protection of Children and Young People held its yearly session, recommending *inter alia* that the special body of experts on traffic in women and children should continue its enquiry.

The Library Planning Committee met to advise as to the utilisation of the Rockefeller grant of two million dollars.

The Permanent Court of International Justice received from the French and Swiss Governments the special agreement referring the Franco-Swiss Free Zone controversy to the Court, and gave its advisory opinion on the jurisdiction of the Danzig Courts requested of it by the Council.

II. — The Permanent Court of International Justice ⁽¹⁾.

1. — JURISDICTION OF THE DANZIG COURTS

At a public sitting on March 3rd, the Permanent Court of International Justice delivered its Opinion on the question regarding the jurisdiction of the Danzig Courts, on which the Council had requested the Court for an Opinion.

The circumstances which led up to the Council's request for an opinion are as follows : A Convention concluded at Paris on November 9th, 1920, between Poland and Danzig laid down that, following the transfer of the railways of the Free City to the Polish administration, questions concerning the rights and obligations of Danzig employees transferred to the Polish service should be settled by agreement between Poland and the Free City, and, failing such agreement, by a decision of the High Commissioner of the League at Danzig. On October 22nd, 1921, a final agreement was concluded between the parties, after the questions in dispute between them had formed the subject of decisions given by the High Commissioner on August 15th and September 5th, 1921, which laid down amongst other things

(1) With the exception of the article on the external status of judges, this chapter has been prepared with the aid of information given by the Registrar of the Court.

that all disputes relating to the Polish Administration of railways in the territory of Danzig were subject to the civil and criminal jurisdiction of the Free City's courts. These decisions and the subsequent agreement were recognised by the Parties as entering into full effect on the following December 1st. In 1925, however, certain Danzig officials who had entered the Polish service brought actions against the Polish Administration before the Danzig Courts, relying on the terms of the above-mentioned Agreement of October 22nd, 1921. The defendants filed a plea to the jurisdiction on the ground that the Agreement did not afford a basis for such actions, but the plea was overruled; whereupon the Polish Government declared that by entertaining these suits the Danzig Courts had contravened the treaty law in force and refused to comply with judgments given by those Courts. Negotiations ensued, and the High Commissioner of the League at Danzig was requested by the Free City to give a decision upon the matter, which he did on April 8th, 1927. The first part of the High Commissioner's decision was to the effect that Poland's argument, according to which the Danzig Courts were not competent to entertain actions relating to pecuniary claims brought against the Polish Railways Administration by members of its staff who had been transferred from the Danzig to the Polish service, was untenable. In the second part of his decision, however, the High Commissioner added that the Danzig Courts had no jurisdiction in cases where actions were based on the Agreement of October 22nd, 1921; thus in regard to this second point he decided against the Free City.

The first part of the High Commissioner's decision was accepted both by Poland and Danzig; but the second was not accepted by the Senate of the Free City and the latter appealed to the Council, which asked the Court to say whether the High Commissioner's decision impeached by the Free City, in so far as it did not comply with Danzig's request—was legally well founded.

The Court's Opinion begins with a description of the circumstances indicated above and then proceeds to define the point in dispute. The Court is not called upon to give an opinion upon the first part of the High Commissioner's decision, because that part which has not been disputed either by Poland or Danzig may be regarded as satisfying Danzig's claims in so far as it recognises that any pecuniary claim based on any of the provisions of the contract of service of the officials concerned may form the subject of an action before the Danzig Courts. The principle that the officials concerned are entitled to bring an action against the Polish Railways Administration before the Danzig Courts is not therefore disputed; consequently the latter have jurisdiction. It is however the limitation placed on the exercise of this right in the second part of the High Commissioner's decision which has given rise to the Free City's appeal to the Council. As has already been stated, according to the High Commissioner, the Danzig Courts would not be competent to entertain actions based on the actual Agreement of October 22nd, 1921. It therefore rests with the Court to say whether or no this Agreement, as maintained by the Free City, forms part of the contract of service between the officials concerned and the Polish Administration, in spite of the fact that it takes the form of an international agreement, or whether, as argued by the Polish Government, the Agreement, being an international instrument and not having been incorporated in Polish legislation, only creates rights and obligations as between the contracting Parties and not for the officials concerned who are private legal persons; in other words, whether the legal relations between the Polish Railways administration and the officials concerned are or are not exclusively governed by Polish national law.

In order to reply to this question, the intention of the Parties must be ascertained. For though it is a well established principle of international law that an international agreement, as such, has no direct effects of this kind, it cannot be disputed that the situation may be altered if such was the intention of the Parties. This intention is decisive: the Court will seek to ascertain it from the contents of the Agreement and the manner in which it has been applied.

An analysis of the Agreement shows that that instrument was certainly intended to create a special legal regime governing the relations between the Polish Railways Administration and the interested officials; this régime is clearly to be governed by the Agreement itself. One of the principal points which goes to prove this is that, according to the Agreement, should the Polish Government modify its disciplinary laws, such modifications in so far as they may be incompatible with the Agreement, will not *ipso facto* be applicable to the officials concerned but must first of all be incorporated in the Agreement. Nevertheless, Poland pointed out that the Agreement contained a clause empowering the Polish Railway Administration to settle all questions affecting the officials concerned and that this clause showed that the intention of the parties was to leave to the Polish Government the task of drawing up all the regulations concerning the interested officials, including those based on the Agreement; with regard to the latter Poland would only be responsible to the Free City. In the opinion of the Court, the scope of the clause was not so wide and did not modify the conclusion it had arrived at. It is clear from the High Commissioner's Decision of September 5th, 1921—following which the Agreement was concluded,—that the latitude left to Poland in regard to the issue of regulations was limited in scope. It follows that Article 9 of the clause in question cannot be construed in a manner which would make the applicability of the provisions of the Agreement depend on their previous incorporation into a Polish Regulation.

No doubt therefore subsists as to the nature and intention of the contracting parties at the time they concluded the Agreement—this Agreement constituting a part of the special regulation which governed the relations between the Polish Railway Administration and the officials concerned. Moreover, a circumstance attending the actual execution of this instrument affords corroborative evidence; on the date of the taking over of the Danzig Railways by Poland the parties signed a memorandum in which they recognised that the Agreement—to which they refer under the heading of "Provisions of Execution"—should enter into full effect as from that date.

The Court therefore arrives at the conclusion that the agreement does form part of the contract of service of the officials concerned; the latter are entitled to bring actions based upon it before the Danzig Courts, since the High Commissioner, in the uncontested part of his decision, recognised that they had the right to take action before those Courts; and judgments given in such cases must be accepted and complied with by the Polish Railways Administration. This conclusion does not affect the right conferred on Poland by Article 39 of the Convention of Paris of November 9th, 1920, to have recourse to the international procedure provided for in that Article, if she can adduce that the Danzig Courts have exceeded their jurisdiction or violated general or special rules of international law.

Having reached this conclusion, the Court—considering another aspect of the question—thinks necessary to ascertain the extent of Poland's obligation to recognise the jurisdiction of the Danzig Courts to entertain claims brought by the officials concerned based on their contract of service. The legal basis of the jurisdiction of these courts resides in the High Commissioner's decision of September 5th, 1921, which is couched in very comprehensive terms.

Accordingly, judgments given within the limits of jurisdiction determined by the High Commissioner are lawful and no further decision is required. The appeal made by the Free City to the High Commissioner, which gave rise to the decision of April 8th, 1927, could thereupon only relate to the question whether the interested officials could base their actions on the Agreement. The decision of April 8th confirmed the jurisdiction of the Danzig Courts. Now, jurisdiction implies the right to decide what substantive law is applicable in a given case; the Danzig Courts can therefore, if they see fit, apply to a given case the provisions of the Agreement, and the applicability of this Agreement must be considered as being in conformity with international law unless the contrary be proved, unless, for instance, it were

shown that, in the intention of the Parties, the Agreement was not designed to form part of the contract of service, or, in other words, was not intended to be applied directly by the Danzig Courts. But the Court, for the reasons indicated above, has rejected such a construction of the Agreement.

It follows from the foregoing considerations that the decision of the High Commissioner which has been impeached is not legally well founded.

* * *

The Court's opinion was unanimously adopted by all the judges present, including M. Erhlich, Polish national judge, and M. Bruns, the judge appointed by the Free City of Danzig, and duly transmitted to the Council, which took cognisance of it on March 8th, 1928 ⁽¹⁾.

2. — MINORITY SCHOOLS IN POLISH UPPER SILESIA

The Court held sittings on March 13th, 15th and 17th for the purpose of hearing the pleadings of the representatives of the German and Polish Governments, in the matter concerning minority schools in Polish Upper Silesia. Dr. Budding, President of the Marienwerder District, spoke on behalf of Germany, and M. Mrozowski, President of the Supreme Court at Warsaw, on behalf of Poland.

After the oral pleadings, the Court withdrew to consider its opinion, reserving the right if necessary to ask the Parties for further information.

3. — THE CHORZOW FACTORY. — INDEMNITIES (MERITS)

On March 23rd, 1928, the Court issued an Order for the extension to May 7th, 1928, of the time limit previously laid down for the filing by the Polish Government of its Rejoinder in the Chorzow Factory case (Indemnities). This extension was granted upon the request of the Polish Government, which had pointed out that the preparation of the Rejoinder required a considerable amount of time, in view of the technical nature of some of the questions submitted in the Reply of the German Government.

4. — THE FRANCO-SWISS FREE ZONES

On March 29th the French and Swiss Governments transmitted, through their Legations at the Hague, to the Registry of the Permanent Court, the Franco-Swiss Special Agreement concluded at Paris on October 30th, 1924, submitting the case of the Free Zones of Upper Savoy and the *Pays de Gex* to the Court.

The following have been appointed by their respective Governments as representatives before the Court in the case : for France, M. Basdevant, Legal Adviser to the Foreign Office and Professor of the Faculty of Law at Paris; for Switzerland, M. de Pury, Swiss Minister at The Hague; and M. P. Logoz, Member of the Swiss National Council and Professor at the University of Geneva.

5. — EXTERNAL STATUS OF THE MEMBERS OF THE COURT

The Council had received a letter from the Registrar of the Court dated December 13th, 1927, concerning certain difficulties which had arisen between the Court and the Netherlands Government regarding the diplomatic status of the Judges.

Subsequently however, the Council was informed that the Netherlands Foreign Minister and the President of the Court were prepared to enter into direct conversation on the subject. It accordingly decided to postpone examination of this question until its next session.

(1) See *Danzig*.

III. — Arbitration, Security and Reduction of Armaments.

1. — SECOND SESSION OF THE ARBITRATION AND SECURITY COMMITTEE

The Arbitration and Security Committee met at Geneva from February 20th to March 7th to consider the memoranda prepared at Prague ⁽¹⁾ by its rapporteurs in collaboration with the chairman, Dr. Benes, and on the basis of these documents drew up several texts. Additional suggestions submitted by the German delegation with a view to reinforcing the methods of preventing war were referred to a rapporteur for study.

I. RESOLUTION CONCERNING THE INTRODUCTORY NOTE TO THE PRAGUE MEMORANDA

The Committee endorsed the views expressed in the introduction to the Prague Memoranda and adopted as the basis for the work of its second session the three following principles :

(1) The Covenant itself creates a measure of security which needs to be appreciated at its full value and its articles are capable of being applied in such a way that in the majority of cases they can prevent war;

(2) The common will for peace of the States Members of the Council can be exercised effectively within the framework of the Covenant, all the more so because that instrument does not provide any rigid code of procedure for the settlement of international crises and it is, therefore, inexpedient to attempt to draw up in advance a complete list of measures for preserving international peace;

(3) For those States which seek more effective guarantees of security, side by side with an extension of the machinery for the pacific settlement of their international disputes, the conclusion of security pacts with other States in the international disputes, the conclusion of security pacts with other States in the same geographical area constitutes one of the most practical forms of supplementary guarantee which it is at present possible to recommend.

To enable the two principal ideas contained in the final paragraph of the resolution to be put into practice, the Committee prepared security pacts and treaties for the pacific settlement of international disputes, which the Ninth Assembly will be able to recommend to the State Concerned.

2. CONVENTIONS FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES

The Committee drew up three draft general conventions. It decided to study at its next session, the question of separate conventions, the elements of which it will be easy to extract from the general conventions.

Of the three general conventions, type A and B provide for arbitration and conciliation; type C provides exclusively for conciliation procedure.

In drafting these conventions the Committee was guided by certain main principles :

1. It was necessary to take into account the particular situations of the different States and the objections which some of them would feel to the conclusion of extensive arbitration undertakings .

(1) See *Monthly Summary*, Vol. VIII, No. 1, p. 3.

In these circumstances it was useless to attempt to bring forward a single and rigid type of arbitration and conciliation convention which would have fallen short of what some States were prepared to accept and go beyond what others might be able to accept. The three Conventions provide sufficient variety to meet the desires and conditions of the different Governments.

The operation of the reservations authorised by these various conventions increases their elasticity — a feature which was regarded as essential.

2. While the freedom of States must be fully respected, and no pressure, even if only moral, be exerted on Governments to induce them to contract undertakings which they do not consider themselves able to perform, it is nevertheless essential that the undertakings entered into, however restricted they may be, should be of concrete value.

To that end provisions already adopted in numerous separate conventions and ensuring the observance of undertakings assumed were inserted in the Conventions. Hence the absence of an agreement with regard to the submission to arbitration or to the constitution of the tribunal or Conciliation Commission will not prevent the procedure of peaceful settlement from taking its course. Thus all reservations of a vague and indefinite character were avoided.

3. The Committee endeavoured to make as few innovations as possible. It was guided by past experience. Thus, the traditional distinction between disputes of a legal and of a non-legal nature constitutes the fundamental principle of Conventions A and B.

Convention A. — The structure of Convention A is as follows :

1. Disputes of a legal nature are submitted compulsorily to a judicial or arbitral settlement, and optionally to a preliminary procedure of conciliation.

2. Disputes of a non-legal nature are submitted compulsorily to a procedure of conciliation.

In the event of the failure of conciliation, the dispute must be brought before an arbitral tribunal composed of five members.

Convention B. — Convention B is conceived on the same lines as the arbitration and conciliation conventions concluded at Locarno.

1. Disputes of a legal nature are brought before the Permanent Court of International Justice unless the parties agree to have recourse to an arbitral tribunal.

2. Disputes of a non-legal nature are submitted simply to a procedure of conciliation. If this fails they may be brought before the Council of the League of Nations under Article 15 of the Covenant.

Convention C. — The Committee considered that there were very few States which, finding it impossible to accept the general or restricted obligations to submit to arbitration and judicial settlement contained in Conventions A and B, would refuse to accept Convention C, which simply provides for conciliation procedure.

The composition, mode of operation and duties of the Conciliation Commission laid down by all three Conventions are in general reproduced from the provisions in the Locarno treaties of arbitration and conciliation.

Reservations on Accession to one or other of the Conventions. — While emphasising the importance of the largest possible number of accessions being given without reservations of any kind, the Committee, which sought to achieve something practical and to take account of the various difficulties peculiar to each State, made a wide allowance for reservations.

Nevertheless, it tried to regulate and classify them in order to avoid uncertainty and abuse. Four kinds of reservations were contemplated, concerning

- (a) Disputes arising out of facts prior to the signatures or accession;
- (b) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States;
- (c) Disputes concerning questions which affect the principles of the constitution of the State;
- (d) Disputes concerning particular clearly specified subject-matters, such as territorial status.

Thus, subject, to reciprocity, any State may exclude any specific question whatever. All that is necessary is to make a special mention of it. In this way, it is possible to get rid of the dangerous and vague reservation of vital interests; if a State considers that certain questions affect its vital interests, it can exclude them by a reservation mentioning these questions.

The operation of possible reservations is not left to the discretion of the parties; it is subject to control by the Permanent Court of International Justice.

Interpretation and Application. — Disputes relating to the interpretation and application of the conventions are submitted to the Permanent Court. This is to prevent conflicts of interpretation constituting a reason or pretext for any of the parties to bring about the failure of the procedure laid down.

Facilities for the Conclusion of Conventions for the Pacific Settlement of Disputes. — To give effect to the Eighth Assembly's wish for an increased use of pacific procedure and for a larger number of conventions of arbitration or judicial settlement, the Committee framed a draft resolution defining the conditions on which the Council could lend its good offices to States desiring to conclude such treaties. The Assembly would invite the Council to inform States Members of the League that it would, if requested, "be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted, would be calculated to bring the negotiations to a happy issue".

3. METHODS OF FACILITATING ACCESSIONS TO THE OPTIONAL CLAUSE OF ARTICLE 36 OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

Realising the obstacles which prevented States from acceding to the clause relating to the compulsory jurisdiction of the Court, the Committee thought that the only method of reducing them at present was to draw attention to the possibilities offered by that clause—States which did not see their way to accede to it without qualification, to do so—subject to appropriate reservations limiting their commitments as regards both scope and duration. To this end, the Committee framed a draft resolution enabling the Council to request States which had not yet acceded to the Optional Clause, to consider with due regard to their interests, whether they could do so on the said conditions.

4. TREATIES OF SECURITY

The Committee did not draw up a general security pact. It confined itself to preparing three models—a collective treaty of mutual assistance (D), combining the three elements of non-aggression, peaceful settlement of disputes and mutual assistance; a collective treaty of non-aggression and peaceful settlement of disputes (E); and a bilateral treaty of the same type (F).

Model Treaty of Mutual Assistance. — The draft with the widest scope as regards the security afforded to States seeking fresh guarantees is clearly that which combines the three elements of non-aggression, peaceful settlement, and mutual assistance.

The non-aggression clause is borrowed from the Locarno Rhine Pact. By it, "each of the high contracting parties undertakes, in regard to each of the other

parties, not to attack or to invade the Territory of another contracting party, and in no case to resort to war against another contracting party”.

The three exceptions to this clause are also borrowed from the Rhine Pact (legitimate defence in the event of the violation by another party of the non-aggression clauses; action in pursuance of Article 16 of the Covenant; action as the result of a decision of the Assembly or Council or in pursuance of Article 15, § 7 of the Covenant, *i.e.*, in the event of the failure of the Council to make a unanimous report, provided that in this case the action is directed against the State which was the first to attack).

The pacific settlement of disputes is organised on the lines of the Locarno Arbitration Conventions (see Convention B).

The clauses relating to mutual assistance are borrowed from the Rhine Pact. Should one of the parties consider that the non-aggression clause is being, or has been, violated, it would immediately bring the question before the Council. As soon as the latter has ascertained that such violation has taken place, each of the signatories is called upon to give immediate assistance to the Power attacked. Should one of the parties refuse to accept the methods of pacific settlement instituted by treaty or to execute an arbitral award or judicial decision, the other party would inform the Council, which would propose what measures should be taken. The parties undertake to accept these proposals.

Unlike the Rhine Pact the draft does not contain a clause dealing with mutual assistance prior to a decision of the Council in the event of flagrant aggression. The Committee stated that “it might be possible and desirable in certain cases to add stipulations” to this effect.

The draft further differs from the Rhine Pact on the following points :

(a) It contains no clause guaranteeing the maintenance of the territorial *status quo* ;

(b) It provides for no guarantee by third States;

(c) On the other hand, it contains, with regard to the peaceful settlement of disputes, a certain number of clauses which, in the Locarno Agreements, do not figure in the Rhine Pact but in annexed Conventions.

These differences are due to the following reasons;

(a) The individual and collective guarantee of the maintenance of the territorial *status quo* would clearly constitute a very important factor of security : but the fact that certain Powers, when negotiating such a treaty, would not feel able to accept such a clause should not, in the Committee’s opinion, prevent the negotiations from being successful. For the clause in question is not essential, and it is understood that, being concluded under the auspices of the League of Nations and within the scope of its Covenant, the treaty assumes the full maintenance of the fundamental principle of Article 10 and all other provisions of the Covenant in relations between the high contracting parties.

(b) Similarly, while the guarantee of third States can greatly add to the effectiveness of a treaty of mutual assistance, its absence must not constitute an obstacle to the conclusion of the treaty. In the event of the high contracting parties being able to rely on the guarantee of third States, the details of this guarantee might either figure in the treaty itself, according to the precedent of the Rhine Pact of Locarno, or be dealt with in separate conventions.

(c) The Committee thought it advisable to insert in the model treaty a certain number of clauses relating to the peaceful settlement of disputes. This does not mean that the parties will not be free to apply among themselves clauses of wider scope stipulated in arbitration conventions previously concluded or which they may subsequently conclude; but the Committee desired to indicate that a certain minimum of explicit rules is necessary owing to the interdependence of the elements of non-aggression, of the peaceful settlement of disputes and of mutual assistance.

Since it is assuming obligations in regard to mutual assistance, each of the high contracting parties must know that the other parties are accepting sufficiently extensive obligations in regard to the peaceful settlement of disputes.

The draft treaty consists of a preamble and a series of articles. In the Committee's view, these texts are not unalterable. The high contracting parties may make any modification they consider useful, provided they respect the interdependence and equilibrium of the three essential factors to which reference has been made.

The Committee itself indicates a certain number of possible departures from the text drawn up.

Recommendation with a View to the Conclusion of Collective Treaties of Mutual Assistance. — Conceived as they are in the spirit of the League, and therefore meriting the League's full support, the conclusion of collective treaties of mutual assistance should, in the opinion of the Committee, be facilitated if necessary. The Committee therefore proposed to recommend a draft resolution defining the conditions under which the Council might, in this connection, lend its good offices. Apart from the considerations, this resolution is the same as that by which the Assembly would invite the Council to lend its good offices for the conclusion of treaties of peaceful settlement; the Committee nevertheless indicates that in these cases the Council's task would obviously be a very delicate one, for the conclusion of a collective treaty of mutual assistance, as conceived by the Committee, naturally presupposes a long effort of political preparation and endeavours to bring about a better understanding between the countries destined to conclude reciprocal agreements.

Models of Collective and Bilateral Treaties of Non-Aggression (Types E and F). — States anxious to obtain better guarantees of security but unwilling for some reason or another to bind themselves by a treaty of mutual assistance will find in Types E and F model treaties under which they can enter into obligations with other States as regards non-aggression and the pacific settlement of disputes only. The provisions of these treaties on these two latter points are the same as those embodied in the draft collective treaty of mutual assistance.

5. ARTICLES 10, 11 AND 16 OF THE COVENANT

As regards the Prague memorandum on Articles 10, 11 and 16 of the Covenant, the Committee considered that the data regarding the criteria of aggression collected in this memorandum constituted a useful summary of the Assembly's and the Council's work in regard to this matter and of the provisions of certain treaties.

It drew particular attention to the fact that the action which the Council, under Article 11 and the other articles of the Covenant, was called upon to take in case of conflict would provide it with valuable indications to enable it to form an opinion and as to the aggressor if war broke out in spite of all endeavours to prevent it. It considered that the examination of Article 11 of the Covenant, which lays down that the League "shall take any action that may be deemed wise and effectual to safeguard the peace of nations", formed a useful corollary to the enquiry undertaken by the Committee of the Council and approved by the Council on December 6th, 1927, on the recommendation of the Assembly, and at the same time clearly demonstrated—without in any way detracting from the force of the other articles of the Covenant—that the League must in the first place endeavour to prevent war, and that in all cases of armed conflict or threat of armed conflict of any kind the League should take action to prevent hostilities or to bring hostilities to a standstill if they had already begun.

The Committee noted the suggestions contained in the memorandum with regard to Article 16. It recommended these studies to the Assembly as a valuable

contribution in that they did not propose any rigid and detailed procedure to be followed in times of crisis, and did not add to or detract from the rights and duties of the Members of the League, but constituted highly instructive indications of the possibilities inherent in the various articles of the Covenant and the manner in which those articles could be applied without prejudice to the methods of application which an infinite variety of circumstances might demand.

The Committee decided to continue this study at its next session.

6. COMMUNICATIONS OF THE LEAGUE IN CASE OF EMERGENCY

The Committee considered that the systematic study of the means to be employed by the organs of the League to enable Members to carry out the obligations devolving upon them in virtue of the different articles of the Covenant required that communications for the purposes of League action in case of emergency should have every guarantee of independence and should be as little affected as possible by the disturbance which a state of emergency would necessarily produce in the regular working of the communications controlled by the different Governments.

It trusted that the supplementary technical studies undertaken by the Transit Committee, at the request of the Council and in conjunction with all the authorities concerned, with a view to providing the League with independent air communications and a radio-telegraphic station enabling it to communicate direct with as many of its Members as possible, might be rapidly completed. It emphasised the desirability of enabling the next Assembly to take steps to put these scheme into effect, more particularly as regards the establishment of a radio-telegraphic station.

7. FINANCIAL ASSISTANCE

The Committee postponed until its next session the question of financial assistance for States attacked (Finnish proposal), as a joint committee of members of the Arbitration and Security Committee and the Financial Committee had thought it advisable to refer to the latter the technical consideration of this scheme.

8. SUGGESTIONS OF THE GERMAN DELEGATION WITH A VIEW TO PREVENTING WAR.

The examination of these suggestions was also postponed until next session.

The Committee considered that Governments should be enabled to study them in detail, and appointed a Rapporteur, M. Rolin-Jacquemyns (Belgium), to examine them in the light of the discussion at this session, and of any observations forwarded by Governments.

The proposals of the German delegation concern the opening for signature of a Protocol or agreement by which States would undertake to execute :

1. Provisional recommendations of the Council for the purpose of preventing any aggravation or extension of the dispute and impeding any measures to be taken by the parties which might exercise an unfavourable reaction on the execution of the settlement to be proposed by the Council.

2. Recommendations of the Council to the effect of maintaining or re-establishing the military *status quo* normally existing in time of peace.

3. In the case of hostilities of any kind breaking out without, in the Council's opinion, all possibilities of a pacific settlement having been exhausted, the Council's proposal for an armistice including especially the obligation to withdraw forces which might have penetrated into foreign territory.

Among the points to be examined in connection with this proposal, the German delegation mentioned the questions whether the recommendations of the Council should be voted unanimously or by a majority, and whether the agreement or pro-

tocol might come into force separately for the several continents, in a way similar to that provided by the Treaty of Mutual Assistance of 1923.

9. FUTURE WORK OF THE COMMITTEE

At its third session, which is fixed for June 1928, the Committee will proceed to its second reading of the drafts prepared at its second session and will study bilateral treaties, Articles 10, 11 and 16 of the Covenant, and the German proposals.

It is thought that these studies will be concluded at a date which will make it possible for them to be discussed by next Assembly.

The following members took part in the work of the Arbitration Committee :

Mr. von Simson (Germany); M. Jose Maria Cantilo (Argentine); Baron Rolin-Jaequemyns (Belgium); M. Bogdan Morfoff (Bulgaria); M. Riddell (Canada); M. J. Valdes-Mendeville (Chili); M. Chuan-Chao (China); M. Efrain Gaitan-Hurtado (Colombia); Lord Cushendun (British Empire); M. Erich (Finland); M. Paul Boncour (France); M. Nicolas Politis (Greece); General de Marinis (Italy); M. Sato (Japan); M. Rutgers (Netherlands); M. François Sokal (Poland); M. Constantin Antoniadé (Roumania); M. Lazare Markovitch (Kingdom of the Serbs-Croats-Slovenes); M. Osten Unden (Sweden); M. Benes (Czechoslovakia); M. Boris Stein (Union of the Socialist Soviet Republic) who attended the meeting as an observer.

2. — FIFTH SESSION OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE

The Fifth Session of the Preparatory Commission of the Disarmament Conference was held at Geneva from March 15th to 24th under the presidency of M. Lou-don (Netherlands).

In addition to the States Members of the League who attended, there were present the three most important non-Members, the United States, who has been a member of the Commission for some time and was represented by Ambassador Gibson; the Union of Socialist Soviet Republics, represented for the second time by M. Litvinoff, People's Commissar for Foreign Affairs; and Turkey represented by Tewfik Rouchdy Bey, Minister for Foreign Affairs.

Three items figured on the agenda : (1) consideration of the progress of the work of the Arbitration and Security Committee; (2) examination of a draft convention for general, complete and immediate disarmament, deposited by the U. S. S. R. delegation; (3) consideration of the progress of the work of the Commission.

The debates and resolutions of the Commission on these points are summarised below.

1. PROGRESS OF THE WORK OF THE ARBITRATION AND SECURITY COMMITTEE

On the subject of the report of the Arbitration and Security Committee the Commission heard several statements and framed a resolution.

The U. S. S. R. representative (M. Litvinoff) recalled his previous statement to the effect that the problem of peace could neither be solved nor brought nearer to a solution by the work of the Arbitration and Security Committee. He added that the system of regional guarantee pacts based upon mutual assistance seemed to him akin to the pre-war system of alliances and other military and political combinations, and that the work of the Security Committee, without diminishing the likelihood of future wars, might create conditions favourable to the extension of armed conflicts.

The Soviet Delegation, he said, regards complete and speedy disarmament as the most solid guarantee of security for all countries and all peoples, and as the most effective means for preventing war.

Mr. Politis (Greece), appointed by the Commission as general rapporteur on Arbitration and Security questions, drew attention to the conclusion of the Arbitration and Security Committee that security and disarmament should keep pace with one another. Contrary to the opinion expressed by M. Litvinoff, he was of opinion that it was incorrect to state that the model treaties of mutual assistance drawn up by the Arbitration and Security Committee bore a close or even a distant resemblance to the old alliances.

The type of regional pact recommended by the Committee, he said, provides no guarantee against aggression by third parties. It is simply the system of the Locarno Pact adapted to the peculiar circumstances that may arise in different parts of the world. As in the Locarno Pact models which we have framed provide for mutual assistance only in the case of reciprocal aggression by the Contracting Parties.

Count Clauzel (France) expressed satisfaction at the results obtained by the Committee. He drew attention to the practical character of its work and emphasised the importance of the resolutions concerning the recommendation of the treaties and inviting the Council to offer its good offices.

Count Bernstorff (Germany) noted that the Arbitration and Security Committee had not failed to appreciate the suggestions of the German Government on the value of the pacific settlement of international disputes as an important element of security. He drew attention to the introduction to the Prague memoranda in which the Committee emphasised the considerable measure of security created by the Covenant.

Tewfik Rouchdy Bey (Turkey) said that his Government highly appreciated the value of all pacific means for the settlement of international disputes. He emphasised the advisability of attempting conciliation procedure before resorting to arbitration. As regards security, Tewfik Rouchdy Bey said his Government was fully aware of the concern to which this question gave rise in many States in connection with the examination of the question of disarmament. In his opinion the most appropriate means of obtaining security was the conclusion of treaties of non-aggression which would at the same time involve neutrality.

Such treaties, he said, would not encounter any difficulty, nor would there be any objection to them on the part of members of the League on the ground that, as they involved the obligation of neutrality simultaneously with that of non-aggression, they would be running counter to the provisions of the Covenant which, in certain circumstances, prescribed the application of measures decided on by the Council.

An undertaking of non-aggression accompanied by that of neutrality is indeed just as compatible with the Covenant as the undertaking of non-aggression itself, subject to the application of any Council decisions in regard to repressive measures.

It appears to me that there would be no question of applying the provisions of the Covenant in regard to aggressors to a non-Member State which had given evidence of its pacific aspirations by declaring its readiness to conclude treaties of non-aggression and neutrality with all countries without any distinction.

If we suppose that the State in question violated its undertaking of non-aggression, it follows as a matter of course that the undertaking of neutrality assumed in regard to it by other States, whether Members or non-Members, would become invalid immediately it became an aggressor and thus broke its pledge. From that moment States Members would resume their entire liberty of action and could fulfil their obligations arising out of the provisions of the Covenant.

In reply to a question put by the chairman, Tewfik Rouchdy Bey said that Turkey desired in the future to take part in the work of the Arbitration and Security Committee.

The Commission finally adopted a resolution expressing its satisfaction at the results obtained by the Arbitration and Security Committee and approving the general spirit in which the work was carried out.

It endorsed the recommendation of the Committee regarding the transmission to Governments of its report in sufficient time to allow of its discussion at next Assembly.

2. DRAFT CONVENTION FOR COMPLETE GENERAL AND IMMEDIATE DISARMAMENT
PRESENTED BY THE DELEGATION OF THE UNION OF SOVIET SOCIALIST REPUBLICS.

On March 19th, the Commission began its study of the Soviet proposal which brought forth declarations from nineteen other speakers in the course of five sessions running over as many days.

Mr. Litvinoff, Assistant People's Commissar for Foreign Affairs, in pointing out both the complete novelty of the Soviet proposal and the equally complete lack of serious discussion at the last session, emphasised his view that nothing but general, simultaneous and complete disarmament is capable of satisfactorily solving the problem of general security and peace. This proposal would also solve a series of other vexed problems, such as freedom of the seas; would not encounter the difficulties inevitably connected with partial disarmament, such as control; and, as uniform and applicable to all States, would arouse the least opposition. The idea, he said, has been accepted with enthusiasm by the broadest masses of both hemispheres and by all progressive and peace-loving elements in human society. While the vast quantity of disarmament discussion within the League had led to not a single step of real importance, the Soviet state, though having seen its territory invaded, now has a smaller army in proportion to population and area than any other state and is willing to abolish all military forces as soon as the other states agree. As his proposal represented a single, organic whole which could not be split into separate parts, he asked for an unequivocal answer as to whether the Commission would base its further labours on the principle of complete disarmament and agree to carry out the first stage within a year.

Count Bernstorff (Germany), while stating that the activities of the Commission had hitherto been pursued within a far more modest compass the Soviet proposal seemed in harmony with their spirit and capable of giving them a fresh impulse. He found in them some very interesting ideas, such as disarmament by stages confined within a narrow time-limit and elimination in the very first stage of those military factors adaptable to aggression. He therefore urged a detailed discussion.

Tewfik Rouchdy Bey (Turkey), while agreeing that the proposals may appear very radical, said they showed the importance attached by the Soviets to the ideals of disarmament and peace, for which he wished to congratulate a neighbouring and friendly country. He, in turn, urged their discussion.

General Marinis (Italy) agreed that the proposal, as a logically built whole, must be so accepted or rejected. He would willingly accept it if it would really, assure world peace founded upon justice but would need further guarantees, first, because some countries by their wealth, industrial organisation and population, could more rapidly re-arm and thus threaten the security of others, and, second, because the project would not assure that even more important social and economic security which alone would allow nations to develop in liberty and peace.

Count Clauzel (France), while accepting the ideal of the Soviet proposal as real peace with the least delay, asked if, in effect, its realisation would be consistent with the present world situation and more particularly the geographical, economic and social aspects of security. The Commission was meeting under precise instructions from the League Assembly and on the basis of Article VIII of the Covenant; it was only to be regretted that the Soviet Government had not earlier accepted the League invitation and submitted its proposals along with those of the British and French previously so exhaustively discussed. At this stage, however, the Commission could hardly abandon its prolonged and careful work, though, instead

of giving the categorical answer requested, it might examine the proposal on the same footing as those already examined.

Lord Cushendun (Great Britain) could not agree that the project must be accepted or rejected as a whole. While, admittedly, complete disarmament had been the ideal of mankind since the dawn of history, he profoundly doubted if it were now practicable. In all frankness, he would first ask in what spirit the Soviet delegates had come to Geneva. Though the League had been created to establish a newer and surer foundation of peace, the Soviet Government had lost no opportunity of deriding it. Yet, suddenly, their Delegates had come to Geneva, the "Isvestia" their official paper, announcing for the purpose of unmasking the capitalistic states and showing the sabotage of the Soviet proposal. But, if there were sabotage, it was of the League, for nowhere in the draft was it mentioned, whereas a new permanent Commission of Control was to be created and all laws contrary to the draft, which would include the Covenant, were to be repealed within a year. Next, was the Soviet Government ready to forego civil war and its whole basic policy of producing armed insurrection in different countries? Further, complete disarmament would create a danger in respect of peoples in various parts of the world not on the highest level of civilisation and would give supreme power to those nations able to improvise armed forces quickly. Certain specific provisions about local police in relation to communications, the prohibition of scientific research, theoretical treatises and works on military history, the arrangements of policing the seas, all needed elucidation. Moreover, the Convention could not be operative till eight special conventions mentioned therein had been drafted. Though foreseeing a direct breach, it provided no effective sanction. Finally, it must be determined if the proposal could be harmonised with the League. Consequently, he urged careful consideration though not in the least sanguine that any large part of the project would be found practicable.

Mr. Sato (Japan) disagreed that complete disarmament would assure complete security. Disarmament is a subjective matter; the mere throwing away of weapons, instead of entailing a sense of security, might even produce the contrary. The Covenant requires not complete disarmament but reduction. The Soviet proposal would carry the Commission beyond its competence and even entail a modification of the Covenant. While doubting the expediency of discussing it, he hoped the Soviet Delegation would continue its collaboration.

Mr. Riddell (Canada), in supporting the desirability of study, expressed surprise that immediate discussion should be asked for proposals circulated so recently as February 21st. His Government had not had time to examine them, much less to transmit instructions.

Mr. Rutgers (Netherlands), said that total disarmament, ideal though it was, could not be expected to-day. The armaments race undoubtedly contributed to international distrust but to say it was the sole cause seemed to him fanciful. The Covenant of the League recognised that the requirements of national security made total disarmament impossible, for armaments are both dangerous and useful, good and bad, a paradox recognised by the Treaty of Versailles and even by the Soviet proposal itself. Armaments are made necessary by brigandage and piracy; internal disorder and revolution; misunderstandings and conflicts between states, even acts of positive aggression. Nor is it true that disarmament would make war a material impossibility. On the contrary, it would upset the whole international equilibrium, destroy its elements of stability and not establish security, peace or justice. He would, therefore, reject the proposal.

Mr. Hennings (Sweden) emphasised that all the recent years, discussion had shown the interdependence of armaments and security. It is as impossible to find a solution for disarmament without extending pacific settlement as it is to arrive at a perfect security without extending disarmament. Armaments are not the sole danger to peace; even in a world completely disarmed serious disputes could and would arise. Nations would not disarm without being sure that disputes would be

submitted to an impartial tribunal whose award would be scrupulously observed. The next step seemed to him to be for the principal military and naval Powers to consent to the mutual concessions essential to progress.

Mr. Gibson (United States of America), in reply to the Soviet claim for support from that country which had proposed a multi-lateral pact against war, said he was totally unable to support drastic proposals not calculated to achieve their avowed purpose. His Government believed in one project and disbelieved in the other. Confidence in peaceful settlement would automatically reduce armaments; the converse, however, was not true. He was opposed to considering a proposal totally irreconcilable with the previous work of the Commission, and favoured continuation of the present endeavours.

Mr. Sokal (Poland) agreed that, essential though disarmament is to peace, it was not the sole element. The three terms, arbitration, security and disarmament, are indissolubly bound up with each other. Disarmament could never take the place of security based on pacific settlement and obligations of non-aggression and mutual assistance. Frankness towards public opinion would prevent the Commission from holding out false hopes.

Baron Rolin-Jaequemyns (Belgium) felt the Draft was essentially an act of sabotage against the Commission's labours, the League of Nations and the cause of peace. It was prompted by feelings of hostility which the authors themselves would not deny and was obviously dangerous to the work in hand. He would agree, however, that, on the chance there might be something useful in the Draft, it be sent to the Governments.

Mr. David Whitmarsh (Cuba) asked that, as the proposal reached him only a few days before, two months be allowed for its study. Some of its provisions deeply affected Cuba as, for instance, abolition of the rural guard which would constitute a great danger for the sugar plantations.

Mr. Morfoff (Bulgaria), while agreeing with the present impracticability of the proposal, recalled the frontier dispute of 1925 and expressed the opinion that inequality of armaments exposed certain States to great humiliation. Without, therefore, asking for the impossible, he urged perfect equality between States, particularly as regards security.

Mr. Markovitch (Serbo-Croat-Slovene Kingdom) felt the scheme contained no really practical element and that the Commission's system was much superior. The League sees the problem as a whole, aiming to organise peace with due reference to all the factors of arbitration, conciliation and judicial settlement, as well as internal and external security. If it had not made more progress it was in part due to the Soviet Government which had done its best to discredit the League's work.

Mr. Holsti (Finland), while regretting the lack of progress, gave this as a reason for not discussing the absolute prohibition of armed forces. Certain necessities are inseparable from any organised community. There is always danger of contravention; even exclusion from the League or pacific blockade might not always prove a sufficient means of restraint. Some day it may be possible to consider an executive police force within the League to protect the activities of the whole community. Before abolishing all armed forces, the conditions and bases of a more perfect international organisation should be considered.

Mr. Politis (Greece) pointed out that, while Article VIII of the Covenant provides for a reduction of armaments, it limits that reduction in two ways: first as regards national security against internal disorder and external aggression, and, second as regards the enforcement of international obligations by common action. The Soviet proposal was diametrically opposed to this conception and unacceptable without not merely an amendment to the Covenant but an entire recasting of the League structure. In any organisation, however rudimentary, the need of sanctions exists and, indeed, has even been felt by the authors of the Soviet proposal themselves. Before great progress could be made international organisation must be greatly strengthened. Without, therefore, dashing off in pursuit of a chimerical solution, the Soviet

proposal might be studied before the next Assembly and the Soviet Government consider cooperating even more fully by itself becoming a Member of the League.

Mr. Perez (Argentine), in opposing the Soviet project, said that disarmament was a political process of slow evolution, not so much technical as moral in character, and to be based on international security. What is needed is to increase the peace potential by multiplying treaties of arbitration and conciliation on the lines of the Washington and Locarno Agreements and the Security Committee.

Mr. Valdes-Mendeville (Chile) agreed both that the Soviet proposal was incompatible with the obligations of Members of the League and that security and limitation of armaments were interdependent. The chief progress, he felt, must be along the lines of arbitration and conciliation, which is entirely omitted from the Soviet scheme.

Mr. Litvinoff and M. Lunacharsky, in reply, stated that the Soviet Government, in sending a delegation to the Commission, was inspired by no other motives than the sincere desire to contribute to the freeing of the peoples from the heavy burden of militarism and the curse of war. General and immediate disarmament was the only effective guarantee of peace. States had to choose whether they would attain justice by armed force or pacific means, and in any case the rich nations would be better armed than the poor. The draft dealt specifically with disarmament and did not pretend to be a panacea. Total disarmament would, however, leave the world better off than a mere reduction. As for the Covenant, if it really made the retention of armaments compulsory, this was an argument against the League and not against disarmament. If there were no armaments there could be no aggressor and hence no need of military sanctions. In any case, the Covenant could be amended. The Soviet Government had never concealed its distrust of the League but was not the only non-Member State present. The question of civil war was irrelevant unless it was suggested that armies and navies were retained by Governments to keep themselves in power against their own peoples. The technical objections concerned minor points open to revision and further discussion.

These remarks led to further declarations by a number of delegates along the lines previously given. In conclusion of this debate, a Resolution was passed to the effect that almost all the Members of the Commission felt that the project could not be accepted by the Commission on the basis of its work, which ought to be continued along the lines already laid down.

In these circumstances, Mr. Litvinoff announced that his Delegation, while continuing to press the necessity of general and complete disarmament, would submit a project of partial disarmament, the immediate discussion of which he requested. After Count Bernstorff had supported this request, the President of the Commission remarked that it was impossible to discuss a new project at the moment but that it could be put on the agenda of the next session. Accordingly, the Commission decided to draw the new convention to the attention of Governments while reserving to itself the right to examine it at the next session. Mr. Litvinoff voted against this resolution and absolved his Government from responsibility for the postponement.

3. PROGRESS OF THE WORK OF THE PREPARATORY COMMISSION

At the first meeting of the Commission on March 15th, the President, M. Lou-don, stated that he had so far not received any information to the effect that the differences of opinion between certain Powers with regard to various points of the draft convention adopted last year in first reading, had been reconciled so as to enable the Commission to proceed to the second reading of this draft.

At the debate on this subject, Count Bernstorff urged that the Commission should proceed to its second reading, while several delegates considered that the moment was not yet ripe for the second reading and that it would be better to wait until an agreement had been reached by the Powers concerned.

On this occasion on the French representative drew attention to the fact that during their stay in Geneva the technical experts of several delegations had begun or pursued negotiations on the points under discussion.

Mr. Gibson (United States) made the following observations :

Have we or have we not by direct negotiation or otherwise achieved a sufficient basis of agreement to justify us in starting a second reading? We should each of us examine the question from that point of view and from that point of view only. If it can be demonstrated that a sufficient measure of agreement has been reached and that no insuperable obstacles are still to be overcome, then by all means let us start at once upon a second reading. If, on the other hand, we conclude that no such progress has been made, then the only commonsense course is for us to recognise the fact and to defer the second reading until such time as we are able to undertake it with reasonable prospect of arriving at a successful conclusion.

He considered that it would be wise not to fix a definite date in any arbitrary manner for the second reading of the draft convention.

The Bureau then submitted a draft resolution, leaving its President free to fix according to circumstances the date at which it would be most practically useful to convene a new session of the Commission to proceed to the second reading of the draft convention.

Count Bernstorff (Germany) submitted as a counter-proposal the following resolution :

Considering that the preparatory technical work for a first step on the road to disarmament is sufficiently advanced for it now to be possible to summon a general Disarmament Conference capable before all else of settling those predominantly political questions which in the present situation, impede any initial step towards the realisation of the idea of disarmament,

Recalling that the Assemblies of 1926 and 1927 urged that such a Conference should be held as soon as possible,

Requests the Council

At its next session to fix for the first general Disarmament Conference a date as early as possible after the ninth session of the Assembly, and at the same time to invite the various Governments to participate in the Conference.

He explained that his object in depositing this resolution was to persuade Governments to make a step forward.

The draft resolution of Count Bernstorff, seconded by M. Litvinoff, was rejected by the other members of the Commission who considered that it was hardly in accordance with its terms of reference as defined by the Assembly and the Council, and was of a nature to delay its work or compromise the success of the future disarmament conference failing sufficient technical and political preparation.

The President and several delegates emphasised, on this occasion, that it was necessary that Governments should negotiate rapidly with regard to their several differences of opinion.

Count Bernstorff then read a declaration noting that the Commission had once more been unable either to draw up a programme or to fix the date of the conference :

The German Government, which has never ceased to press for greater speed in the work for disarmament in conformity with the Covenant and the Treaties, does not desire to be held responsible by the world's public opinion for the fact this Commission is showing itself constantly less able to fulfil the hopes which were based upon it when the Assembly and the Council entrusted it with a task of such importance and of such weighty responsibility in the eyes of posterity — namely, to prepare for the Disarmament Conference.

He added that he would bring the question before the Assembly with which rested the final decision and to which Governments might submit a report on the progress of their negotiations.

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At the beginning of the session, Count Bernstorff had submitted a series of proposals relating to the application of the final paragraph of Article 8 of the Covenant, which deals with the exchange by Governments of information concerning the scale of their armaments, their military, naval and air programmes, and the condition of such of their industries as are adaptable to warlike purposes.

Count Bernstorff emphasised the importance of this obligation.

How can there be perfect confidence between the peoples without one State giving another full and frank information as to the scale of its armaments? How can we achieve national security as long as the States do not possess information in regard to the armaments of other States which may constitute a menace to their security? How, lastly, can we find a starting point for any general plan of disarmament unless we know just what armaments exist?

He explained that the object of these proposals was to enlarge and improve the League Armaments Year-Book, recalling that sometime before the League had discussed the most suitable method of putting into practice the final paragraph of Article 8. Count Bernstorff subsequently agreed that these proposals should be examined at the next session of the Commission.

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The final resolution adopted by the majority of the Commission, the German and Soviet delegates voting against it, on points 2 and 3 of the agenda, reads as follows :

The Preparatory Commission for the Disarmament Conference,

I. Having examined the bases of the draft Convention for Immediate, Complete and General Disarmament submitted by the U. S. S. R.

Notes

That the immense majority of its members are of opinion that this draft, cannot be accepted by the Commission as a basis for its work, which work must be pursued along the lines already mapped out.

II. Takes note of the proposal submitted by the German delegation regarding the last paragraph of Article 8 of the Covenant, and of the new draft Convention submitted by the Delegation of the U. S. S. R. on the question of the reduction of armaments, and while reserving their consideration until its next session, commends them to the attention of the various Governments,

III. Decides to leave its President free to fix, according to circumstances, the date at which it would be practically useful to convene a new session of the Commission in order to proceed to the second reading of the draft Convention on the Reduction and Limitation of Armaments. The Commission expresses the hope that the new session should begin at the earliest suitable date, if possible before the next session of the Assembly.

3. — THE JOINT COMMISSION

Appointment of a British Member. — The Council appointed Sir Sydney Chapman, British member of the Economic Committee, to succeed Sir Hubert Llewellyn Smith on the Joint Commission (Economic Aspect of Disarmament Questions).

IV. — The St. Gotthard Incident.

At a public meeting on March 7th the Council proceeded to a preliminary examination of the requests of the Roumanian, Serb-Croat-Slovene, and Czechoslovak Governments in connection with the seizure of five truck-loads of machine-

gun parts at the St. Gotthard Railway Station on the Austro-Hungarian frontier. It referred it for study to a Committee of three members (Chilian, Finnish and the Netherlands representatives) who submitted a preliminary report on March 10th.

Hungary was represented by General Tanczos, the Serb-Croat-Slovene Kingdom by Mr. Fotitch, and Czechoslovakia by Mr. Veverka.

There was an exchange of views on March 7th on the subject of the measures to preserve the *status quo* in similar cases, and the general question of the powers and duties of the Acting-President of the Council in the intervals between the sessions (1).

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At the beginning of the meeting of March 7th, the Roumanian representative, Mr. Titulesco, read, on behalf of the Czechoslovak, Serb-Croat-Slovene and Roumanian Governments, a statement to the effect that the Little Entente Powers considered the St. Gotthard incident as a question of general importance and not as a question concerning especially the Little Entente.

The Hungarian representative, General Tanczos, drew the attention of the Council to the documents he had submitted the day before to the Secretary-General which formed a complete statement of the history of the incident and included several annexes. He added that he was entirely at the disposal of the Council for all further information. The relations between Hungary and her neighbours, he said, were not at the moment good; the representations which certain neighbouring States had made at Budapest had not improved those relations, and the execution of a measure against Hungary would render them still more acute. He then raised the question whether Article 143 of the Treaty of Trianon contemplated the application of the right of investigation to such cases, pointing out that any nation, particularly when placed in a situation like the present one, was naturally extremely sensitive to any attack upon its sovereignty and to any foreign interference. He asked the Council to study the documents and facts which his Government had submitted, and expressed his conviction that this study would render superfluous any further measure and would give entire satisfaction to the Council.

The Roumanian representative, Mr. Titulesco, expressed regret at a portion of this declaration, particularly that concerning the relations of Hungary and her neighbours. He stressed the fact that a great comprehension of the demands of peace had been shown both by the Little Entente in presenting the incident as a general question, and by his own country in the fact that, not once since he had been Minister for Foreign Affairs, had he been questioned by Parliament on foreign policy with regard to Hungary. He wished, therefore, to keep the question one of general principle rather than of contentious debate.

The British representative, Sir Austen Chamberlain, proposed that the Council, in accordance with its usual practice, should appoint a committee of some of its members to examine the statements of the representatives of the different countries, and to study the material submitted by the Hungarian Government. This Committee would present a report to the Council and, if necessary, would be authorised to seek the assistance of experts from the various League organisations.

The French representative, Mr. Briand, agreed to this procedure. He said that he regarded the affair quite dispassionately in the atmosphere which was customary in the League of Nations, namely, one of tranquillity and peace. He expressed astonishment that the Hungarian Government, which was a member of the League and in whose interest it was that the League should investigate the incident, had decided to destroy the material confiscated.

The Hungarian representative replied that the five original way-bills were at the disposal of the Council. The Hungarian Government had decided to destroy the material for two reasons: first, to conform to the provisions of the Berne Rail-

(1) See Legal and Constitutional Questions.

way Convention, second, because it considered that it retained entire freedom of action as long as preliminary measures had not been voted by the Council.

The Council adopted Sir Austen Chamberlain's proposal and decided to set up a Committee of the Chilean, Finnish and Netherlands representatives.

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On March 10th, the Netherlands representative, who had been appointed chairman by his colleagues, submitted his preliminary report to the Council. The Committee considered that the incident was worthy of the Council's close attention and that it was indispensable that all suitable measures should be taken to elucidate the incident as fully as possible. It had come to the conclusion that in order to submit the report requested by the Council further information was necessary. It would accordingly use the powers conferred upon it by the Council to consult technical experts, chosen from among the League organisations, who might be sent to the spot, if the Committee found that desirable, for the execution of its task. The Committee hoped to submit a final report before the June session of the Council.

The Hungarian representative stated that his Government considered that it was not necessary for experts to be sent to the spot, but that in any case the Hungarian authorities would facilitate their task.

V. — Legal and Constitutional Questions.

1. — COLLABORATION OF BRAZIL AND SPAIN IN THE WORK OF THE LEAGUE

In view of the expiry in the near future of the notice given by Brazil and Spain to withdraw from the League, the Council empowered its President to invite those countries to continue their collaboration in the League's work.

The Spanish Government accepted the invitation unconditionally and without reservation.

The final answer of the Brazilian Government has not yet been received.

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On March 8th, the President of the Council, M. Urrutia (Colombia), drew the attention of his colleagues to the fact that, in accordance with the notices given in 1926, Brazil and Spain would cease to be Members of the League in June and September respectively.

The President proposed that the Council should adopt resolutions expressing its desire that it might be possible for these countries to continue their collaboration. These resolutions would be forwarded to the Governments concerned with a letter signed by the President on behalf of the Council as a whole.

Mr. Urrutia said that he did not think that the Councils should be deterred from taking the action suggested by any fear that it might meet with an unfavourable result, and that the Council's prestige might thereby suffer. He could not, of course, predict what the action of the two Governments would be, nor did he claim that the action of the Council could in itself be of decisive effect. It could, however, give one more unquestionable proof to Brazil and to Spain of the value which, not only the Council, but the League as a whole, set on their continued collaboration; and remind these two countries of the immense importance for the world as a whole of the decision which they must take during the next few months.

He felt that the Council would be failing in its duty to the world and to the cause of peace in the present and future generations if it were to refrain from mak-

ing, on behalf of the League, the appeal which he ventured to propose. This proposal was approved and unanimously adopted by all the members of the Council.

The next day the Council adopted resolutions expressing its concern at the forthcoming withdrawal of Brazil and Spain, its conviction that the cooperation of these countries was of the utmost value, and also the hope that the Spanish and Brazilian Governments would give the most favourable consideration to the possibility of continuing their participation in the League's work.

These resolutions were forwarded to the Governments concerned together with the letters drafted by the President.

On this occasion the President recalled that two years ago Costa Rica had notified her intention of withdrawing from the League. The time limit had expired over a year ago and Costa Rica had ceased to be a Member of the League. He asked the Council to authorise him to write to the Costa Rica Government, on behalf not only of his colleagues, but of the whole League of Nations, emphasising the satisfaction which would be felt if Costa Rica would reverse the decision and once more become a member of the League.

The Council approved this proposal and authorised its President to write to the Government of Costa Rica.

The text of the letters to Brazil and Spain, the Spanish answer and the Brazilian Governments acknowledgment of the preliminary telegram are given below.

LETTER TO THE SPANISH GOVERNMENT

I have the honour, on behalf of the Council of the League of Nations, and at its unanimous request, to communicate, for the consideration of your Government, a resolution which the Council adopted at its meeting on March 9th, and also the Minutes of the meetings on March 8th and 9th.

At the same time, I feel I should like to acquaint you with the spirit in which the Council adopted the resolution in question, the terms of which necessarily give an inadequate idea of the feeling of all the Members of the Council in regard to Spain.

I would state at the outset that the Council has been most careful to avoid even the appearance of an expression of opinion in regard to the possible interests of Spain in the decision which is now before your Government. If the Council sought to give an opinion on this point it would be exceeding its competence and departing from the principles which have continually guided the action of the League. The point which the Council now desires to make clear beyond any possibility of doubt is the keen desire which is felt by the whole League of Nations to see Spain once more co-operating fully in the progressive work which it is endeavouring to carry out.

It is inevitable that the Council should attach a very special importance to the co-operation of Spain. Spain is to all the world a country which has a secure place amongst those pre-eminent in art and in letters, in her historical prestige, in her great contribution to the development of modern civilisation, and in the extension of Spanish civilisation to one of the most important regions of the world. The recent history of Spain clearly shows that her future will be no less splendid than her past. But to us who are Members of the Council, Spain means much more even than this. She was one of the original Members of the Council, and as the only one of the original Members not involved in the Great War, was marked out to play a part of special importance in our deliberations. She did, in fact, play that part in a spirit of impartiality and wisdom, to which other nations have on many occasions paid tribute.

There is, we believe, no doubt that the influence and prestige of the League have steadily grown since its inception and are destined to grow much more. But in proportion as its influence increases, increases also its responsibility. The League has faced more than one moment of difficulty; and the fact that it has faced them with success makes it all the more certain that, should some new and yet graver crisis arise, it is to the League that humanity will look to save it from disasters equal to or greater than those that are within the memory of us all. It is because the League, and especially the Council, must endeavour to ensure with increasing certainty that if a crisis arises they shall be strong enough to prevent the outbreak of war, that we view with special anxiety the prospect of being deprived of the collaboration of Spain.

It is therefore with deep concern that the Council, through me, ventures to ask you to give your earnest attention to our resolution, taking into account—as you must—both the interests of your country and also, I hope, the considerations which I have ventured to set forth as to the importance which the decisions of your Government will have on the future of the League of Nations and the consolidation of international peace.

REPLY OF THE SPANISH GOVERNMENT

I have the honour to acknowledge the receipt of your kind letter of the 9th instant, communicating to me, on behalf of the Council or the League of Nations and in accordance with the wish expressed by all its members, the resolution adopted by the Council at its meeting of that day, for the consideration of His Majesty's Government.

The cordial terms of your letter, in which you avoid even the appearance of an expression of opinion in regard to our national aspirations, merely stating your earnest desire that the League should not be deprived of the co-operation of Spain, so that she might continue to assist the League in its great and disinterested work, have made a profound impression on my Government, which met in Council for the express purpose of considering this important communication.

During these last years, Spain has not ceased to pursue the lofty ideal which inspires the League of Nations, and she has proposed and concluded treaties of conciliation and arbitration with various States. We therefore greatly appreciate the Council's invitation transmitted by you, and in reply, the Spanish Government has no alternative but to express its gratitude and to accept the invitation unconditionally and without reservation. We leave it to the Assembly to decide the form which Spain's cooperation should take and the position due to her in order that her rôle may be effectual and valuable and in consonance with her special situation as a greater Power, which was neutral during the last war, and with her great past, as the creator of nations and civilisations.

In conclusion, I should like you to convey my sincerest gratitude to the representatives of all the countries which have expressed affection and respect for the Spanish nation, with its long and glorious past, and I would renew to Your Excellency the special assurance of my highest consideration.

LETTER TO THE BRAZILIAN GOVERNMENT

I have the honour to forward to you a resolution adopted by the Council of the League of Nations at its meeting on March 9th, together with the Minutes of its meetings of March 8th and 9th.

No one who has worked for international peace and co-operation at the meetings of the League of Nations can forget the important part which the Brazilian delegations took in all our activities.

Brazil has been one of the protagonists of arbitration and international justice : the Statute of the Permanent Court of International Justice bears the profound imprint of the ideas put forward by Brazil, and the Brazilian delegates, to whose views their colleagues have always listened with respect, have year by year defended the cause of arbitration. I venture to say that they have seen the ideas they sowed bear a rich harvest; for the great movement towards arbitration which has taken place in recent years is undoubtedly due mainly to the existence of the League of Nations and to the action taken at its Assemblies by delegations inspired by a spirit of idealism and justice.

The League is, however, far from having reached its full development. Last year it dealt with the great problems of world economic organisation, and at this first Economic Conference, which is to be followed by further endeavours, Brazil once again gave the League the valuable assistance of her Government delegates and her experts. The problems raised by the great questions of the security of nations and the reduction and limitation of armaments are also among those dealt with by the League. Will not Brazil come to the League's aid alike with her idealism and her practical wisdom? Will she discontinue her co-operation in all the other work—technical, intellectual and social—in which she has hitherto taken part as a Member of the League?

Having the honour at the moment of being President of the Council of the League, it is my duty to express to you my colleagues' views; and being myself a citizen of one of those nations of the New World which have done so much and may yet do so much to realise the great ideal of international organisation and peace, I feel bound to associate myself with these views, with especial sympathy, but too inadequately expressed in this letter.

REPLY OF THE BRAZILIAN GOVERNMENT

I have the honour to acknowledge receipt of the telegram by which Your Excellency informs me that the Council of the League of Nations has unanimously resolved to forward me a letter the text of which has also been approved, to express the wishes of the Council as to Brazil's collaboration in the work of the League. While awaiting the receipt of the letter in question, I hasten to transmit to Your Excellency the most cordial thanks of the Brazilian Government whose sentiments of high esteem for the institution at Geneva have in no way been affected by the fact that Brazil has withdrawn from the League, with which in spite of her absence she continues to cooperate effectively true to the ideal which gave rise to its foundation in the cause of universal peace.

2. — PROPOSED REDUCTION OF THE NUMBER OF COUNCIL SESSIONS

The report which the Council had requested of the Secretary-General on the proposed reduction of the number of sessions of the Council and on certain questions of procedure connected therewith was submitted on March 7th.

Attention was also drawn to the effect which a reduction of the number of sessions must have on the tenure of the presidency, which the Council decided to study at its next session.

The Secretary-General, while not called upon to take position as to the principle, indicated certain alterations in the arrangement of the League's work, which, in his opinion, would be necessary if the yearly number of sessions of the Council were reduced. For example, it might become necessary, in cases of urgency, to hold more frequent meetings of the minorities committees. As regards the number of sessions, the Secretary-General recalled that in reality two sessions were held during the Assembly, one beginning a few days before the Assembly, the other beginning with the first meeting of the Council in its new composition, and continuing until a few days after the close of the Assembly. If the Council made a regular practice of continuing the second session for a certain period after the Assembly, it would become somewhat unnecessary for it to meet again in the first days of December. Its sessions might be held in January, May, and at the end of August.

The British representative, who had raised this question before the Council, said that though he believed the reduction to be in the interests of the League, he would be unwilling to press it against any large section of opinion. He accordingly suggested that the Secretary-General should forward his report to all States Members and invite them to consider it before the next session of the Assembly. A final decision might be taken at the Council meeting after close of the next Assembly.

The Council accordingly invited the Secretary-General to forward to all Governments of States Members the part of the report concerning the possible reductions of the number of sessions.

3. — POWERS AND DUTIES OF THE ACTING-PRESIDENT OF THE COUNCIL

At a private meeting on March 7th, the Chinese representative M. Tcheng-Loh, explained to his colleagues the circumstances which had prompted him to ask the Secretary-General to send a telegram to the Hungarian Government in connection with the seizure of arms at the St. Gotthard Railway Station.

In this telegram, dated February 23rd, the Chinese representative, in his capacity of Acting-President of the Council, advised the Hungarian Government that he had learned through the press that it was about to proceed to the sale of the material mentioned in the request of the Roumanian, Serb-Croat-Slovene and Czechoslovak Governments, and that it would be wise to postpone the proceedings as the incident would shortly be examined by the Council.

The Hungarian Government, after expressing surprise at this initiative, replied

that the sale by auction of the material had been fixed for the next day, February 24th, and that, as it was to take place under the auspices of the competent judicial authority, in accordance with the railway regulations, there could be no question of postponing the proceedings, but that nevertheless, out of personal regard for the Acting-President of the Council, it would not fail to request the purchasers to leave the material on the spot.

The Chinese representative said that he had sent the telegram at a moment which, in his opinion, was the only appropriate one, and in acting thus he considered that he had not exceeded the limits of the powers which he possessed as Acting-President of the Council. He had informed several of his colleagues of the step which he had taken. The telegram of February 23rd had not in any way been intended as an injunction, but merely as a friendly and courteous word of advice to the Hungarian Government. Its purpose had been to safeguard the moral authority of the League and to prevent the Council from being confronted with a *fait accompli*.

The opinion was expressed that the Acting-President had been placed in an embarrassing position owing to the lack of definite rules, and that for the future it would be advisable to define in a general way the powers and duties of the Acting-President in the intervals between Council sessions, other than those contemplated in the report adopted by the Council in December 1927.

The Committee of three appointed to study the St. Gotthard incident also examined the question of the measures to preserve the *status quo* in similar cases, and informed the Council that it proposed to return to this question in its report.

4. — INTERNATIONAL ENGAGEMENTS

a) *Registration.*

Among the treaties and international engagements registered in March figure :

A series of arrangements, treaties and agreements deposited by the British Government. It includes the Treaty of Friendship and Good Neighbourhood of May 20th, 1927, between the British Empire and the Hedjaz, air traffic and income tax agreements between Great Britain and Germany, postal and telegraphic arrangements between Belgium and Great Britain concerning Belgian Congo and North Rhodesia, etc.;

An Arbitration Treaty between Chile and Spain (May 28th, 1927);

Agreements for the suppression of passport visas between Finland and Switzerland, Austria and Norway, and Austria and Sweden.

A Commercial Convention (September 7th, 1926) between Haiti and the Netherlands, and a Convention of Commerce and Navigation (January 2nd, 1928) between Denmark and Spain;

A provisional arrangement between Denmark and Germany for the abolition of double taxation in regard to direct impersonal and personal taxes (February 14th, 1928);

An agreement between Iceland and Sweden for the reciprocal recognition of tonnage certificates (March 10th, 1928);

A Convention on Extradition and Legal Assistance in criminal matters between Latvia and Norway (September 12th, 1927).

b) *Ratification of agreements and conventions concluded under the auspices of the League.*

The half-yearly report submitted by the Secretary-General on the ratification of conventions concluded under the auspices of the League gave rise to an exchange

of views in the Council meeting of March 6th on the delay with which such ratification frequently took place and on the necessity for an examination of the general question of the ratification of conventions.

The British representative drew attention to the fact that certain League conventions had not yet received sufficient ratifications to come into force — in particular, the Opium Convention of 1925 — and a whole series of very important conventions dealing with one of the principal international industries, the shipping industry. In view of the fact that the League technical organisation were at that moment preparing a fresh series of conventions, he emphasised that it was even more urgent to obtain ratification of already existing conventions than to multiply agreements which were sometimes neither signed nor ratified.

Other members of the Council expressed the opinion that the authority of the League was endangered by the fact that conventions and amendments to the Covenant might be drawn up which could not come into force owing to the lack of sufficient ratifications. The Canadian, Netherlands, Roumanian and Japanese representatives thereupon made statements to the effect that their Governments would shortly ratify the Opium Convention (1925).

The French representative mentioned that his country had ratified the Opium Convention. He associated himself with the statement of the British representative regarding conventions which awaited ratification and drew special attention to the Convention on the Control of the International Trade in Arms which had received but few ratifications including that of his country.

The German representative, Dr. Stresenmann, suggested that the Council might examine from time to time the conventions which had not come into force owing to an insufficient number of accessions. He drew attention to the fact that he ascribed considerable importance to the question of reservations attached to the signature of conventions, since on the number of reservations depended the question whether a sufficient number of ratifications were appended to enable a convention to come into force.

The Italian representative, M. Scialoja, emphasised the gravity of the problems which had arisen in connection with ratification. He also drew attention to the position as regards amendments to the Covenant. He thought that the Council should make a careful study of this question, and proposed that it should be placed on the agenda of the next session.

The Council agreed to this proposal. It requested M. Scialoja himself to act as Rapporteur and to prepare the discussion by presenting to the Council a memorandum which might concentrate its attention on the practical action which might be taken.

The Council requested the Secretary-General to forward the minutes of this debate to all States Members, and to mention in his next half-yearly report the reservations which certain States might make when ratifying, or acceding to, a treaty, so that the Council might know to what extent States were bound by accession or ratification.

VI. — Technical Organisations.

1. — THE HEALTH ORGANISATION

a) *Technical Investigation in Latin America.*

On the proposal of the Cuban representative, M. de Cespedes, the Council decided that the credit of 83.000 francs voted by the Assembly for technical cooperation of the League Health Organisation with the public health and medical authorities of Latin America should be used for the continuation of the infant mortality

enquiry, which began last year, in cooperation with the Argentine, Uruguayan, Chilean and Brazilian Governments, and for the sending of foreign experts and the creation of scholarships in connection with the school of public health and the leprosy centre at Rio de Janeiro.

b) *Interchange of Medical Officers of Health.*

The Council accepted the offer of the International Health Division of the Rockefeller Foundation to raise to the same figure as last year, that is to say 50,000 dollars, its grant towards the interchange of public health personnel in 1928. The original figure of this year's budget was 25,000 dollars.

The Council asked the Secretary-General to thank the Rockefeller Foundation on its behalf.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *The Financial Committee.*

The Financial Committee met at Geneva on February 27th and continued in session during the Council meeting. It reported to the Council on the questions of the Bulgarian, Portuguese and Estonian loans; on the settlement of refugees in Greece and Bulgaria; on the balance of the Hungarian and Austrian reconstruction loans, and on the Greco-Bulgarian Emigration Commission.

With regard to the Estonian loan, the Financial Committee reported that the currency and banking reform had been completely carried out; the currency had been legally stabilised since January 1st, 1928; the balance of the loan had been paid in to the National Mortgage Institute which had begun its operations.

As regards the plan for the financial stabilisation of Portugal, based on the issue of the loan, the Committee informed the Council that it had not yet been possible to complete the scheme and that it was still in discussion with the Portuguese Government on some features in it. At the Council meeting of March 10th, the Portuguese representative, M. Ivens Ferraz, stated that the scheme drawn up by the Financial Committee contained certain clauses concerning the control to which Portugal could not agree. He would submit the question to his Government, which would take what decision it thought best.

The Committee drew the attention of the Council to the fact that the agreement concerning the compensation of emigrants, signed at Geneva on December 9th, 1927, by the representatives of the Bulgarian and Greek Governments, and the President of the Mixed Greco-Bulgarian Emigration Commission had not yet been ratified. This circumstance was a serious obstacle to the work of the Commission.

The Council urged the Greek and Bulgarian Governments to ratify the agreement as soon as possible. The Bulgarian and Greek representatives stated that they would take the necessary steps.

The Council noted the report on the balances of the Hungarian and Austrian reconstruction loans, which did not call for any decision.

The other questions mentioned above are dealt with in special articles.

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The Council appointed M. Swich (Italian), Under Secretary of State in the Italian Ministry of Finance, to succeed M. Bianchini on the Financial Committee.

b) *The Financial Reconstruction of Bulgaria.*

Stabilisation Loan. — On March 10th the Council approved the final plan for the Bulgarian Stabilisation Loan of 4 1/2 million sterling which had been drawn up by the Financial Committee in agreement with the Bulgarian Government.

The scheme in its general lines resembles that of the Greek Stabilisation Loan; part of the proceeds will be employed in strengthening the position of the National Bank and of the Agricultural and Central Cooperative Banks, both of which are public institutions. Another section is to be used to meet budget arrears, while the third part will be spent on communications. The final plan for the employment of the sum of £1,250,000 set aside for this last purpose, will be submitted for the approval of the Council after a report has been received from an expert, chosen by the Chairman of the League Transit Committee.

The Bulgarian Government undertakes to safeguard the independence of the National Bank from any political influence, and for this purpose agrees to the appointment by the Council of a technical adviser to the Bank. It also fully recognises that for the definite consolidation of the financial situation of Bulgaria it is desirable to bring the National Bank into conformity with other Central Banks, and undertakes to effect this transformation at a date to be fixed by agreement with the Council.

The Trustees for the loan are to be appointed by the Council.

Settlement of Refugees. — The Council considered the Sixth quarterly Report by M. René Charron, League High Commissioner for the Settlement of Bulgarian Refugees, which covers the period November 15th, 1927 to February 15th, 1928.

It noted that the progress in the work of settlement had necessarily been somewhat slower during the winter, but that arrangements had been made to push forward the work in 1928. These arrangements concerned in particular, the transfer of land and the methodical exploitation of forests, and can only be carried through with the support of certain Bulgarian Government Departments, more especially the Ministry of Agriculture.

As regards the malaria campaigns, the Council noted that the International Health Division of the Rockefeller Foundation had decided to cooperate, and for this purpose proposed to set up a health centre in the Petrich district.

c) *The Financial Reconstruction of Greece.*

Stabilisation and refugee loan. — The successful issue of a Greek loan for more than two-thirds of the total of £9,000,000 contemplated in the Protocol of September 15th, 1927, was noted by the Council on March 5th. The Financial Committee had met a few days before and had examined the first quarterly report on the budget situation transmitted by the Greek Government in accordance with the Geneva Protocol.

The loan was issued in London and New York in sterling and dollar bonds, a portion of sterling bonds being taken in Italy and Sweden, and dollar bonds being taken in Switzerland. It was issued at 91 with 6 per cent interest. For the remaining portion of 2 1/2 million sterling, the Greek Government has concluded an agreement with the United States which has been ratified by the Greek Parliament and submitted to the American Congress for ratification, for an advance of 12,167,000 gold dollars at 4 per cent, redeemable in 20 years and secured by the same securities as the public issues. This advance is to be turned over to the Refugee Settlement Commission, and is to be expended solely on settlement work.

Settlement of refugees. — The Council considered the seventeenth quarterly Report of the Greek Refugee Settlement Commission.

This report bears on the period ending December 31st, 1927, and describes the financial situation at that date. The Commission is engaged in drawing up a new budget with a two-years programme, utilising the funds obtained from the three million sterling to be allocated for settlement work.

The report also describes the results of a tour of inspection undertaken by the vice-chairman of the Commission, Sir John Hope Simpson, in Epirus and Macedonia. One of the objects of this journey was to ascertain the reasons for the failure of colonisation along the Bulgarian frontier in the region of the Nestos. As the agricultural and climatic conditions appeared to be satisfactory, the main cause of failure seemed to be the entire isolation of the district from social and commercial centres owing to the absence of means of communication and transport. The engineers of the Settlement Commission considered that the construction of two roads and a bridge would facilitate communication with this region, and the Council, on the advice of the Financial Committee, approved the use for this purpose of £150,000 of the loan.

The agricultural settlement is making satisfactory progress, experiments with Australian wheat having been crowned with success. The production of cereals, (wheat, barley, oats, maize, rye) has increased, the amount produced in 1926 being 478,580 tons compared with 294,120 tons in 1924.

As regards urban settlement, a programme has been drawn up which will be executed as soon as the proceeds from the new loan are available. Credits were voted during the past quarter for the construction of houses in various parts of Macedonia the population having been densified by the influx of agricultural refugees. The Council authorised the use of £100,000 for the organisation of the home carpet industry in villages and small towns and of £29,000 for village arts and crafts that had flourished formerly among the Greek population of Asia Minor, but had been entirely disorganised owing to emigration (metal and leather-craft, pottery, etc.).

The sanitary conditions of the settlements would by excellent were it not for malarial fever in the country and tuberculosis in the towns. Measures have been taken to combat the former while awaiting the drainage of the marshes. As regards tuberculosis, the Financial Committee suggested that the League Health Organisation might assist the Greek public health authorities and the Settlement Commission in dealing with this scourge.

d) Meeting of the Economic Committee.

The Economic Committee met at Geneva from March 26th to 36th with M. Serruys in the chair.

There were important debates on the question of commercial policy and decisions were adopted for the pursuance of work in this field. The Committee examined a preliminary draft convention on the treatment of foreign nationals and enterprises and noted the work of various expert committees.

The following were present :

M. Serruys (France), President; M. Trendelenburg (Germany), vice-president; M. Schuller (Austria), M. Brunet (Belgium), M. Barboza Caneiro (Brazil), Sir Sydney Chapman (British Empire), M. Lindsay (India), M. Di Nola (Italy), M. Ito (Japan), M. Jahn (Norway), M. Dolézal (Poland), M. Neculcea (Roumania), M. Stucki (Switzerland), and M. Ibl (Czechoslovakia), M. Maurette (representing the International Labour Office) and M. Rield (representing the International Chamber of Commerce).

Commercial Policy. — At its foregoing session the Committee had instructed certain of its members to study various questions concerning commercial policy. It had accordingly received reports on the following points : tariff systems which best lend themselves to negotiations between States (report of M. Stucki and M. Di Nola); the most-favoured-nation clause (should this clause be inserted as a matter of principle or should it be the result of negotiations giving the contracting parties tariff guarantees; scope of the most-favoured-nation clause, nature and scope of any exceptions-report of Sir Sydney Chapman and M. Dvoracek); multilateral conventions by which States would grant tariff reductions (report of M. Brunet and

M. Schuller); effect of the most-favoured-nation clause on the rights and obligations of States parties to bilateral agreements (report by M. Stucki, M. Ito, M. Dvoracek and M. Brunet); effect of the most-favoured-nation clause in bilateral treaties upon plurilateral conventions (report by M. Stucki).

From March 22nd to March 24th the rapporteurs and the Bureau of the Economic Committee, sitting as a special committee, endeavoured to coordinate these reports, whose conclusions are occasionally divergent.

In his verbal statement on the results of this meeting, M. Serruys emphasised the extreme complexity of the problem which is due both to the fundamental difference between the tariff systems of States and to the difference in their methods of treaty making. He showed how some States established tariffs capable of being modified by negotiation, whereas others lay down fixed tariffs making unconditional granting of the most-favoured-nation clause the basis of their commercial policy. He pointed out that this system of fixed tariffs—established with due regard to the desiderata of the national economic system, but without taking account of the requirements of foreign trade—may in certain cases be a method conceived in a liberal spirit and disregarding no legitimate foreign interests, and in others serve a policy of rigid protectionism.

Faced with these different systems, the rapporteurs had not felt able to make a choice for the moment, but had studied whether it might not be possible to attain their object, the reduction of tariffs and removal of trade barriers, by asking States for common guarantees which, without imposing any single tariff or treaty system, would in fact result in an identical policy and concerted action.

After an exchange of views on these several problems, the Committee appointed rapporteurs to study the following questions: the drafting of the most-favoured-nation clause and the extension of its application; general exceptions to the most-favoured-nation treatment; the compatibility of the most-favoured-nation treatment with certain privileges granted to a third party; the compatibility of the most-favoured-nation clause with certain measures of penalisation.

Treatment of foreign nationals and enterprises. — The Committee terminated its preliminary draft convention on the treatment of foreign nationals and enterprises, and decided to forward it to Governments for their observations in view of the convocation of a diplomatic conference.

In its present form, the draft embodies all the guarantees to be afforded on a basis of reciprocity by any one State to the nationals of any other State—whether they be natural persons or legal entities—who have been allowed to establish themselves in the territory of the latter State.

These guarantees, which apply not only to the exercise of all economic activities, but also to civil and legal rights, to the acquisition, preservation and transmission of property and interests of all kinds, to charges of a fiscal character, both exceptional and normal, to which persons and their property may be subject, constitute as complete a codification on as broad a basis as possible of the law of establishment in so far as this law can and should be codified, in view of the disparity of concepts, situations and laws and of international practice under existing treaties. The Committee, endeavoured, as far as possible, to secure treatment on the same terms as nationals and equality with nationals of the country of establishment, rather than most-favoured-nation treatment which often leads to differentiation and uncertainty; it has even, in many instances, preferred, to replace those rather relative guarantees, by positive undertakings to which the various countries would make their laws and actions conform.

Conference of Government statisticians. — The Committee took note of the work of the Committee of Experts it which had instructed to determine the main lines of a programme for a conference of Government statisticians, the convocation of which is contemplated for November 1928. The work of this Committee having

been approved, the Council will be invited to examine whether this conference should not be a diplomatic conference.

Simplification of customs formalities. — The Committee took note of a report on the application of the provisions of the convention of 1923 on the simplification of customs formalities. The report shows that the convention is applied by various States in an entirely satisfactory manner, but that its application is far from being general.

Scientific property. — With the assistance of M. Weiss, representing the International Institute of Intellectual Cooperation, the Committee proceeded to an exchange of views on the progress of the work of the Committee of Intellectual Cooperation with a view to giving scientists a share in the profits resulting from the industrial application of their discoveries. The object of this exchange of views was to enable the representative of the Economic Committee to take position as regards the future work on this subject.

Other questions. — The Committee examined the results of the Conference for the abolition of export prohibitions on Hides and Bones, and noted the progress made by Committees of Experts dealing with the following questions : legislation on bills of exchange and cheques, unification of tariff nomenclature, convention on veterinary measures with regard to the foreign cattle trade, exploitation of the products of the sea and measures for the protection of certain classes of marine fauna.

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The work of the Economic Committee at its twenty-third session was discussed by the Council on March 6th.

On the proposal of the Rapporteur, M. Stresemann, the Council authorised the Secretary-General to communicate to the Members of the League for their opinion, the draft convention which has been prepared on the treatment of foreign nationals and enterprises.

It appointed M. Serruys as President of the Conference for the abolition of export prohibitions on hides and bones, and left it to the Economic Committee to fix, in agreement with the Secretary-General, the date of the Conference of Government Statisticians which will study uniform methods for the establishment of economic statistics.

The first meeting of the Consultative Committee of the League Economic Organisation was fixed for May 14th.

The Council appointed M. Lucius Eastman (American) as Member of the Economic Committee. M. Eastman is Chairman of the Merchants' Association of New York and Chairman of Stills Bros. Co., Importers. He collaborated with the Preparatory Commission for the Economic Conference.

e) *Conference for the Abolition of Export Prohibitions and restrictions on Hides and Bones.*

A Conference for the abolition of export prohibitions and restrictions on hides and bones was held from March 14th to 17th under the presidency of M. Serruys, Chairman of the League Economic Committee.

The twelve following countries were represented : Germany (M. Posse and M. Reinshagen), Austria (M. Schueller, Morth, Canisius and Werner), Belgium (M. Brunet), Denmark (M. Clan), France (M. Lecuyer), Hungary (M. de Nickl), Italy (M. Caravale), Netherlands (M. Posthuma), Poland (M. Trepka), Roumania

(Mr. Antoniadé and Mr. Neculcea), Kingdom of the Serbs-Croats-Slovenes (Mr. Fotitch), Czechoslovakia (M. Kusy-Dubrav and Mr. Novak).

Most of the delegates were accompanied by experts representing the industries concerned. This Conference, the first of those summoned by the League to deal with questions concerning raw materials and customs tariffs, drew up two protocols by which the delegates undertook to recommend the conclusion of an agreement to their Governments.

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The Conference for the Abolition of import and export prohibitions and restrictions which sat at Geneva in October and November 1927 had recommended that countries where prohibitions were in force concerning hides and bones should immediately confer with a view to ascertaining whether they could not renounce simultaneously their reservations in this connection.

The Economic Committee, to which this recommendation was referred for study, came to the conclusion that most countries, and more particularly those whose accession was most important, were prepared to abolish export prohibitions on raw hides and bones. It realised however, that if this prohibition were abolished by general agreement two kindred questions would arise, one concerning export duties already existing in certain countries or which other countries might substitute for the prohibition, the other relating to the claim of certain States that a return to liberty of commerce as regards raw materials must affect the tariff for articles manufactured with such materials.

The Committee accordingly proposed that a conference of the States concerned should be summoned as soon as possible in order, if not to conclude a final agreement, at all events to prepare a general solution.

The Conference adopted two protocols by which the delegates undertook to recommend that their Governments should conclude conventions supplementary to that for the abolition of import and export prohibitions and bearing on the following points :

(1) *Fresh or prepared hides and pelts* : abolition of export prohibitions and of export duties;

(2) *Bones* : abolition of export prohibitions, possibility to maintain or institute an export duty not exceeding 3 gold francs for 100 kilogrammes, obligation for the contracting parties to consider two years later the possibility of abolishing this export duty or reducing its minimum.

The first protocol was signed by Austria, Belgium, Czechoslovakia, Denmark, France, Germany, Hungary, Italy, Netherlands, Poland, Roumania, Serb-Croat-Slovene Kingdom; the second by Austria, Belgium, Czechoslovakia, Denmark, France, Germany, Hungary and Italy.

The delegates will request their Government to inform the Secretary-General before May 15th, 1928, of their decisions in regard to the agreements mentioned above.

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In his closing speech, Mr. Serruys drew attention to the fact that these negotiations constituted an interesting new departure which he considered as a proof of the new order of things instituted by the Economic Conference of 1927. Not only, he said, had States met in conference for the purpose of abolishing simultaneously by legal or administrative measures the barriers to the international exchange of wares, but they had even attempted to reach an agreement in regard to the tariff rates on certain products, a subject which at present had never been dealt with in an international understanding. Even if the products in question were not, nationally speaking, of great economic importance, the procedure instituted at Geneva and the results obtained marked a great step forward in the economic co-operation of members of the League.

f) Preparation of a Statistical Conference.

The Preparatory Committee for the Statistical Conference contemplated by the Council for the end of 1928, met at Geneva on March 20th and 21st.

The instructions received from the Economic Committee were that it should draw up a programme bearing on (1) the scope of economic statistics, that is to say, the field of economic activity which national statistics should normally embrace, and (2) methods to be adopted by Governments with a view to the comparability of industrial and commercial statistics.

The Committee submitted to the Economic Committee a programme emphasising the importance of all countries possessing comparable statistics on the economic position and movements of the world as a whole and of the various countries. It included a list of the principal categories of economic statistics the official publication of which is desirable and indicated the principles which should be adopted in compiling certain of them so as to make them as far as possible comparable. These categories concern occupations and professions, industrial and commercial establishments, industrial production, foreign trade, index numbers, etc.

The Committee is composed of four members of the Economic Committee (Sir Sydney Chapman, Economic Adviser to the British Government; Mr. Jahn, Director of the Central Statistical Office of Norway; Mr. Neculcea, Professor at Bucharest University, and Mr. Trendelenburg, Secretary of State in the German Ministry of Economics) and the following experts from international statistical organisations, and directors of national statistical offices : Mr. Pribram (International Labour Office), Mr. Olivetti (International Chamber of Commerce), M. Dore (International Agricultural Institute, Rome), Mr. Methorst (International Statistical Institute, The Hague), Mr. Flux (Board of Trade, London), Mr. Huber (French Statistical Office), Mr. Wagemann (German Statistical Office), Mr. Gini (Italian Statistical Office).

g) Tariff Nomenclature.

The third session of the Sub-Committee of Experts on the Unification of Tariff Nomenclature was held at Geneva from March 2nd to 13th.

At its earlier meetings this Committee had established—for five countries with a highly developed agricultural and industrial production—a draft tariff nomenclature containing the principal headings and categories of agricultural and industrial production. This draft was forwarded for examination to the members of the Economic Committee and other competent circles.

At its third session the Sub-Committee proceeded to a preliminary examination of the answers received from Austria, Belgium, Canada, Czechoslovakia, Denmark, Germany, Great Britain, Hungary, Norway, the Serb-Croat-Slovene Kingdom and Switzerland. It will decide what modifications shall be made in its draft when it has received all the replies. Meanwhile, to avoid any misunderstanding, it draws attention to the fact that the items composing the various chapters of its nomenclature are only intended to serve as an indication and are by no means final.

The experts will probably meet again in April.

3. — COMMUNICATIONS AND TRANSIT

a) Twelfth Session of the Advisory Committee.

The Committee on Communications and Transit met at Geneva from February 24th to March 7th,

After constituting its bureau and appointing as chairman Mr. Sinigalia (Italy), as vice-chairman Mr. Hansen (Sweden) and Mr. Restrepo (Colombia), the Committee took note of the work of its various technical committees (Road Circulation, Combined Transport, Unification of Statistics, Buoyage and Lighting of Coasts, etc.).

It took steps with a view to the execution of certain resolutions of the third general conference on Communications and Transit (August 1927), the Conference of Press Experts (August 1927), and the International Passport Conference (May 1926). The resolutions concern the organisation of air traffic and freedom of transit. Those voted by the Conference of Press Experts deal with telegraphic, radio-telegraphic and telephone questions, the despatch of newspapers and professional facilities for journalists. Those of the Passport Conference concern transit cards for emigrants.

THIRD GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT

1. *International Organisation of Air Traffic.* — The Third General Conference on Communications and Transit had drawn the attention of the Committee to the necessity of organising in the most rational way and with the collaboration of the greatest possible number of States international cooperation in the field of air traffic. The Committee accordingly appointed a special committee to study methods of economic cooperation between air traffic undertakings in the various countries and to submit suggestions with a view to the international regulation of air Traffic. Its composition will be fixed by the Chairman of the Advisory and Technical Committee, who is empowered to take all the necessary steps to promote cooperation by the Governments concerned.

2. *Freedom of Transit.* — The Committee had been asked by the Conference to study measures for ensuring, as far as possible, in the event of serious occurrences of a general character affecting the means of communication, the maintenance of international transit by the preconcerted utilisation of alternative routes which might be temporarily substituted for routes by which traffic had become impossible. The Secretariat was instructed to present a report on this question.

The Committee had further been requested to study the situation created wherever freedom of communications and transit was still obstructed by circumstances of an international character so as to paralyse and impoverish economic life and affect international trade and communications.

As the Committee had been called upon by the Assembly in 1922 to consider and propose measures calculated to ensure freedom of communications and transit at all times, it considered that it was entitled to examine any situation created by obstacles to the freedom of transit brought to its attention by a Government, by the Council, or the Assembly, or by one of its members. Before proceeding to any such investigation, the Committee would notify the countries concerned.

CONFERENCE OF PRESS EXPERTS

The Committee decided to take the following action on the resolutions of the Conference of Press Experts referred to it by the Council.

1. TELEGRAPHIC, RADIO-TELEGRAPHIC AND TELEPHONE QUESTIONS

These questions will be referred to a special committee which will include press experts.

A first specific case, in connection with a through wire from Geneva to London to remove delays in transmission not only to England but to most non-European countries, had been raised by the Association of Journalists accredited to the League

and unanimously endorsed by the Council as worthy of the attention of both the Transit Organisation and the Governments concerned. As a result, word was received that agreement had been reached between the British, French and Swiss governments and the through wire was very shortly put into operation.

The Chairman and Secretary of the Transit Committee were further empowered to make a general study of press facilities for communications between Geneva and the rest of the world, in order to meet as far as possible the requirements of journalists.

2. DESPATCH OF NEWSPAPERS

The Committee was of opinion that the problems raised by this question fell into several categories coming under different authorities and each requiring a special procedure.

a) *Customs formalities applicable to the transport of newspapers.* — The Committee considered that a special Conference of Experts should be summoned at the end of 1928 for the purpose of submitting to European Governments definite recommendations in regard to possible improvements. It took the immediate step of asking Governments which levied special duties on the import of newspapers and periodicals, to examine the possibility of abolishing it and to inform the Committee of the results of their deliberations.

b) *Railway Questions.* — The Committee decided to seek the opinion of various European Governments with regard to the transport of newspapers and periodicals as parcels by rail, and to ask that this information should be given before December 31st, 1928, so that the League Committee on Transport by Rail might study the question at the beginning of 1929. If desirable a European Conference might be summoned — particularly in view of the results already obtained in the matter of customs formalities, to approve the measures suggested or taken by Governments and railway administrations.

The Committee requested any country or countries which reserve the transport of newspapers and periodicals as a postal monopoly, to consider as soon as possible, whether this system could not be abandoned.

c) *Air Traffic.* — The International Air Traffic Association had already been studying the question of the improvement of rates for air transport to allow of the more extensive utilisation of air transport for newspapers.

The postal questions in this connection have already been discussed by a conference, and the system established on that occasion is to be discussed at the next conference of the Universal Postal Union.

3. PROFESSIONAL FACILITIES FOR JOURNALISTS

The facilities claimed by journalists, falling within the competence of the Committee, were of two kinds, one concerning the reduction of railway tariffs, the other, passport visas and identity cards. The Committee of the International Unions of Railway Administration has already received requests for reductions on tariffs. With regard to visas, the Committee was of opinion that the competent press associations might undertake the necessary negotiations with the proper authorities to obtain any exemption from general rules. The question of international identity cards for journalists will be studied.

The Passport Conference. — A model transit card for emigrants travelling from Europe to oversea countries, to be delivered by navigation companies as a substitute for a consular visa, has been prepared by a special committee and submitted for observations to the Governments concerned.

After noting the replies, the Committee proposed that the Council should convene a European Conference to conclude an international agreement on the subject.

COMMUNICATIONS WITH GENEVA IN TIMES OF EMERGENCY

The Committee considered, in the first place, the question of a landing-ground for aircraft. It noted the Progress Report of the Experts, and instructed the Secretariat to enter into negotiations of a more general scope than hitherto, with the Swiss Federal Authorities, with a view to an economically and technically acceptable solution.

It then examined the question of the construction of a wireless station near the seat of the League. It decided to submit immediately to the Council for transmission to the next Assembly, its report, which deals with the question from a purely technical point of view. As certain points seemed to require further definition, a special committee was instructed to examine them and submit in due time a second report.

The Committee instructed the Secretariat to draw up a general table of measures contemplated by the Council to be applied in times of emergency as regards communications affecting the League. This table will be forwarded to all administrations concerned.

b) *Jurisdiction of the European Commission of the Danube.*

On the report of the Polish representative, the Council decided to communicate to the Chairman of the Advisory Committee on Communications and Transit—for transmission to the Governments concerned—the opinion of the Permanent Court of International Justice on questions relating to the jurisdiction of the European Commission of the Danube.

The Council thanked the Court for having examined a number of delicate and complex questions with such diligence as to enable the friendly negotiations agreed upon to be pursued without delay.

c) *Supervision of the execution of Article 107 of the Treaty of Lausanne.*

On March 5th the Council prolonged for one year the appointment of M. Stablo, as League of Nations Commissioner for the supervision of the execution of Article 107 of the Treaty of Lausanne.

4. — INTELLECTUAL COOPERATION

Draft Statutes of the Educational Cinematographic Institute at Rome. — On the proposal of the Italian representative, M. Scialoja, the Council decided on March 7th to communicate to the Committee on Intellectual Cooperation, the Child Welfare Committee and the International Labour Office, the text of the draft statutes of the Educational Cinematographic Institute framed by the Italian Government in consultation with the Secretary-General.

When these Organisations have given their opinion, the Council will conclude the necessary agreement with the Italian Government to ensure the organisation, existence and working of the Institute.

Gift of the American Council on Education. — The Council authorised the Committee on Intellectual Cooperation to accept the offer of the American Council on Education to contribute 5,000 dollars for an enquiry in Europe with regard to the organisations dealing with exchanges of professors and students between different countries.

Death of Professor Lorentz. — On March 7th, the French representative, M. Briand, paid a tribute to the memory of the late Professor Lorentz, Chairman of the Committee on Intellectual Cooperation, recalling the services he had rendered to science and to the League of Nations. On his proposal, the Council addressed its condolences to Madame Lorentz and to the Netherlands Government, whose representative expressed deep appreciation of this step.

VII. — Administrative Questions.

1. — DANZIG

Three questions concerning the Free City of Danzig figured on the provisional Council agenda, namely, access to and anchorage in the port of Danzig for Polish war vessels, the utilisation of the Westerplatte, and the jurisdiction of the Danzig Courts.

As the Council had been notified that the Polish and Danzig authorities were negotiating a settlement in accordance with its recommendation of December 1927, it decided, on the proposal of its President, to withdraw the two first questions from the agenda of its March session.

On March 9th the Council noted the advisory opinion of the Permanent Court on the question of the jurisdiction of the Danzig Courts, and also an agreement recently concluded between the Free City and Poland. By this agreement the parties accept in advance the opinion of the Court and request the Council to withdraw the question from its agenda.

2. — THE SAAR

On March 10th, the Council appointed the Members of the Saar Governing Commission for the period April 1st, 1928, to April 1st, 1929.

On the report of the Italian representative, it appointed for one year from April 1st, 1928, M. Ehrnroth (Finnish), M. Kossmann (Saar), M. Morize (French), and M. Vezensky (Czechoslovak) with Sir Ernest Wilton (British) as Chairman.

The new member of the Commission, M. Ehrnroth, was formerly the Finnish Foreign Minister and Minister of Commerce.

The Council thanked member, M. Lambert (Belgian), who had resigned, for the services he had rendered during his period of office.

3. — MANDATES

a) *Report of the Commission.*

On March 5th the Council took note of the work of the Permanent Mandates Commission at its twelfth Session. This work included consideration of general questions concerning the administration of the mandated territories, of annual reports from mandatory Powers, and petitions.

I. GENERAL QUESTIONS

On the proposal of the Netherlands representative the Council asked the Powers administering the territories under A and B Mandates for information on the postal rates supplied in those territories. It requested the Powers Adminis

tering territories under B and C mandates for information on the national status of the inhabitants.

As regards postal rates, the Commission had noted that in most of the mandated territories correspondence with the territory of the Mandatory enjoyed lower rate than correspondence with the other States members of the League. Without reaching a conclusion, the Commission queried whether this practice was in conformity with the principle of economic equality laid down in the mandates. It accordingly asked the Mandatories for supplementary information on their system of postal rates, the reasons for the adoption of these rates, and the practical importance of the question from the financial point of view.

As regards the national status of the inhabitants of territories under B and C mandates, the Commission wished to know what action the mandatories had taken on the Council resolution of April 23rd, 1923, which stipulated that native inhabitants who received the protection of the Mandatory should in each case be designated by some form of descriptive title which would specify their status under the mandate.

The Council further invited the Mandatories to communicate to the Commission information on the application of general and special conventions in the mandated territories, on general statistics and on the financial position of the mandated territories.

Finally it approved certain amendments to the Commission's rules of procedure, which were of an entirely formal character and proposed only to bring the text of the rules into line with existing practice.

2. ANNUAL REPORTS OF THE MANDATORY POWERS

The Council instructed the Secretary-General to forward to the Governments concerned the observations of the Commission on the annual reports examined at its twelfth session and to request them to take the requisite action.

a) *Iraq*. — The Commission expressed the desire to be informed of the measures taken in pursuance of the recommendations of the Mosul Commission concerning minorities. It noted with satisfaction that the position on the Persian, Syrian and Turkish frontiers had improved, regretting nevertheless that a more normal relationship had not yet been established between Iraq and Persia.

It asked for additional information on certain oil concessions, on public health, labour conditions, economic development, education, etc.

b) *British Togoland*. — The Commission noted that there was a shortage of doctors in the territories of Togoland and the Cameroons, and hoped that the Mandatory would make every possible effort to cope with the situation. It asked for additional information on public finance, the number of labourers employed by various government departments and private enterprises, and on the liquor traffic.

c) *British Cameroons*. — The Commission asked to be informed of the steps taken to extend the administrative authority of the mandatory to districts in the central part of the territory which had not yet been brought under control. It also requested information on the steps taken for the apportionment of taxes among the different classes of the native and European populations, on labour conditions, education in the northern districts of the territory, and ex-enemy property.

d) *Ruanda Urundi*. — The Commission was distressed to learn of the famine from which the territory had suffered in 1926 and noted with interest the emergency measures taken by the Mandatory to minimise the effects of this scourge.

It asked for information with regard to the principles governing the division of expenditure on behalf of the mandated territory and the Belgian Congo, on the recruiting of workers for the Katanga mines, on education and the granting of mining concessions.

e) *Pacific Islands under Japanese Mandate*. — The Commission expressed its appreciation of the generosity displayed by the Japanese Government in making a considerable grant each year to cover the deficit incurred by the administration of the Islands and asked for additional information on the taxation of natives and non natives.

f) *Werstern Samoa*. — The Commission noted the information given by the accredited representative of the Mandatory on the causes of the agitation in Werstern Samoa in 1926. It learned with satisfaction that a Royal Commission had been instructed to conduct an enquiry on the spot, and expressed the hope that the results of this enquiry and the observations of the mandatory would be communicated as soon as possible. In this way the Commission would be in a position to form an opinion on the events.

On this occasion the Commission recalled that to supervise the observance of mandates and usefully to cooperate with Mandatory Powers, it would be desirable that it should be informed each year of political movements of any consequence in the mandated territories. It noted with regret that no previous mention had been made of the underlying causes of the agitation in question.

Replying on this point to the observations of the Commission, the accredited representative said that it was possible that the Mandatory might not consider as very important certain disputes and differences which occurred fairly frequently, and might consequently not mention them in its annual report. The Mandatory nevertheless fully recognised that information on any movement which might entail serious consequences should be promptly communicated to the Commission.

The Commission drew the attention of the Mandatory Power to certain terms used by the Administrator of the Territory who had referred to Werstern Samoa as "part of the British Empire" and to its inhabitants as "British subjects". It was glad to learn from the accredited representative that in spite of the use of this phrase by the Administrator, the opinion of the Mandatory on this question was in conformity with the principles of the mandate system as laid down in the Covenant and upheld by the Council and the Assembly.

The Commission asked for supplementary information on public finance, economic development, cleaning of roads and tracks, the payment of workers, and public health.

3. PETITIONS

The Council noted the observations of the Mandates Commission on certain petitions and instructed the Secretary-General to forward them to the Mandatory Power concerned and to the petitioners.

a) *Palestine*. — Certain Turkish nationals of Palestinian origin living in Honduras, Salvador and Mexico had claimed to be immediately registered as Palestinian citizens. The Commission was of opinion that both in law and equity this claim was not justified. It nevertheless drew the attention of the petitioners to the fact that in special cases the Palestine High Commissioner could grant a certificate of naturalisation even though the two years' residence generally required for naturalisation had not been within the last three years immediately preceding the date of the application.

b) *French Togoland*. — On the subject of the petition concerning certain natives of the Adjigo tribe, the Commission considered that no new facts had been adduced which would cause it to modify the decision taken at its eleventh session.

c) *South-West Africa*. — As regards the petition from certain members of the Rehoboth community the Commission pointed out that, as it had not yet received the report of the Mandatory and of the examining magistrate, it had not yet been able to form an opinion on the subject.

d) *Werstern Samoa*. — The Commission considered that it could not give its reasoned opinion on the two petitions submitted before receiving the report of the Royal Commission on the occurrences in Samoa.

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On the proposals of the Netherlands representative, the Council decided to convey to the Swedish Government and the family of Madame Wicksell, deceased, its gratitude for the services she had rendered the Mandates Commission of which she was one of the original members.

It noted with regret the resignation of M. Yamanaka, who had been a member of the Commission for two years. As his successor it appointed Mr. Sakenobe, former Plenipotentiary Minister (Japanese). To succeed Madame Wicksell, the Council decided that a woman member, national of a non-Mandatory Power, should be selected by its acting President in consultation with his colleagues.

b) *Communication to Iraq of the Convention on Freedom of Transit and of the Convention on the International Regime of Maritime Ports.*

The Iraq Government having decided to accede to the Convention on Freedom of Transit (April 20th, 1921) and the Convention on the International Regime of Maritime Ports (December 9th, 1923), the British Government requested the Council to communicate the texts of these conventions to the Iraq Government in accordance with the procedure therein laid down.

The Council, on the report of the Polish representative, considered that such action was not incompatible with the arrangements made for the Government of Iraq under Article 22 of the Covenant. It accordingly agreed to the proposal of the British Government, and decided to communicate the conventions to the Iraq Government with a view to its accession. On this occasion the Rapporteur drew attention to the fact that the texts governing the application of Article 22 of the Covenant to Iraq were different from those in force for other mandated territories, and that the decision of the Council would have no effect as regards those territories.

VIII. — Protection of Minorities.

1. — PROTECTION OF MINORITIES IN UPPER SILESIA

By a petition dated January 30th, 1928, the *Deutscher Volksbund* of Polish Upper Silesia submitted to the Council, under Article 147 of the Upper Silesian Convention of May 15th, 1922, a question concerning the establishment of an elementary minority school at Biertultowy in the district of Rybnik. The *Volksbund* explained that it had already lodged with the Polish Minorities Office in Katowice an appeal to the Council under Articles 149 and 157 of the Convention, but that it had been unable to secure any information as to the forwarding of this appeal to the Council. According to Article 157 of the Convention, such an appeal should be forwarded to the Council by the Polish Government.

In a letter dated March 1st, 1928, the Polish Delegation to the League stated that if the Polish Government had not felt called upon so far to forward the appeal to the Council, this was not due to a desire to modify in any way the normal procedure laid down in the Convention for the examination of minorities petitions, but rather to the fact that that Government was of opinion that the question raised by the appeal was related to that of the interpretation of Articles 106 and 131 of the Convention, which was now the subject of proceedings before the Permanent Court of International Justice. In these circumstances, the Polish Government considered that the question raised by the petition could not usefully be examined at this moment.

On the report of the Colombian representative, M. Urrutia, the Council, on March 7th, noted this statement of the Polish Government, and decided to postpone consideration of the *Deutscher Volksbund's* petition until the Permanent Court had given judgment.

2. REQUEST FOR AN ADVISORY OPINION BY THE MIXED COMMISSION FOR THE EXCHANGE OF GREEK AND TURKISH POPULATIONS

By a letter dated February 13th, the Chairman of the Mixed Commission for the Exchange of Greek and Turkish populations had asked the Council to seek the advisory opinion of the Permanent Court on the interpretation of certain points of an agreement concluded at Athens on December 1st, 1926, by the Greek and Turkish Governments.

After consulting jurists, the Council instructed the Secretary-General to ask the Greek and Turkish Governments whether they would consent to its submitting to the Court the question raised by the Mixed Commission.

The Greek Government replied affirmatively, but the reply of the Turkish Government did not arrive before the close of the session. In these circumstances the Council decided not to place the question on its agenda but to leave the matter open.

IX. — Political Questions.

1. — REQUESTS OF THE HUNGARIAN AND ROUMANIAN GOVERNMENTS.

The Council dealt with the question of the Hungarian Optants at four public meetings on March 8th and 9th, when it heard detailed statements by the Hungarian and Roumanian representatives.

On the proposal of its rapporteur, Sir Austen Chamberlain, it adopted a recommendation together with considerations concerning its recommendation of September 1927.

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On March 8th, Sir Austen Chamberlain gave a brief summary of the principal phases of the question.

The question was originally brought before the Council in 1923 and an effort at conciliation and settlement was made without result. In 1927 requests were received from the Roumanian and Hungarian Governments concerning the Mixed Arbitral Hungarian and Roumanian Tribunal. The Council then set up a Committee of Three. Direct negotiations took place between the parties under the auspices of this Committee which, in September 1927, submitted its report to the Council. The Council thereupon adopted a recommendation inviting the parties to conform to the principles indicated in this report and to negotiate on this basis.

To conclude, Sir Austen Chamberlain invited the representatives of the parties to state what action had been taken on this recommendation.

The Hungarian representative, Count Apponyi, recalled that his Government had felt unable to agree to the Council recommendation of September, 1927, which, in his opinion, was merely an invitation to reach, if possible, an agreement on the basis of the principles set forth in the Report of the Committee of Three. His Government had endeavoured to reach agreement with Roumania in the practical field, each of the parties maintaining their legal position untouched.

He stated that, in reply to the Hungarian proposals, the Roumanian Government had presented counter-proposals which had not seemed acceptable to the Hungarian Government because they required, as a preliminary condition, the acceptance of the principles contained in the report — that is to say, that the Hungarian Government should abandon its legal point of view — and because the sums offered by the Roumanian Government were in striking disproportion with the value of the object under dispute.

To conclude, he thought that it was in the first place necessary to draw a distinction between judicial international power, and the political power represented by the Council, and accordingly asked the Council either to appoint deputy-judges so as to enable the Mixed Arbitral Tribunal to continue to sit, or to seek the advisory opinion of the Permanent Court of International Justice on the question whether the Mixed Arbitral Tribunal had exceeded its powers or in the principles contained in the report of the Committee of Three.

The Roumanian representative, M. Titulesco, recalled that his Government had accepted the Report of the Committee of Three and the Council's unanimous resolution, which had a considerable moral force. In his opinion, by adopting this resolution, all the members of the Council had considered that the most suitable method of putting an end to the dispute was to accept the principles of the report. He then described the informal conversations which he had had with one of the counsel acting for the Optants with a view to reaching an agreement by which Hungary would have accepted the report of the Committee of Three as Roumania had done, and the Roumanian Government, acting with full sovereignty, neither granting a privilege nor creating a precedent, would have made certain concessions in regard to the reparation payments owing by Hungary.

M. Titulesco rejected the argument that the Council was only a political tribunal and consequently could not deal with legal questions. He gave the reasons why he could not agree to the question being submitted to the Court for an advisory opinion nor to the mere appointment of judges.

The rapporteur, Sir Austen Chamberlain, noted that the Council's proposal for a friendly solution had failed to produce any result because, in the first place, Hungary, who was ready to make a proposal for compromise, still found it necessary to refuse to accept the principles of the report, and because, on the other hand, Roumania, accepting in full these principles herself, demanded that they should be accepted by Hungary as a preliminary to any arrangement.

He added that he was even now unwilling to admit that there was no possibility of agreement, and asked his colleagues whether they would recommend the Hungarian and Roumanian representatives to agree that the Council should name two persons, nationals of States which were neutral in the war, to be added to the Mixed Arbitral Tribunal as established by Article 239 of the Treaty of Trianon (that is to say, including the Roumanian member), and that to this Arbitral Tribunal of five members should be submitted the claims filed under Article 250 of the Treaty by Hungarian nationals expropriated under the agrarian reform in the territory of the former Austro-Hungarian monarchy transferred to Roumania.

The French representative, M. Briand, emphasised the necessity for a solution; appealing to the goodwill of the parties, he said :

We would ask those who regard themselves as among the small nations to realise that they would be transforming their weakness into tyranny if they

made use for the League's constitution to perpetuate between nations difficulties which may become the seeds of war. It is necessary that they should associate themselves with our effort. They must help us in our effort and realise that absolute, inflexible and contradictory doctrines are not appropriate to modern States and that in any circumstances—even though they are strongly conscious of their rights, and, it may be, because they are strongly conscious of their rights—they must always direct their minds towards the possibilities of conciliation and compromise.

He adhered entirely to the solution proposed by the rapporteur :

It has the advantage of not running counter to any of the theories which have been put forward. The principle of arbitration is maintained in the form provided for in the Treaty, and yet at the same time we have found a means of making use of our rights. Whatever Count Apponyi may say, a tribunal, even an arbitral tribunal, is not a supreme absolute court which lays down for itself indefinite rules regulating its competence. It is the result of an agreement to arbitrate, as is the case with all arbitral tribunals. It cannot lay down the law without rule and without limit. Mixed Arbitral Tribunals are the result of an agreement to arbitrate in the form of a Treaty. Their first duty is not to overstep the bounds of that Treaty, and if they do so they commit a grave misdemeanour and are guilty of an abuse of power, which the Council of the League of Nations, composed as it is of States which took part in framing the Treaty and which drew up and established the agreement to arbitrate, has the right—I would even say the duty—of examining. When one of the interested parties brings a question before the Council, that duty is absolute. We have done all in our power. We have indicated the solution. We have expressed the hope that the parties would reach agreement. I venture to believe that, even after the suggestion which has been put forward, they will find means to continue their conversations and to achieve a satisfactory conclusion. Despite the blinding glare of legal theories, we have been able to discern at certain moments that questions of positive interest have arisen between the two parties. We continue to hope that, in examining these causes of divergence more closely and in trying to discover new and practical solutions, the direct compromise which is so much to be desired may perhaps be achieved.

The Italian representative, M. Scialoja, still hoped that the two parties might reach agreement by negotiation, since that was always the best solution. If, however, agreement were not possible, he thought that the Council should endorse the proposal of its rapporteur, with which he associated himself.

The German representative recalled that in September he had stated, should agreement between the parties be impossible, he would ask the Council to seek the advisory opinion of the Court. He would have made this proposal at this session if the rapporteur had not submitted his own suggestion. He fully approved this proposal, saying that the problem at issue went far beyond a mere dispute between two countries, and concerned the authority of courts of arbitration, and consequently the whole question of the abolition of war, in other words, the whole question of peace.

The Chilean, Polish, Cuban, Japanese, Chinese, Netherlands, Canadian, and Finnish representatives then adhered to Sir Austen Chamberlain's proposal, which, the President stated safeguarded both the principle of arbitration and the rights of the parties. He invited the Roumanian and Hungarian representatives to express their opinion on the suggestion.

The Roumanian representative, M. Titulesco, said that he considered the proposal as supplementary to the report of September 1927, and to the unanimous resolution of September 19th. He added that he accepted it on condition that the two supplementary judges should be bound by the three principles contained in this resolution. He once more emphasised the danger to social order in Roumania if the agrarian reform were imperilled, saying that his Government could not accept a purely judicial solution which the Council on two occasions had recognised as unsatisfactory.

The Hungarian representative, Count Apponyi, said that he could not accept M. Titulesco's argument that the hreet principles of the report should bind the supplementary judges. He fully adhered to Sir Austen Chamberlain's proposal as presented by the latter, and without the amendment submitted by M. Titulesco.

Sir Austen Chamberlain said that he could not take the responsibility of fathering the change which the Roumanian representative proposed to make in the resolution. In his opinion the Council might, as an act of courtesy to the Tribunal, send it the whole of the minutes of the discussions including the resolutions taken on the question, adding that all previous resolutions remained on record in the minutes and were not contradicted by the present resolution.

The French representative, M. Briand, was also of opinion that there was no contradiction between the resolution of September and the resolution now before the Council. He recalled that he had himself stated that the Council had a perfect right to interpret the Treaty of Trianon as it had already done in a previous resolution.

The German representative, Dr. Stresemann, also pointed out that there was no contradiction between the resolutions, adding that the September resolution had been adopted as a recommendation to the States to negotiate on the basis of the report of the Committee of Three. He approved the despatch to the Mixed Arbitral Tribunal of the Minutes of the Council debate.

Finally, the Council, at the request of M. Titulesco, decided to precede Sir Austen Chamberlain's resolution by considerations relating to the resolution of September 1927. The text finally adopted reads :

The Council :

Considering that the best method of settling the dispute was by friendly negotiation between the two parties, recommended that method to them in September 1927, and stated three principles which, in its opinion, might serve as an equitable basis for this negotiation.

Finding, however, that such friendly negotiation has not been possible between the parties, the Council, while considering its recommendations of September 19th, 1927, to be of value, and without modifying its views which are contained in the Minutes of its discussions, submit unanimously for the acceptance of the parties the following recommendation :

That the Council should name two persons, nationals of States which were neutral in the war, who should be added to the Mixed Arbitral Tribunal as established by Article 239 of the Treaty of Trianon (that is to say, that Tribunal including a Roumanian member, who would be restored to it by his Government), and that to this Arbitral Tribunal of five members there should be submitted the claims which have been filed under Article 250 of the Treaty of Trianon by Hungarian nationals who have been expropriated under the agrarian reform scheme in the territory of the former Austro-Hungarian Monarchy transferred to Roumania.

The Council requests the representatives of the Hungarian and Roumanian Governments to inform it at its next session of the replies of those Governments, and decides at once to insert the question on the agenda of that session.

Count Apponyi accepted this resolution. M. Titulesco abstained from voting, adding that, out of courtesy towards the Council, he would forward its resolution to his Government.

To give the Governments concerned sufficient time to reflect and inform it of their decision, the Council once more invited the parties to continue negotiations, and placed the question on the agenda of its next session.

2. — THE POLISH-LITHUANIAN QUESTION

At the opening meeting of the Council, the British representative, Sir Austen Chamberlain, suggested that the Rapporteur should submit during the Council session any official information he might have received from the Polish and Lithua-

nian Governments in connection with the conclusions reached at the December session on the Polish-Lithuanian question.

The Prime Minister of Lithuania, M. Voldemaras, was informed by telegraph of this request, but replied, stating that he would be unable to come to Geneva at such short notice and requesting that the question should not be added to the Agenda.

The Rapporteur, M. Beelaerts van Blokland (Netherlands), while noting that the Council had the undoubted right even during the session to add to its agenda any question it might desire to consider, proposed, out of courtesy to M. Voldemaras, that the matter in question should not be included in the agenda of this session. The Council agreed, and decided to consider the question in June.

The Netherlands representative communicated to the Council a statement which included the text of the correspondence exchanged since the last meeting between the League and the Governments concerned. In this statement he expressed the hope that the negotiations into which the parties were about to enter, would proceed successfully. He submitted to the Council the report of the Chinese, Colombian, and Netherlands representatives on the complaints of the Lithuanian Government with regard to the treatment of persons of Lithuanian race or language in the Vilna district. He informed the Council that this Committee would study the question with due reference to the observations of the Polish Government and that it hoped to submit a final report at the June session.

X. — Social and Humanitarian Questions.

1. — PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE

Meeting of the Advisory Commission. — The Advisory Commission for the Protection and Welfare of Children and Young people met at Geneva from March 12th to March 24th with M. Regnault (France) in the chair.

The Committee on Traffic in Women and Children sat from March 12th to the 17th, and the Child Welfare Committee from March 19th to 24th. The Advisory Commission held a plenary session to deal with certain questions of interest to both Committees.

a) *Traffic in Women and Children.*

After noting the progress report of the Secretariat the Committee decided to draw the attention of Governments to the fact that a large number of them had not yet acceded to the international conventions and agreements concerning the traffic in women and children, the Committee examined the annual reports of Governments and philanthropic associations and studied the various items on its agenda.

Material and moral protection of music-hall and similar artists touring abroad. — The Committee decided to address to Governments a questionnaire on the employment of women abroad, and to ask the Advisory Committee of Intellectual Workers to communicate the results of its enquiry regarding the conditions under which members of the theatrical profession are employed. It requested the International Labour Office to approach some of the more important artists' professional organisations and to seek their opinion on the various points mentioned in the questionnaire.

Employment of women police. — The Committee heard a statement on the development of women police work in Germany. The German Women Police

Force, created subsequent to an experiment made at Cologne, is mainly engaged in preventive and protective work, particularly in regard to minors and women. In criminal matters they act as investigators. Most of its members belong to a fairly high social class and their police training lasts four to five years.

The Committee decided to include this question on the agenda of its next session.

Results and continuation of the enquiry of the Special Body of Experts on Traffic in Women. — The Committee discussed the questions raised in the second part of the report of the Special Body of Experts. It requested the Council to ask Governments and philanthropic associations to forward to the Secretariat any documentation which might add to the information already available on the question with which the enquiry is concerned. It considered that the continuation and development of this enquiry was most desirable. Without taking a decision as regards the countries to which the enquiry should be extended, the Committee thought that public opinion in such countries would have to be educated in order to ensure success and the indispensable co-operation of the authorities and of the population. The nature and scope of the enquiry will be discussed later. Meanwhile, the Committee invited its members and the philanthropic associations to make such steps as might be possible to prepare the way for further enquiries.

Licensed houses. — When discussing the resolution of the Eighth Assembly on the subject of licensed houses, the Committee noted that further light had been thrown on the whole system by the enquiry of the experts. It expressed the hope that Governments which still retained this system would investigate the question as soon as possible with due reference to the report of the Experts and other information collected by the League. To facilitate its investigation, the Committee asked the Secretariat to collect the laws and regulations in force in countries where the system had been abolished.

Penalties to be imposed on persons living on the earnings of prostitutes. — The Committee realised that it was important that crimes and offences committed by souteneurs should be severely dealt with in order to put a stop to their operations which are one of the main causes of the traffic in women. It instructed the Secretariat to submit at its next session a concise study of the laws and penalties relating to souteneurs.

The age limit. — The Committee discussed the desirability of abolishing the age-limit mentioned in the Conventions of 1910 and 1921. It requested Mr. Cohen, Secretary of the Jewish Association for the Protection of Girls and Women to submit a report.

Replies from Governments and the suppression of obscene publications. — The Committee noted that twenty-two countries had so far ratified the Convention on Obscene Publications (1923), and that five had acceded to it. After discussing the influence of such publications on the traffic in women, the Committee examined the provision of the Convention that the Council shall consider, at the end of each period of five years, whether a conference shall be summoned to revise it. As this question may come before the Council this year, the Committee proposed to examine its technical aspects at its next session.

b) Child Welfare.

The agenda of the Child Welfare Committee included questions concerning the cinematograph in its relation to child welfare, juvenile courts, blind and illegitimate children, recreation, etc.

Cinematograph questions. — The Child Welfare Committee considered the draft statutes of the International Cinematographic Institute which had been referred to it by the Council. The object of this Institute is to encourage the production, distribution and exchange between various countries of educational films concerning instruction, art, industry, agriculture, commerce, health, social education, etc., by any means which the Governing Body may consider necessary. The Committee made observations on certain articles of the statute and appointed Don Pedro Sangro y Ros de Olano to represent it on the Governing Body.

The Committee noted a report by a French technical expert, M. Martin, on the problems raised in connection with the influence of the cinematograph on children and young people. It endorsed its decisions of 1926 concerning the creation of offices for control or preliminary censorship in each country, and the adoption of hygiene and security measures. A resolution was adopted drawing the attention of all States to the advisability, from the point of view of the moral and physical protection of the young, of showing films in diffused light and in daylight.

Juvenile Courts. — The Committee examined the report of the International Prison Commission on juvenile courts, in the presence of Professor van der Aa, Secretary-General of that organisation. It appointed three rapporteurs (Dr. Baümer, Miss Lathrop and M. Rollet), who will submit proposals after consulting the International Prison Commission regarding the form in which an enquiry into the different auxiliary services of juvenile courts could be pursued.

Relief and repatriation of minors. — The Committee noted replies from Governments on the draft conventions prepared by its legal sub-committee concerning the relief and repatriation of minors. The Sub-Committee recommended that States which had not yet given their opinion would reply to the questionnaire. It decided to proceed to an exchange of views at its next session on the final form of a preliminary draft convention for the repatriation of minors who have escaped from the custody of their parents or guardians, on the drafting of a preliminary convention on the relief of minors of foreign nationality, and on the final form of a preliminary draft convention on the execution of judgments relating to maintenance payable on behalf of children by persons responsible for their support and living abroad.

Illegitimate children. — The Committee decided to forward to Governments who had given information on this question the report prepared by the Secretariat, and to seek their opinion.

Bind children. — This question was discussed in the presence of Mr. L. W. Carris, Director of the American Association for the Prevention of Blindness. Mr. Carris laid before the Committee a scheme for the creation of an international organisation to deal with this subject, and expressed the hope that if the proposal materialised there would be close cooperation between the new organisation and the Child Welfare Committee.

The Committee noted documents on the subject submitted by Governments and urged delegates whose Governments had not given information to approach with a view to obtaining their replies.

Life and health in early infancy. — The Committee considered a report by Dr. Léon Bernard on the progress of the enquiry conducted by the Conference of Experts on Infant Hygiene on the causes of infant mortality. It also noted memoranda submitted by Mlle. Chaptal on the results obtained by anti-tuberculosis vaccination and on the boarding out of young infants with a view to removing them from an environment infected with tuberculosis.

Gift of the American Social Hygiene Association. — The Committee discussed what use should be made of a sum of 5,000 dollars placed at its disposal by the

American Social Hygiene Association. It came to the conclusion that these funds might be devoted to a study of the moral and social danger to which children are exposed in certain surroundings.

While recognising the progress made in this field, alue to official and private measures, the Committee considered that supplementary information should be collected to show how far the measures taken were adequate. It recommended that the preliminary enquiry should be made in sever or eight countries and should be conducted by competent persons, to be appointed by the Council. The enquiry would consist in the collection of information furnished by Governments, official bodies, voluntary oragnisations, etc.

Alcoholism. — The Committee dealt with the question of alcoholism in its relation to child welfare. It expressed the opinion that Governments should shortly renew their enquiries into the effects of alcoholism on the physical and mental development of children witht reference to measures taken in various countries to restrict the consumption of alcoholic beverages by young people.

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Legal age of marriage. — The question of the legal age of marriage and consent concerns both committees of the Advisory Commission for the protection and welfare of children and young people, and was accordingly examined in a plenary meeting. The Committee considered that it was desirable that the legal age of marriage should be high enough to provide the full safeguards as regards the health both of the married persons themselves and of the children of the marriage. It was nevertheless of the opinion that no single a ge limit could be made applicable to all countries. Considering that the fixing of the age of marriage had an important bearing on the physical and moral welfare of persons of both sexes, the Commission recommended that Governments should examine in the light of these considerations, the question of the ages of marriages fixed and their respective laws.

The session was attended by the following members :

Mr. Regnault (France), Dr. Baumer (Germany); Count Carton de Wiart (Belgium); Dr. Estrid Hein (Denmark); Mr. S. W. Harris (British Empire); Don Pedro Sangro y Ros de Olano (Spain); Marquis Paulucci di Calboli (Italy) (Vice-Chairman); Mr. Ito, Counsellor of Embassy (Japan); Mme. Romniciano (replacing Mr. Comnène) (Roumania).

Assessors on Traffic in Women. — Mr. F. A. R. Sempkins, International Bureau for the Suppression of Traffic in Women and Children; Mme. Avril de Sainte-Croix, Women's International Organisations; Mme. la Baronne de Montenach, *Association catholique internationale des œuvres de protection de la jeune fille*; Mme. Curchod-Secretan, *Fédération des Unions Nationales des Amies de la Jeune Fille*; Mr. S. Cohen, Jewish Association for the Protection of Girls and Women; Mr. Varlez, International Labour Office.

Assessors on Child Welfare. — Mr. Henri Rollet, International Child Welfare Association; Dame Ketherine Furse, International Organisation of Boy Scouts and Girl Guides; Dr. Humbert, League of Red Cross Societies; Dr. Polligkei, International Union of the "Save the Children" Fund; Miss Eleanor Rathbone, Women's International Organisations; Mr. Jorge Valdes Mendeville, Chilian Minister at Berne, Pan American Child welfare Congress; Miss Charlotte Whitton, Social Service Council of Canada and Canadian Council on Child Welfare; Mr. Bascom Johnson.

2. — TRAFFIC IN OPIUM

The Council prolonged the term of office for one year of Mr. Henri Brenier (French), Mr. L. A. Lyall (British), and Colonel Arthur Woods (American), as the

assessors to the Advisory Committee on Traffic in Opium and other Dangerous Drugs.

3. — INTERNATIONAL RELIEF UNION

The resolutions adopted by the Preparatory Committee of the International Relief Union at its February session were noted by the Council, which instructed the Secretary-General to communicate to all States mentioned in Article 15 of the Convention founding the Union, the resolution in which the Committee expresses the opinion that owing to the spirit of international universal solidarity which should animate the Union, it is advisable that the greatest possible number of States should be included among the original signatories of the convention.

XI. — Other Questions.

1. — THE LEAGUE BUILDINGS

On March 10th, the Council noted the report of the Special Committee for the new League Buildings. This Committee decided last December to invite five architects—Mr. Nénot, Mr. Flegenheimer, Mr. Broggi, Mr. Lefèvre and Mr. Vago—to collaborate in the preparation of a revised design based upon that presented by Messrs. Nénot and Flegenheimer. The Committee gave detailed instructions regarding the changes to be made in the original design.

Report of the Building Committee. — The design prepared by the architects was submitted to the Committee on March 2nd, 1928, together with an explanatory report. Considerable changes had been made, the most noteworthy being the avoidance of any interior courts. All offices in the Secretariat building would, now have direct light and air. The Secretariat had been placed on the north side of the Assembly Hall, in order to facilitate further extensions, and the new Library to be built out of the Rockefeller grant, was to be on the Route de Lausanne in a convenient position for public access.

The Committee unanimously approved the amended plan as embodying the requisite improvements and giving general satisfaction to the requirements of the League. The authors of the original plan and their collaborators differed on three points, on which they asked for the ruling of the Committee. These concern the form of the Assembly Hall, the façade, and the general directions of the work. The Committee gave decided preference to a round or oval form for the Assembly Hall instead of the square hall proposed both in the original and in the revised design.

With regard to the façade, the Committee felt that the revised design, which had many points of similarity with the original, was not in harmony with the new general conception, and that the architects should be left free to study a new façade and should not be bound by the features of the original design.

The direction of the work was to be vested in the five architects collectively, with one of their number to represent them all, both in their dealings with the League and with the contractors. The Committee proposed that this representative shall be Mr. Nénot. If he were unable to direct the work or to act as the architects' representative, his substitute, or, if the contingency arises, his successor, would be designated by a majority of the other architects, or, failing such majority, by the Secretary-General.

The architects pointed out that the fees provided for in the programme (5 % of the cost construction) were inadequate. They proposed that the 5 % should be equally divided among the five architects, that a further 1½ % should be allowed to the architect who acted as their representative, and that the clerical and other

expenses of the works office should be charged to the building fund, up to 2 1/2 % of the cost of the construction.

After carefully weighing all the factors, the Committee approved these proposals, with the exception that the office expenses to be charged to the construction fund should not exceed 2 %. It asked the Council to ratify its approval of the revised plan and to authorise the Secretary-General to draw up and sign the contract with the architects, leaving to the Committee the final approval of the revised drawings of the Assembly Hall and façade, which should be submitted to it not later than the end of May 1928. Once approved, the execution of the plans will be entrusted to the Secretary-General and the Building Committee appointed by the Council, as stipulated in the Assembly resolution of September 25th, 1927.

Gifts for the decoration or furnishing of the new buildings are to be referred to the Building Committee which will take the necessary decisions in consultation with the architects.

Action of the Council. — The Council approved the broad lines of this report.

After an exchange of views between Mr. Briand, Mr. Scialoja and Mr. Adatci (Chairman of the Special Committee), it was decided that Mr. Nénot should be requested to undertake the direction of the works.

As regards the two points under reserve, the façade and the Assembly Hall, the Secretary-General said that he would not sign the contract until all elements of doubt had been removed.

The Chief of the Swiss Political Departments, Mr. Motta, who attended the Council meeting, expressed his satisfaction that the plans had been drawn up in consultation with Swiss experts and with the Cantonal and Federal authorities.

2. — THE LEAGUE LIBRARY

The Library Planning Committee met at Geneva from March 12th to 14th, with Mr. Scialoja in the chair, to advise as to the best method of utilising Mr. John D. Rockefeller, Jr's gift to the League of two million dollars for an international research library at Geneva.

The Secretary-General welcomed the members and emphasised that the donor had placed no restriction on his gift except that it should not be used to reduce the regular appropriations for the League Library. The principal object of the new Library would, he said, be to serve the official needs of the League and the International Labour Office, but at the same time the donor hoped it might also become an international centre for the use of students and international organisations. Already, many demands for library facilities had been made which up till now could not be met for lack of funds, notably in such specialised documentation as that required by the Economic Conference or the work in fields such as health and Mandates. It was because of the importance and diversity of the whole problem that the Secretary-General had convened the present Committee of statesmen familiar with the League and its probable development during some years and of expert librarians, directors of other comparable institutions, and had also sought as a possible aid to the Committee, the views of certain officials and outside organisations on their especial needs.

The Chairman, Mr. Scialoja, expressed his appreciation of the munificence of the donor, and thanked the Secretary-General for his invitation to co-operate in the organisation of the Library. This Library, he thought, would be quite different from others, and would serve in the first place, the work of the League itself. It would further constitute the historical archives of the League, and serve as a centre for research and students at Geneva. With this variety of interests and material, the Library could not be expected to be a composite general institution, but must of necessity concentrate on the international phases of the various subjects of the League's work.

A general discussion then took place on the fundamental purpose and organisation of the new institution.

A preliminary report was prepared for the Secretary-General and arrangements made for a second meeting in June, when further study will have been possible and when the League Librarian, Dr. Sevensma, will be able to report on his observations of recent American library experience.

The following attended the meeting :

Mr. Scialoja (President) Representative of Italy on the Council.
Dr. Hugo Andres Krüss, Director, Preussische Staatsbibliothek, Berlin.
Mr. de Maday, Librarian of the International Labour Office, Geneva.
Mr. Roland Marcel, Director of the Bibliothèque Nationale, Paris.
Sir James Rennell Rodd, G. C. B.
Dr. Sevensma, Librarian of the League of Nations, Geneva.

Mr. William Warner Bishop, Librarian of the University of Michigan, was prevented by illness from attending this session, and Mr. Raymond B. Fosdick, former Under-Secretary General of the League of Nations, will not be able to leave the United States till the June meeting.

XII. — Forthcoming Events.

April 25th : Committee of Experts on Tariff Nomenclature, Geneva.
April 25th : Permanent Committee for the Standardisation of Sera and Biological Products, Frankfurt on the Main.
April 25th-26th : Committee on Smallpox and Vaccination, Geneva.
April 27th : Supervisory Commission, Geneva.
April 27th : Cancer Commission, Geneva.
April 30th : Health Committee, Geneva.
May 14th : Consultative Committee of the Economic Organisation, Geneva.
May 18th : Conference on the Sero-diagnosis of syphilis, Copenhagen.
May 28th : Exchange of Public Health Officers (Study of rural hygiene), Various countries in Europe.
May 30th : Financial Committee, Geneva.

MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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I. — Summary of the Month.

The principal meetings in April were devoted to the humanitarian and social work of the League. The Advisory Committee on Traffic in Opium held its Eleventh Ordinary Session. The Cancer and Smallpox Commissions of the Health Committee met towards the end of the month, and the Plenary Committee assembled on the 30th. In the economic and financial field, mention must be made of meetings of the representatives of the statistical services of banks of issue, and of experts on legislation on bills of exchange and cheques.

The Advisory Committee on Traffic in Opium met from April 12th to 27th. The principal items discussed were the annual reports of Governments on measures

to combat the clandestine traffic, the situation in the Far East, the general position as regard the traffic, the question of the administrative control of the traffic, and certain special questions in connection with the Geneva Opium Convention of 1925.

The Health Committee met on April 30th, and continued in session in May. The session was preceded by meetings of various commissions, such as the Permanent Commission for the Standardisation of Sera and Biological Products at Frankfurt-on-Main; the Smallpox and Vaccination Commission and the Cancer Commission, at Geneva. It will be followed by a conference of Laboratories and Serological Institutes at Copenhagen.

The experts on bills of exchange drew up four draft conventions for submission to an international conference. Representatives of twenty-five banks of issue met in Paris at the League's invitation to discuss the comparability of monetary statistics.

The Permanent Court of International Justice gave judgment in the case concerning the admission of children to minority schools in Polish Upper Silesia.

The Honourable John Bassett Moore, formerly Counsellor of the State Department, Washington, sent in his resignation as judge of the Permanent Court.

The Straits Commission sent in its third annual report.

II. — The Permanent Court of International Justice ⁽¹⁾.

1. — CASE CONCERNING GERMAN MINORITY SCHOOLS IN POLISH UPPER SILESIA ⁽²⁾

On April 26th, the Permanent Court of International Justice, at a public sitting held for the purpose, delivered judgment in the case concerning the question of the admission of children to the minority schools in Polish Upper Silesia.

The origin of the case was as follows, according to the statement of facts of the Judgment :

When Upper Silesia was divided between Germany and Poland, in accordance with the result of the plebiscite provided for in the Treaty of Versailles, a Convention was drawn up between the two neighbouring States designed to regulate the conditions in the divided province. This convention contained, amongst other things, provisions for the protection of the racial, linguistic and religious minority in both parts of Upper Silesia, some important stipulations being devoted to the question of education. According to these stipulations, minority schools were to be created and to these schools were to be admitted children whose language—according to declarations to be made by the persons responsible for their education—was a minority language. The authorities were to abstain from any verification or dispute as to the veracity of the declarations in question. The same prohibition applied as regards the question whether a person did or did not belong to a minority. The provisions just referred to are contained in Articles 74, 106, and 131 of the above-mentioned Convention.

In 1926 the Polish authorities took certain measures with a view to verifying whether children, for whose admission to German minority schools or classes application had been made, ought, properly speaking, to attend such schools or classes, and, as a result of the enquiry, more than seven thousand children were excluded from those schools. A complaint in this respect having been eventually addressed to the Council of the League in accordance with the provisions of the German-Polish Convention, the Council adopted a resolution under which the Polish Government was recommended not to insist on the exclusion from the minority schools of

(1) This article has been written with the aid of information furnished by the Registry of the Court.

(2) See *Monthly Summary*, Vol. VIII, No. 1, p. 2; No. 2, p. 46; No. 3, p. 66.

certain categories of the children just referred to, whilst it was held that it was not opportune to admit to those schools children speaking only the Polish language. Measures were indicated to ensure the just and proper application of this resolution.

A few months later, the Council had again to deal with the same question from the point of view of the applicability of its resolution to a certain category of children. On this occasion the German representative, stating that the Council was faced with a dispute of a legal character, announced his intention of bringing the matter before the Permanent Court of International Justice in order to obtain from it an interpretation of the relevant provisions of the Convention concerning Upper Silesia. The Council noted this statement, and within a month the Court had before it the Application on which it has now passed judgment.

This Application and the German Case in support of it having been duly communicated to the Polish Government, the latter filed a Counter-Case containing submissions on the merits of the Application of the German Government. In the further course of the written proceedings, however, the Polish Government expressly took objection to the jurisdiction of the Court and to its power to entertain the German Application.

The latter, in the view of the Court, comprises the following three contentions :

(1) Articles 74, 106 and 131 of the Geneva Convention establish the unfettered liberty of any person to declare, according to his own conscience and on his own personal responsibility, that he does or does not belong to a racial, linguistic or religious minority, subject to no verification, dispute, pressure or hindrance in any form whatsoever on the part of the authorities.

(2) The above-mentioned articles also established the unfettered liberty of any person to choose the language of instruction and the corresponding school for the pupil or child for whose education he is responsible—likewise subject to no verification, dispute, pressure or hindrance in any form whatsoever on the part of the authorities.

(3) Any measure singling out the minority schools to their detriment is incompatible with the equal treatment granted by Articles 65, 68, 72, para. 2, and the Preamble to Division II.

The Polish Government on its side had asked the Court to reject the German submissions and secondly to give an interpretation of the articles quoted differing from that set forth in the German contentions. Poland further held that, as well as the articles quoted in support of the first two contentions of the German Government, Article 69 of the Convention must also be taken into account.

As regards the Polish plea to the jurisdiction, the Court has arrived at the conclusion that it is inadmissible. The German Application was based on Article 72 of the Convention concerning Upper Silesia, under the terms of which Poland agrees that any dispute concerning questions of law or of fact arising out of the articles preceding the said article shall, at the request of the other party, be submitted to the Permanent Court of International Justice. The Polish Government contended that the Court had no jurisdiction over the present dispute under this article, because the provisions, the interpretation of which was asked for in the German submissions, were articles following and not preceding Article 72. The German Government for its part, invoking Article 38 of the Rules of Court, according to which any preliminary objection shall be made at latest in the Counter-Case, contended that the Polish objection had in any case been presented so late that it could not be taken into account.

The Court does not share this opinion of the German Government, for it holds that the article in question regulates the case only where the Respondent asks for a decision upon the objection before any further procedure on the merits. But it also holds, on the other hand, that, as the jurisdiction of the Court always depends

on the will of the parties, the Court has jurisdiction in every case where its jurisdiction is accepted by them. This acceptance, however, is not dependent on the observance of any formalities, for instance, the preparation of a special agreement submitting a dispute to the Court. It can, the Court holds, result also from express declarations subsequent to the unilateral submission of an application, and even from mere acts conclusively establishing it; and, in the Court's opinion, the attitude of a Government in entering upon the discussion of the merits of a case should be considered as an unequivocal manifestation of its will to obtain a decision thereon. Moreover, such an expression of will, if once made, cannot be withdrawn in the further course of the proceedings, except in very special circumstances, which the Court holds do not exist in the present case. The Court, therefore, concludes that the Polish Government has implicitly accepted the Court's jurisdiction to pass judgment on the merits of all the contentions of the German Government. As concerns the last of these contentions, moreover, it is, the Court says, covered by the jurisdiction conferred on the Court by Article 72 of the Upper Silesian Convention, for it refers to Articles 65 and 68 of that Convention, that is to say, to articles preceding Article 72.

Dealing next with the Polish plea according to which the Court would not be entitled to entertain the German submissions, it likewise arrives at the conclusion that this plea cannot be admitted, for, whereas it is based on the contention that the subject-matter of the dispute had already been settled by the decision of the Council of the League, the Court holds that its own jurisdiction and that of the Council under the Convention concerning Upper Silesia are different in character. It observes, moreover, that the Council itself declared that it did not intend to settle the question of law that had arisen as set out above.

Having thus arrived at the conclusion that it is incumbent upon it to pass judgment on the merits of the various contentions of the German Government, the Court next examines those contentions. In this respect the Court first deals with the divergence of views between Germany and Poland as to whether the question of membership of a linguistic minority is a question of intention or a question of fact. In this respect it holds that Poland is justified in construing the provisions of the Convention concerning Upper Silesia as meaning that this question is in reality a question of fact. But it adds that, especially in Upper Silesia, there are a great number of cases where the answer to the question does not clearly result from the mere facts. This, in the Court's opinion, may well be the reason why the Convention, whilst requiring declarations in accordance with the situation of fact, prohibits any verification or dispute as concerns the truthfulness of the declarations. The Court does not fail to see that difficulties may ensue from this interpretation; but it is of opinion that the parties have deliberately preferred these difficulties to those which would result, should the authorities have the power to verify or dispute the veracity of the declarations.

Similarly, as concerns the second contention of the German Government, the Court arrives at the conclusion that the Polish Government is right in holding that the declaration designed to state what is the language of a pupil or child, should be a mere statement of fact, and does not admit of any freedom of choice. But it again adds that, in the appreciation of the facts, a subjective element may properly enter into account, more especially in cases where children speak both German and Polish, or when they have not a sufficient knowledge of either of these languages.

On a point of detail the Court holds that there is nothing contrary to the Convention concerning Upper Silesia in the contention put forward by the Polish Government, but disputed by the German Government, that as a condition for the admission of children to existing minority classes a declaration concerning its mother-tongue should be made. In particular, the Court does not see therein

anything contrary to the principle of equality of treatment laid down in the Convention.

With regard, finally, to the third contention of the German Government, the Court confines itself to establishing that there does not seem to be any divergence of opinion between the two Governments on this point, so that it is not necessary for the Court to pass judgment thereon.

The operative part of the Judgment is as follows :

(1) That the objections, whether to the jurisdiction or respecting the admissibility of the suit, raised by the Respondent, must be overruled;

(2) That Articles 74, 106 and 131 of the German-Polish Convention of May 15th, 1922, concerning Upper Silesia, bestow upon every national the right freely to declare, according to his conscience and on his personal responsibility, that he does or does not belong to a racial, linguistic or religious minority and to declare what is the language of a pupil or child for whose education he is legally responsible;

That these declarations must set out what their author regards as the true position in regard to the point in question and that the right freely to declare what is the language of a pupil or child, though comprising, when necessary, the exercise of some discretion in the appreciation of circumstances, does not constitute an unrestricted right to choose the language in which instruction is to be imparted or the corresponding school.

That, nevertheless, the declaration contemplated by Article 131 of the Convention, as also the question whether a person does or does not belong to a racial, linguistic or religious minority, are subject to no verification, dispute, pressure or hindrance whatever on the part of the authorities.

(3) That the Court is not called upon to give judgment on that portion of the Applicant's submission according to which any measure singling out the minority schools to their detriment is incompatible with the equal treatment guaranteed by Articles 65, 68, 72, paragraph 2, and by the Preamble of Division II of Part III of the Convention.

The Judgment was given by eight votes to four, M. Huber, M. Nyholm, M. Negulesco and M. Schucking not being able to agree with the terms thereof.

2. — CASE OF THE FREE ZONES OF UPPER SAVOY AND THE PAYS DE GEX

The President of the Court has decided to fix the time limits for the presentation of the documents in the written proceedings so that these proceedings will be concluded by the beginning of June 1929. The case can therefore be put in the list of cases for the Court's (ordinary) session which opens on June 15th, 1929.

3. — NEW CASE : BRAZILIAN GOLD LOANS CONTRACTED IN FRANCE

On April 26th, 1928, the French Legation at The Hague filed a special agreement for arbitration signed on August 27th, 1927, between the Governments of the United States of Brazil and the French Republic, submitting to the Court for decision a dispute concerning the payment in gold of Brazilian Federal Loans contracted in France.

The Brazilian Legation at The Hague has in due course also filed the same document.

The written proceedings in the case will be concluded before the end of 1928 so that the Court will be able to hear the case during a session to be held in 1929.

This being the first case submitted to the Court which directly concerns a State in the American continent it may be of interest to reproduce here the main clauses of the arbitration agreement.

ARTICLE I.

The Permanent Court of International Justice shall be requested to give judgment on the following question :

With regard to the Brazilian Federal Government's 5 % loan of 1909 (Port of Pernambuco), 4 % loan of 1910, and 4 % loan of 1911, is payment of coupons which have matured and are not barred by prescription at this date, and coupons which shall mature, as also repayment of bonds drawn for redemption but not actually paid which are not barred by prescription on the date of the Court's decision, or of bonds subsequently to be redeemed, to be effected by delivery to the French holders, in respect of each franc, of the value corresponding, in the currency of the place of payment at the rate of exchange of the day, to one-twentieth of a gold piece weighing 6.45161 grammes of 900/1000 fineness, or is such payment or repayment to be effected as hitherto in paper francs, that is to say, in the French currency which is compulsory legal tender?

ARTICLE VI.

In estimating the weight to be attached to any municipal law of either country which may be applicable to the dispute, the Permanent Court of International Justice shall not be bound by the decisions of the respective courts.

4. — CLOSING OF THE THIRTEENTH SESSION OF THE COURT

At a public sitting of the Court held on April 26th the President declared the XIIIth (extraordinary) session closed. During this session, which was opened on February 7th, 1928, the Court gave an advisory opinion (the case of the jurisdiction of the Danzig Courts) and a judgment (case concerning certain minority rights in Polish Upper Silesia).

The next session will be the ordinary session which opens on June 15th, 1928.

5. — RESIGNATION OF JUDGE MOORE

The Hon. John Bassett Moore has just transmitted to the Secretary-General a letter by which he tenders his resignation as a Judge of the Permanent Court of International Justice.

Judge Moore, formerly Counsellor of the State Department, Washington, was appointed to the Court by the Assembly and the Council for the regular term of nine years at the first election which took place in September 1921, and his term of office would therefore normally expire on December 31st, 1930.

In his letter of resignation, he states as his main reason that he now finds it necessary "to give definite and continuous personal attention to the publication now beginning of a voluminous collection of all international arbitrations, ancient and modern, for which he began to gather material 42 years ago".

Judge Moore asked that his resignation be effective as soon as possible and renounced all claims to pension.

The Statute of the Court provides that vacancies which may occur shall be filled by the same method as that laid down for the first election and for the duration of the original term.

This method is, in general, as follows :

The Members of the Court are elected by the Assembly and by the Council from a list of persons nominated by the national groups in the Court of Arbitration.

In the case of Members of the League of Nations not represented in the Permanent Court of Arbitration, the lists of candidates is drawn up by national groups appointed for this purpose by their Governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

The nominations are made by the groups just mentioned in accordance with the following provisions :

At least three months before the date of the election, the Secretary-General of the League of Nations shall address a written request to the Members of the Court of Arbitration belonging to the States mentioned in the Annex to the Covenant or to the States which join the League subsequently, and to the persons appointed under paragraph 2 of Article 4, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

When there is only one seat to be filled, each group may nominate not more than two candidates, both of whom may be of its nationality.

Before making these nominations, each national group is recommended to consult its Highest Court of Justice, its Legal Faculties and Schools of Law, and its National Academies and national sections of International Academies devoted to the study of Law.

The Secretary-General of the League of Nations shall prepare a list in alphabetical order of all the persons thus nominated. The Secretary-General shall submit this list to the Assembly and to the Council.

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.

III. — The Saint-Gotthard Incident.

In virtue of the powers conferred upon it by the Council, the Committee of Three appointed in March to examine the Saint-Gotthard Incident has invited two groups of experts to assist in the preparation of its report.

The first group comprises two arms experts, M. Rudolf Kjellman (Swedish) and Mr. Oscar Skerman (British) who, on the instructions of the Committee, proceeded to the Saint-Gotthard station on the Austro-Hungarian frontier and drew up an inventory and detailed description of what remained of the five truck-loads of machine guns parts held up on January 1st, 1928. They also noted any circumstances calculated to enlighten the Committee as to the nature and present condition of the material.

The second group consists of two experts on international railway traffic, goods transport and customs formalities, M. Jacob Kalff, Director General of the Netherlands Railways, and M. A. Verzinger, President of the Managing Board of the Transport Agency, Danzas & Company, Bâle, who met in Bâle at the end of April, and remained at the disposal of the Committee of Three.

The Committee itself (M. Beelaerts van Blokland (Netherlands), M. Procope (Finland) and M. Villegas (Chili) will meet at The Hague at the beginning of May under the presidency of the Netherlands Foreign Minister, M. Beelaerts van Blokland, to prepare its report for the Council. It will take note of all the material collected including the reports of the experts.

IV. — Legal and Constitutional Questions.

1. — LETTER FROM THE PRESIDENT OF THE COUNCIL TO THE GOVERNMENT OF COSTA RICA

The Acting-President of the Council M. Urrutia (Colombia) has addressed to the Foreign Minister of Costa Rica the following letter :

I have the honour to inform you that the Council of the League of Nations, at its meeting on March 9th, 1928, decided, on the proposal of its President, to make known to your Government that considerable satisfaction would be felt not only by the Council, but by all the Members of the League, if the Government of Costa Rica would reverse its decision and cooperate as formerly in the work of the League.

I am particularly happy to express the feelings with which the League would welcome Costa Rica, being myself a national of one of those American countries which have placed so many hopes in the beneficial action of the League of Nations for the development of international relations, the consolidation of the principle of equality of States, and the maintenance of the peace of the world.

I take the liberty of enclosing part of the minutes of the Council of March 9th, 1928, containing the speeches made by several members who expressed their desire that your country should once more become a member of the League, and I am happy to interpret the feelings of all my colleagues who, by requesting me to take this step, have no intention of expressing an opinion on the question which I have the honour to submit to the Government of Costa Rica, but only wish to inform Your Excellency of the sincere desire of the League of Nations as a whole, that the Republic of Costa Rica should once more take its place in our Organisation.

2. — INTERNATIONAL ENGAGEMENTS

Registration.

Among the treaties and international engagements registered in April figure :

A series of conventions between Belgium and Portugal, signed on July 19th, 20th, 21st and 22nd at Loanda, concerning health, economic, communications and territorial questions in Belgian-Congo and Angola, presented for registration by Belgium;

An Arbitration Treaty between Denmark and France, signed in Paris on July 5th, 1926, presented for registration by Denmark;

Commercial agreements between Haiti and Italy, Finland and Sweden, France and the economic union of Belgium and Luxemburg;

A Convention between Sweden and the U. S. S. R. concerning the rights and obligations of the U. S. S. R. Commercial Delegation in Stockholm, signed in Moscow, on October 8th, 1927, presented for registration by Sweden;

A declaration concerning the reciprocal recognition of tonnage certificates, signed at The Hague on December 24th, 1927, by the Netherlands and Sweden, presented by the Netherlands.

An Exchange of Notes between Finland and Japan, dated February 25th, 1928, concerning the suppression of passport visas between the two countries, presented for registration by Finland.

V. — The Technical Organisations.

1. — TWELFTH SESSION OF THE HEALTH COMMITTEE

The Twelfth Session of the Health Committee opened on April 30th in Geneva. The meeting was attended by the following members :

Dr. Th. Madsen, Chairman (Danish).
 M. O. Velghe, Vice-Chairman (Belgian).
 Dr. H. Carrière, Vice-Chairman (Swiss).
 Sir George Buchanan (British).
 Dr. Carlos Chagas (Brazilian).
 Dr. Witold Chodzko (Polish).
 Surgeon General H. S. Cumming (United States).
 Dr. Park, replacing Dr. J. H. L. Cumpston (Australian).
 Colonel J. D. Graham (British).
 Dr. C. Hamel (Allemand).
 Dr. N. M. J. Jitta (Netherlands).
 Prof. Ricardo Jorge (Portuguese).
 Dr. A. Lutrario (Italian).
 Prof. B. Nocht (German).
 Prof. Donato Ottolenghi (Italian).
 Dr. M. Tsurumi (Japanese).
 Dr. C. E. A. Winslow (United States).
 Dr. Nagayo (Japanese).

The session was preceded by meetings of various Commissions, such as the Permanent Commission for the standardisation of sera and biological products at Frankfort-on-Main, April 25th and 26th; the Smallpox and Vaccination Commission (April 25th and 26th) and the Cancer Commission (April 27th and 28th) at Geneva, and will be followed by a Conference of Laboratories and Serological Institutes on the sera-diagnosis of syphilis at Copenhagen on May 21st.

The agenda of the session includes a review of the work done by the Health Organisation since October; a study of the Medical Director's report and the reports of Committees and Commissions; plans for the work of the organisation in 1928 and 1929; the examination of the decisions adopted by the Council in December concerning the development of relations with Latin-America and interchanges of health officers in 1928 for which the Rockefeller Foundation has offered a supplementary credit of 25,000 dollars; reports by the President of the Health Committee and the Public Health Commissioner with the Government of India on the interchange held in India from January 1st to February 18th.

This interchange was attended by fifteen Health Officers from twelve Far-Eastern Administrations, namely, Australia, Ceylon, China, Egypt, the Federated Malay States, French, Indo-China, Japan, Dutch East Indies, New Zealand, Philippines, Siam and the Straits Settlement.

The President of the Health Committee attended the Third Session of the Advisory Council of the Singapore Epidemiological Intelligence Bureau, which was held at Delhi at the end of December. The agenda of the Eleventh Session also includes an examination of the President's report on this meeting, and of a report on the work of the Epidemiological Intelligence Bureau, in connection with the general development and functioning of the Service of Epidemiological Intelligence and Public Health Statistics.

The following member and expert advisers are taking part for the first time in the work the Committee : Colonel Graham, Public Health Commissioner with

the Government of India; Dr. Nagayo (Japanese) Director of the Tokyo Institute of Infectious Diseases, and Professor Winslow (United States), Director of the Public Health School of Yale University.

The session was also attended by Dr. Scoseria, who is on a special mission to Europe, with a view to developing cooperation between the Health Organisation and Latin America, and the Director of the Greek Public Health Services, Dr. Copanaris, who is in Geneva to examine the question of tuberculosis among the Greek refugees.

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The President of the Health Committee telegraphed to the Bulgarian and Greek Health Services offering to send a member of the League Health Section to cooperate in emergency measures in connection with the recent earthquakes.

The Bulgarian Health Service, having accepted this offer, Dr. Wroczyński (Polish), who took part in the work of the League Epidemic Commission in Greece, has left for Bulgaria.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *Meeting of representatives of Central banks.*

At the suggestion of the Financial Committee, representatives of the Information and Statistical Services of twenty-five banks of issue met from April 11th to April 17th in Paris, in the *Galerie dorée* of the Banque de France, under the chairmanship of M. Quesnay.

The Banks represented were : The National Banks of Austria, Belgium, Bulgaria, Czechoslovakia, Denmark, England, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Norway, Netherlands, Poland, Roumania, Kingdom of the Serbs-Croats-Slovenes, Spain, Sweden, and Switzerland, the Federal Reserve Bank of New York, and the Federal Reserve Board.

The discussions, which were limited to the work of the information and statistical services, were in no way concerned with problems of monetary policy. They were directed to the examination of the characteristic features of the different money markets, the volume of money and of credit, clearing statistics, the velocity of circulation, indices of economic activity, and, finally, to the definition of the different rates of money and the manner in which these rates are quoted. In all these discussions the primary object was to find means of rendering monetary statistics more comparable and more easy of interpretation. The meeting also discussed the conditions under which information on these subjects might be exchanged between banks.

Before dispersing the delegates recorded their sense of the great value of the exchange of views which had taken place during the week in which they had been working together at the invitation of the League of Nations, and expressed the conviction that the personal relations thus initiated would be found to be of permanent utility, and that their future development could not fail to be of advantage for the observation of monetary phenomena. They also expressed their cordial thanks to the Bank of France and to their Chairman for the many courtesies which had been extended to them throughout their work.

b) *Bills of exchange and cheques.*

The experts appointed by the Economic Committee to study the possibility of bringing into harmony the laws of the so-called continental type of bills of

exchange and cheques, met at Geneva from April 11th to 13th, with Professor Percerou (French) in the chair.

They drew up four draft conventions which, after being submitted to Governments for their observations, are to serve as a basis for the discussions of an international conference.

Generally speaking, the experts have endeavoured to establish principles which might serve as a basis for reducing the divergencies of the various laws of the continental type including those of Latin American countries. They came to the conclusion that the best method would be that States of the continental group should adopt certain rules which they would undertake to introduce into their legislation.

The first draft convention (bills of exchange) and the second (cheques) formulate certain rules capable of being generally accepted by the various States with a view to obtaining a certain uniformity in national legislation on the subject. The third and fourth conventions lay down rules for the solution of conflicts of laws which may arise from such divergencies as may continue to exist between the laws of the countries concerned, even after partial unification.

Such conflicts of laws may arise (a) between States parties to these agreements; (b) between States parties and States not parties to these agreements; and (c) between States not parties to these agreements.

It appeared to the Committee that the advantage of knowing exactly in advance what would be the law applied in a given case by the courts of a given country, might possibly induce countries which, for special reasons, desired to abstain from unification, to accede to conventions providing uniform solutions for problems raised by conflicts of laws.

The meeting was attended by M. J. Percerou (Chairman), Professor of Law at Paris University; M. Hans von Flotow, Privy Councillor, Berlin; M. Karel Hermann-Otavsky, Professor at Prague University; M. Xavier Janne, Barrister, Professor of Law at Liège University; M. Joseph Sulkowski, Professor of Law at Posen University; M. Max Vischer, Barrister and Solicitor, First Secretary of the Swiss Bankers' Association, Bâle; M. Auguste Weiller, Barrister, Delegate of the Fascist General Banking Federation, Milan.

c) Double taxation and tax evasion.

With a view to the publication of texts concerning the prevention of double taxation and tax evasion, as prescribed by the Council in September 1927, the Secretary-General has asked all States to communicate :

- (1) Any article in national laws providing, subject to reciprocity, for certain exemptions from taxation for the purpose of preventing double taxation, and
- (2) Any articles in their commercial treaties providing for the negotiation of conventions for the prevention of double taxation;
- (3) Any articles in commercial treaties for the prevention of double taxation.

The volume to be prepared will include a general table of texts for the prevention of double taxation and tax evasion including both those which are and those which are not in force. There will also be a bibliography of studies on double taxation and tax evasion and, in order to make it as full as possible, the Secretary-General has asked States Members for information as to the studies published in their country on the subject.

The collection will be submitted to a conference on double taxation and tax evasion which will be held in the latter half of 1928.

3. — INTELLECTUAL COOPERATION

a) *Formation of a German National Committee on Intellectual Cooperation.*

The German National Committee on Intellectual Cooperation was officially inaugurated on March 26th, 1928, at Berlin, under the Chairmanship of Dr. von Harnack, Privy Councillor. Some fifty members representing university and scientific interests have promised their cooperation, and it is hoped that the arts and letters will also be represented.

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A certain number of meetings arranged by the International Institute of Intellectual Cooperation took place in March and April. The more important concern :

b) *The coordination of International University Studies.*

There was a meeting of experts at Berlin from March 22nd to 24th study the coordination of international university studies.

Professor Jäckh was elected chairman. The Institute was represented by its Director, M. Luchaire, and the following institutions took part :

Deutsche Hochschule für Politik, Berlin; the Geneva School of International Studies; the University of Berlin; *Institut für Auswärtige Politik*, Hamburg; the Consular Academy, Vienna; *Centre européen de la Dotation Carnegie pour la Paix internationale*, Paris; *Seminar für orientalische Sprachen*, Berlin; the Institute of Politics, Williamstown (Mass); Paris University; the Institute of International Affairs, London; Rome University; the Academy of International Law, The Hague; *Institut universitaire de hautes études internationales*, Geneva; the International Committee on Intellectual Cooperation.

After submitting their reports on the work of the Institutes they represented, the experts passed resolutions with a view to the coordination of the work of establishments dealing with international university studies.

c) *Third Session of the Committee of Representatives of the International Students Organisations.*

The Third Session of the Committee of Representatives of International Students Organisations was held from April 23rd to 25th in Paris. This meeting had been summoned at the Institute of Intellectual Cooperation and included delegates from seven associations : (The International Students' Confederation, The International Student Service, The International Federation of University Women, The World Student Christian Federation, The International University Federation for the League of Nations, the Pax Romana and the World Union of Jewish Students).

A member of the International Labour Office attended the meeting at which M. de Reynold, member of the Committee on Intellectual Cooperation, presided.

The questions discussed were of a practical nature. They included the question of the unemployment in connection with brain workers, international students statistics, a scheme for an international university year-book; the appointment of delegates to the University Relations Section of the International Institute, the creation of an international university sanatorium at Leysin, a study of methods of self-help and mutual aid and the cooperative organisation of students, the coordination of the dates of international students' conferences, the encouragement of foreign studies, the distribution of the international students' identity card, a study of the most suitable means of making known the travelling facilities for students already granted by Governments and travelling agencies and how to obtain

these facilities, the encouragement of international studies and, in particular, of studies concerning the work of the League of Nations.

d) Meeting of Directors of National University Offices.

From April 17th to 18th there was a Third Annual Meeting of Directors of National University Offices who came together at the invitation of the International Institute of Intellectual Cooperation. The national university offices deal with the relations between their own and foreign universities.

The delegates of the national offices studied, in particular, questions concerning the movements of professors and students between the different countries; the obstacles (difference of language, cost of living, depreciated currency) to the international exchange of professors and students; the equivalence of university degrees, special courses for foreigners (these courses being more and more numerous and attracting more and more people); measures to facilitate students' travels and to enable them to benefit as far as possible by these travels. There was an exchange of views on the protection of university degrees and the publication of studies conducted in university institutes.

These exchanges of views are intended to clear the way for international agreements. In this connection the Institute of Intellectual Cooperation has also undertaken several enquiries; for instance, it is studying, at the request of the American Council of Education, the organisation of scholarships for foreigners in Europe.

At this year's meeting the number of countries represented had increased, the members attending being Professor C. Remme (Germany), M. Ch. du Bus de Warffame (Belgium); M. C. A. Bodelsen (Denmark); Dr. Stephen P. Duggan and Professor C. Vibbert (United States); Professor L. Eisenmann and A. Desclos (France); Professor G. Remoundos (Greece); Mme Fekete-Techert (Hungary); M. Amedeo Giannini (Italy); Professor N. van Wijk (Netherlands); Professor O. de Halecki (Poland); M. C. Zaharescu (Roumania); and Professor E. von Waldkirch (Switzerland).

VI. — Administrative Questions.

APPOINTMENT OF THE PRESIDENT OF THE DANZIG PORT AND WATERWAYS BOARD

The League High Commissioner at Danzig has informed the Secretary-General that the Polish and Danzig Governments have agreed to extend the appointment of M. de Loes (Swiss) as president of the Danzig Port and Waterways Board for a further period of three years from April 24th, 1928. M. de Loes has agreed to remain in office for this period.

VII. — Political Questions.

ANNUAL REPORT OF THE STRAITS COMMISSION

The Secretary-General has received the annual report of the Straits Commission for 1927.

This Commission, which operates at Constantinople under the auspices of the League, was set up under the Convention signed at Lausanne in 1923 by Great Britain, France, Italy, Japan, Bulgaria, Greece, Roumania, the Union of Socialist Soviet Republics, the Serb-Croat-Slovene Kingdom and Turkey. It is composed

of representatives of the Powers which have ratified the convention, namely, Bulgaria, France, Great Britain, Greece, Italy, Japan, Roumania and Turkey, and is presided over by its Turkish member, Admiral Vassif Pasha.

The 1927 report is in two parts, one dealing with the work of the Commission in 1927, the other containing information on conditions of passage through the Straits for vessels and airships.

The Commission observes that the information service on the passage of war vessels through the Straits is working smoothly and satisfactorily. In 1927 the Governments represented on the Commission were notified of the latter's desire to be kept informed of any abnormal circumstances in connection with passage, and more particularly of such as might tend to deprive the Straits of their character as a transit zone. At the end of 1927, the Turkish Government closed the Gulf of Ismidt to foreign warships, and the Commission proposes to examine carefully any questions raised in connection with this measure.

As in 1926, the Commission requested and received from the coastal States of the Black Sea information on the composition of their naval forces in these waters.

The Commission reports on changes to administrative regulations made at its suggestion, and calculated to make it easier for navigation companies to exploit their lines. Where it has been impossible to amend regulations, instructions were given by the Turkish authorities for them to be applied in a liberal spirit. The Commission also notes measures for the practical solution of questions such as the exercise of local maritime control, the use of wireless on board ships, supplies at Constantinople for ships in transit, etc. On these subjects there were exchanges of views between the Turkish authorities and foreign navigation companies in Constantinople.

The Commission expresses the wish that Turkish law now being prepared may in the near future authorise ships passing through the Straits to use their wireless apparatus subject to the usual international regulations.

As regards health questions, the Commission makes several recommendations; one concerning the prompt ratification of the decisions of the Paris Health Conference (1926) which would result in the virtual suppression of the sanitary inspection of ships in transit, another concerning the appointment at the earliest possible date of three European specialists as administrative health counsellors on the Turkish frontiers, who would cooperate in establishing regulations for the coastal and frontier health service.

The Commission observes that the life-saving service in the Black Sea has been improved, that increasing special facilities were granted in 1927 to merchant ships passing through the Straits, and that certain formalities were suppressed. On the other hand, while recognising that as regards merchant ships, the Turkish health, police and customs services have been improved, the Commission draws attention to the desire of the navigation companies concerned that these three inspections should take place simultaneously.

The second part of the report contains the body of regulations applicable from January 1st, 1928, to sea and air traffic. These regulations are based on the provisions of the Straits Convention or on the Turkish regulations in force.

There are several annexes, in particular, regulations for foreign warships and auxiliary vessels and aircraft accompanying them on visits to the ports and territorial waters of the Turkish Republic, as well as a tabular statement of the maritime traffic in the Straits in 1927.

In accordance with the Council resolution of June 16th, 1927, this report has been forwarded to the Members of the Council and to the signatories of the Straits Convention.

VIII. — Social and Humanitarian Questions.

ELEVENTH SESSION OF THE ADVISORY COMMITTEE ON TRAFFIC IN OPIUM

The eleventh session of the Advisory Committee on Traffic in Opium was held at Geneva from April 12th to 27th under the chairmanship of Dr. Carriere, Director of the Swiss Health Office.

During this session, the Committee discussed in particular the position as regards the ratification of the Geneva Opium Convention of 1925, the Progress Report of the Secretariat, the annual Reports submitted by Governments, the situation in the Far East, the problem of the illicit traffic, the relations of the Committee with the Central Board contemplated in the Geneva Convention, M. Cavazoni's proposal concerning the administrative control of the drug traffic, the Swedish reservation to Article 6 of the Geneva Convention, etc.

Progress Report. — The Committee took note of the Progress Report prepared by the Secretariat showing how and to what extent its resolutions had been put into effect, particularly as regards measures to suppress the illicit traffic.

It suggested that the attention of Governments should be drawn to the necessity of stating in their annual reports what action had been taken with regard to narcotics seized, and of furnishing any other particulars that might be of use.

Illicit Traffic by post. — The Committee again examined the question of postal traffic and possible abuses thereof. It instructed its Chairman to discuss with the Committee of the International Postal Union how suggestions for the suppression of illicit traffic by post could be brought before the Union Conference to be held in London in 1929.

Free Ports. — The Committee noted further information received from Governments on the subject of free ports and free zones.

A summary of the information received will be drawn up by the Social Section with the help of the Transit and Economic Sections.

Unification of statistics. — The Committee considered the replies received from certain Governments to a request to show in their statistics only the quantities of narcotics actually imported or exported and not those for whose importation or exportation authority may have been given. This raised another question — that of gross and net weight. It had been found that in certain statistics the weight given for consignments was the gross and not the net weight.

The Committee decided to call the attention of Governments to this point and to ask them to base their statistics on the net weights of the narcotics imported or exported.

Ratification of the Geneva Convention. — The Committee noted that the Geneva Convention of 1925 had been ratified by sixteen States, including four members of the Council — France, Great Britain, Finland and Poland. The Committee thought that it was possible to hope that the Convention might come into force before the end of 1928.

The Swedish Reservation. — The Committee had been instructed by the Council to examine the reservation on which the Swedish Government had made its ratification contingent. This reservation raises certain points in connection with paragraph (c) of Article 6 of the Geneva Convention which requires that chemists shall either enter sales in their books or file the prescriptions.

After proceeding to a fresh examination of this question, the Committee decided to inform the Council that it was not in favour of the acceptance of the reservation.

List of drugs covered by the Convention. — In 1925 the Committee had appointed a Sub-Committee to prepare a list of the drugs covered by the Convention. On the basis of data furnished by various Governments, the Sub-Committee drew up a provisional list which had to be completed. As one of its members had retired and had not been replaced by an expert in pharmacology, the Advisory Committee decided to add two experts to this Sub-Committee, namely Dr. Knaffl-Lenz, Professor at Vienna University and Dr. Burg, Professor at the University of Berne.

Relations between the Permanent Central Board and the Advisory Committee on Traffic in Opium. — In December, 1927, the Italian representative on the Council, M. Scialoja, suggested that the Secretary-General should be requested to constitute the Secretariat of the Central Board as an integral part of the Social Section of the League Secretariat.

The Committee, being invited to give its opinion, adopted by a majority a resolution put forward by M. Bourgois, France, stating that M. Scialoja's proposal is in conformity with Article 20 of the Convention which invites the Secretary-General to ensure the working of the administrative services of the Central Board.

The Committee adjourned until its next meeting its examination of its relations with the Central Board.

Annual reports of Governments. — As usual, the Committee took note of the annual reports submitted by Governments on the drug problem. On this occasion, its members explained the policies of their Governments with regard to the control of the trade in narcotics, the Japanese delegate furnishing important information with regard to the extraction of raw morphine from smoking opium in Formosa.

Graphs. — With a view to presenting official statistics in a new and convenient form and thus facilitating the work of the Committee, one of its assessors, M. Brenier, had prepared a certain number of graphs which the Committee examined and discussed.

These graphs are established on the basis of official data bearing on 1921, 1925 and 1926 and give information on the production, manufacture, export and consumption of opium and morphine. The data are classified as follows :

1. Opium producing countries.
2. Morphine manufacturing countries.
3. Smoking countries.

In this connection, the question of codeine was raised. This product is manufactured from morphine and it was thought that this fact might invalidate the statistics concerning the manufacture of morphine since codeine did not come within the scope of the Convention.

The Committee accordingly expressed the opinion that Governments should obtain from manufacturers all necessary information concerning the quantities of morphine employed in manufacturing codeine and in general for the manufacturing of products which did not come within the scope of the Convention. It considered that only in this way it would be possible adequately to supervise the manufacture and use of morphine.

Situation in the Far East. — After examining the position as regards the anti-drug campaign in the Far East, the Committee decided to ask the Secretary-General to remind the Persian Government of the resolution adopted by the 1927 Assembly, inviting that Government to keep the League informed of the progress made in

carrying out the scheme proposed for the gradual diminution of the cultivation of the opium poppy in Persia.

With regard to China, the Committee heard a statement by Mr. Lyall, one of its assessors, on the general situation in this country. Mr. Lyall emphasised the fact that the contraband trade in narcotics which existed on a very large scale was a serious danger to China. He pointed out the absolute necessity of taking energetic steps to counteract this situation.

The Chinese delegate described the situation caused in China by the smuggling of narcotics from other countries. He requested the various Governments to co-operate to the fullest possible extent with the Chinese Government in order to enable the latter to combat effectively the illicit traffic from which it was suffering so heavily. He reminded the Committee that the Peking Government had forbidden the cultivation of the opium poppy and that the opium monopoly established by the Nankin Government had been abolished by Decree of March 30th, 1928.

The illicit traffic. — From the documents submitted, the Committee was able to note that the situation as regards the illicit traffic was still highly unsatisfactory. The seizures effected in various countries, particularly in the Far East, still concerned considerable. During the discussion several members described various devices employed by traffickers. This examination, further, showed that while the contraband traffic was being vigorously dealt with in many countries and in a way that already given good results, it was nevertheless necessary to increase and strengthen these measures by a general system of certificates. The Committee considered that the attention of Governments should be drawn to the necessity of inflicting on traffickers heavy penalties, such as imprisonment and fines, in view of the profits obtained from their transactions.

The Committee also decided to invite the Council to draw the attention of Governments to the necessity of controlling traffic in benzoyl morphine.

The Committee reached the conclusion that the situation still gave cause for anxiety and, in view of the possibility that the Convention might very shortly come into force, it expressed the hope that as a result of the general extension of the supervisory measures, more particularly licences and certificates, and of the constitution of the Central Board, it would be possible to discover with greater certainty and accuracy the sources from which the illicit trade derived its supplies and thus to solve the problem of the illicit traffic.

M. Cavazzoni's proposal. — In October last the Italian member of the Committee, M. Cavazzoni, submitted a memorandum proposing a system of supervision which he considered might give effective results. The matter was referred to a Sub-Committee, composed of Dr. Anselmino (Germany), M. Bourgois (France), Dr. Carrière (Switzerland), Sir Malcolm Delevingne (Great Britain), M. van Wettum (Netherlands), and M. Cavazzoni himself. The Sub-Committee was asked to draw up, on the basis of this memorandum and material supplied by eight of the delegates to the plenary Committee a species of code for the supervision of the traffic in narcotics.

The Sub-Committee met some days before the plenary Committee and submitted a report which the latter adopted and proposed to communicate to Governments. The Sub-Committee found that while certain of the provisions of the memorandum could be adopted, others were new departures, foreign to the methods of supervision now in force, and more difficult to apply.

The methods contemplated by the Sub-Committee are the centralisation and unification of the control, licences, guarantees to be furnished by traders etc. It also contemplated a series of standard regulations to be recommended to Governments, with a view to suppressing the illicit traffic.

The meeting was attended by the following members :

Dr. Carrière (Chairman) (Switzerland).
M. Fotitch (Vice-Chairman) (Kingdom of the Serbs, Croates and Slovenes).
Dr. Anselmino (Germany).
M. Bourgois (France).
Sir John Campbell (India).
M. Chao (China).
Dr. Cuellar (Bolivia).
Sir Malcolm Delevingne (Great Britain).
M. Cavazzoni (Italy).
M. Sato (Japan).
M. W. G. van Wettum (Netherlands).
M. Ferreira (Portugal).
Prince Charoon (Siam).
Prince Vipulya (Siam).

Mr. Kenneth Caldwell (United States of America).
Mr. Pinkney Tuck (United States of America).

Assessors.

M. Brenier.
M. Lyall.

The Committee decided to hold its next ordinary session in the second fortnight of January 1929.

IX. — Other Questions.

1. — MEETING OF THE SUPERVISORY COMMISSION

The Supervisory Commission met on April 27th at Geneva with Mr. Stefan Osusky, Czechoslovak Minister in Paris in the chair, to examine the League budget for 1929 and the audited accounts for 1927 of the League Secretariat, the International Labour Office and the Permanent Court of International Justice, together with certain other budget and administrative questions.

The meeting was attended by M. Reveillaud (France), M. Nederbragt (Netherlands), M. Parra-Perez (Venezuela), Lord Meston of Agra (India).

2. — THE GRAECO-BULGARIAN EARTHQUAKES

The Secretary-General of the League has addressed to the Bulgarian and Greek Foreign Ministers the following telegrams :

TELEGRAM TO THE BULGARIAN FOREIGN MINISTER.

We have been profoundly grieved to learn of the terrible disaster which has stricken the Bulgarian nation at a moment when it was engaged in reconstruction work. On behalf of the Secretariat of the League of Nations I beg you to convey to His Majesty the King, to your Government and to the Bulgarian people our sincere condolences and our deep sympathy.

TELEGRAM TO THE GREEK FOREIGN MINISTER.

The news of the terrible disaster which has stricken the district of Corinth—famous in the history of civilisation—has caused us profound emotion. On behalf of the Secretariat of the League of Nations, I beg you to convey our heartfelt sympathy to the Greek Government and people.

The Bulgarian and Greek Governments have replied as follows :

TELEGRAM FROM THE BULGARIAN GOVERNMENT.

I have been greatly touched by the sympathy that you express on behalf of the League of Nations on the occasion of the disaster in Southern Bulgaria and thank you very sincerely. I shall not fail to transmit to His Majesty and to the Bulgarian Government and people your heartfelt condolences. In this moment of distress, it is a great consolation that an institution which has so many times proved its goodwill towards our country show such sympathy in our present trouble.

(signed) BOUROFF,
Minister of Foreign Affairs.

TELEGRAM FROM THE GREEK GOVERNMENT.

The sincere sympathy of the League of Nations Secretariat in these distressful circumstances is greatly appreciated by the whole country. On behalf of the Greek Government and people I tender my most cordial thanks for this mark of the deep sympathy of the Geneva institution.

(signed) ZAIMIS,
President of the Council.

3. — NEW PUBLICATIONS OF THE LEAGUE OF NATIONS

a) *Memorandum on Production and Trade.*
1913 and 1923-1926.

The Economic and Financial Section of the League of Nations has published a second edition of its memorandum on Production and Trade. The first edition was published for the Economic Conference, which expressed the wish that this work should be continued.

The first edition deals with 1913, 1923, 1924 and 1925, and describes the changes in world population since 1923, in the production of basic raw materials and foodstuffs and in the quantum of world trade and its distribution.

The second edition bears on 1926 and contains, for the first time, a study of the purchasing power of a unit of manufactured commodities in terms of raw materials and foodstuffs before and after the war.

It should be noted that the statistics on which the general results of the memorandum are based are in some cases defective and of doubtful comparability. For this reason importance should be attached, not so much to the absolute magnitude of this or that figure, as to the direction towards which the whole mass of accumulated data tends to points.

The general conclusions of the memorandum are as follows :

(a) By 1926, world production of basic raw materials and foodstuffs was about 17 per cent greater than before the war, world trade about 10 per cent greater and world population about 6 per cent greater.

The world is accordingly richer per head of population and there is a greater international exchange of goods.

(b) The production of foodstuffs has not grown so rapidly as that of industrial raw materials. In 1926, the foodstuffs index was 109/10 and the raw materials index about 127 per cent.

(c) The harvest in Europe in 1926 was less abundant than in 1925 and general economic conditions were further adversely affected by the British coal dispute. As a result, the European production index fell from two points above to one or two points below the pre-war level, and the trade index dropped one point to exactly 10 per cent below that of 1913.

(d) The British coal dispute naturally influenced most the Western and Maritime group of European countries, in which the United Kingdom is included. In consequence, the production index of the Central and Eastern countries (exclusive of Russia), although lower than in 1925, was practically equal to that of the rest of Europe. The quantum of trade of these countries remained, as in 1925, about one-sixth short of what it had been in 1913.

(e) The trade of Eastern and Central Europe, including Russia, was likewise the same in 1925 and 1926, and, owing largely to the great decrease in post-war Russian trade, 25 per cent below the 1913 level.

(f) But, on the basis of the available published information, the effect of the inclusion of Russia is to raise the production index of this group of countries from 92/5 to 102 — a result due largely to an apparent enormous increase in the Russian potato crop.

(g) Progress in the rest of the world in recent years has been much more rapid than in Europe, though certain countries, more especially in Central America and Africa, were affected by the fact that the 1926 harvest was considerably smaller than that of 1925.

(h) In North America the population is between one-fifth and one-fourth, the production of raw materials and food stuffs not far from one-third and the foreign trade one-half, greater than in 1913.

(i) The population of South America has grown slightly more rapidly than that of North America. The indices of raw-materials and foodstuffs production of these two continents are about the same. But South American trade is only 4 per cent greater than in 1913.

(j) The group of Caribbean countries present a remarkable contrast, for their population has only increased by some 5 per cent, while foreign trade is 33 and production 60 per cent higher.

(k) The growth of production in Oceania is of the same order of magnitude as that of South America. The increase in the foreign trade of Oceania slightly exceeds that of the Caribbean group and its population has grown by one-fifth.

(l) The growth of population in Asia (5 per cent) and Africa (9 per cent) has been much less rapid than in America and Oceania. But the production of Asia is one-fifth to one-quarter greater and its trade is half as large again as it was in 1913. In Africa production has risen by 40 per cent and trade by 12 per cent.

The Memorandum draws attention to the fact that the development of industry has been more rapid than the growth in the production of raw materials, and that the rapid development in the production and exchange of commodities in America, Asia and elsewhere has resulted in important changes in the relative shares contributed by the different groups of countries to the world totals. Thus Europe's share in the international trade of the world has fallen by 18 per cent (from 58.5 per cent to 47.9 per cent of the total). The share of North America has risen by 36 per cent, that of the whole American continent by 23 per cent and that of Oceania likewise by 23 per cent. But the share of Asia has increased most, namely, by 39 per cent, while that of Africa remains practical unchanged.

The changes in the contributions of the various continents to the total production of the goods here considered are less marked. The share of Europe has shrunk by 15 per cent, that of the American continent and the joint share of Africa and

Oceania have each increased by a little less than 15 per cent and that of Asia by about 5 per cent.

The changes that have taken place in the distribution of the population of the world are negligible.

b) *Index cards to the publications of the League of Nations* ⁽¹⁾.

Index cards similar to those issued by the Washington Library of Congress are now available for the publications of the League of Nations. Each document is recorded under the necessary headings, such as section of origin, or author, exact title, subject, etc. The date of publication, the price and official number of the document is stated on each entry. The size of the cards is 12.5 × 7.5 cm (about 4 3/4 × 3 ins.).

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X. — Forthcoming Events.

- May 18th : Conference on the Sero-Diagnosis of Syphilis, Copenhagen.
- May 22nd : Committee of Telegraphic and Press Experts, Paris.
- May 26th : Interchange of Public Health Officers, Ljubljana.
- May 30th : Financial Committee, Geneva.
- June 4th : Fiftieth Session of the Council, Geneva.
- June 4th : Committee on Experts on Tariff Nomenclature, Geneva.
- June 12th : Permanent Mandates Commission, Geneva.
- June 18th : Special Committee on the Jurisdiction of the European Commission of the Danube, Vienna.
- June 20th : Meeting of Experts on Veterinary Questions, Geneva.
- June 22nd : Committee of Experts for the Progressive Codification of International Law, Geneva.
- June 25th : Malaria Commission, Geneva.
- June 25th : Economic Committee, Geneva.

(1) See *Advertisements*.

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PUBLICATIONS DEPARTMENT

LEAGUE OF NATIONS

GENEVA

MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VIII. No. 5.

Published on June 15th, 1928.

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I. — Summary of the Month.

The convocation of the ninth ordinary session of the Assembly and the first meeting of the Consultative Economic Committee were the principal League events in May. The Health Committee continued in session until May 5th. A Committee of Telegraphic and Press Experts met on the 22nd and the Financial Committee on the 30th.

The Consultative Economic Committee met on May 14th in Geneva. This Committee, which is constituted on the same lines as the Preparatory Committee for the Economic Conference, was appointed to supervise the execution of the resolutions of the Economic Conference of 1927. At its first meeting it drew up a report on the general economic position since the Conference and made several recommendations for the future economic work of the League.

The object of the meeting of telegraphic and press experts, which was held in Paris on May 22nd, was to discuss possible action on recommendations of the

Conference of Press Experts concerning questions of priority and, in general, the importance of telegraphic, telephonic and wireless communications.

A statement was received from the Japanese Government on the incidents between the Japanese and Chinese troops at Tsi-nan-fu. A communication was also received from the Nanking Government.

The Saar Governing Commission sent in its thirty-third quarterly report on the situation in the Saar territory.

The International Institute for the Unification of Private Law was inaugurated on May 30th.

A new Case, that of Serbian loans in France, was submitted to the Permanent Court of International Justice.

II. — The Permanent Court of International Justice ⁽¹⁾.

1. — RESIGNATION OF JUDGE BASSETT MOORE

The Council has accepted this resignation conditionally, subject to concurrence by the Assembly. Accordingly, the Secretary-General has taken the necessary steps with a view to making possible the election of Mr. Moore's successor at the next session of the Assembly.

2. — SERBIAN LOANS ISSUED IN FRANCE ⁽²⁾

On April 19th, the French Foreign Minister, M. Briand, and M. Spalaikovitch, Minister of the Serb, Croat, Slovene Kingdom in France, signed a Special Arbitration Agreement submitting for decision by the Permanent Court of International Justice certain questions concerning the payment of various Serbian Loans floated in France.

The Special Agreement, after having been ratified on May 16th, was notified to the Registry of the Court by letter from the French Legation at the Hague dated May 24th and by letter from the Serb, Croat, Slovene Legation in London dated May 25th.

The questions thus submitted to the Court are as follows :

a) whether, as held by the Government of the Kingdom of the Serbs, Croats and Slovenes, the latter is entitled to pay in paper francs the service of its 4 % 1895, 5 % 1902, 4 1/2 % 1906, 4 1/2 % 1909 and 5 % 1913 loans, as it has hitherto done;

b) or whether, on the contrary, the Government of the Kingdom of the Serbs, Croats and Slovenes, as held by the French bondholders, is under an obligation to pay in gold or in foreign currencies and at the places indicated hereinafter, the amount of bonds drawn for redemption but not refunded and of those subsequently drawn, as also of coupons due for payment but not paid and of those subsequently falling due for payment of the Serbian loans enumerated above and in particular :

1) with regard to the Serbian 4 % loan of 1895, whether holders of bonds of this loan are entitled, whatever their nationality may be, to obtain, at their free choice, payment of the nominal amount of their coupons due for payment but not paid and of those subsequently falling due for payment, as also of their bonds drawn for redemption but not refunded and of those subsequently drawn, at Paris, London, Berlin, Vienna, Geneva and Belgrade, in the currency in circulation at one of these places;

(1) This chapter has been prepared on the basis of information furnished by the Registry of the Court.

(2) This chapter has been prepared on the basis of information furnished by the Registry of the Court.

2) with regard to the 5 % 1902, 4 1/2 % 1906, 4 1/2 % 1909 and 5 % 1913 loans and, subsidiarily with regard to the abovementioned 4 % loan of 1895, whether holders of these bonds are entitled to obtain payment of the nominal amount of their coupons due for payment but not paid and of those subsequently falling due, as also of their bonds drawn for redemption but not refunded and of those subsequently drawn, in gold francs at Belgrade, Paris, Brussels and Geneva, or at the equivalent value of the said amount at the exchange rate of the day in the local currency at Berlin, Vienna and Amsterdam, in so far as concerns the 1902, 1906 and 1909 loans;

3) lastly, how is the value of the gold franc to be determined as between the parties for the abovementioned payments.

As soon as the Courts' decision on this point has been given, negotiations are to follow between the Government of the Kingdom of the Serbs, Croats and Slovenes and the representatives of the bond-holders in order to avert difficulties which might accrue from a strict application of the solution indicated purely according to law. The Special Agreement contains the following on this subject :

It is understood that, within one month from the delivery of the decision to be given on the question formulated in Article 1, the Government of the Kingdom of the Serbs, Croats and Slovenes and the representatives of the bondholders will enter into negotiations with a view to concluding an arrangement which,

1) in the event of the Court's award being in accordance with the views of the Government of the Kingdom of the Serbs, Croats and Slovenes, will determine whether considerations of equity do not require that the Government of the Kingdom of the Serbs, Croats and Slovenes should make the bondholders certain concessions over and above that which—in the event of an award by the Court in favour of its conventions—it would be strictly obliged to do.

2) in the event of the Court's award recognising the justice of the claims of the bondholders, will make to the Government of the Kingdom of the Serbs, Croats and Slovenes, having regard to its economic and financial situation and capacity for payment, certain concessions over and above that which it would be strictly entitled to claim.

Should the negotiations thus provided for fail, the President of the Court may once more be called upon to intervene, namely in order to appoint arbitrators. In regard to this the Special Agreement provides as follows :

Failing the conclusion of such an arrangement within three months from the commencement of the negotiations contemplated in paragraph 1 of this Article, either of the two contracting Parties may submit the question of the concessions referred to in the preceding paragraph and of the method of giving effect to them to one or more arbitrators, who shall be appointed within two months from the expiration of the preceding time limit, by agreement between the French Government and the Government of the Kingdom of the Serbs, Croats and Slovenes, or, failing such agreement, by the President of the Permanent Court of International Justice.

The Case will probably be ready for hearing towards the end of this year. The times for the written proceedings have not yet however been fixed.

3. — NEXT SESSION OF THE COURT

The Fourteenth (ordinary) session begins on June 15th next. The Court will sit with all its ordinary judges except Mr. Moore; to replace him, Mr. Beichmann, deputy judge, has been summoned to attend.

The following cases are now pending before the Court :

(a) the Chorzow Case (claim for indemnities). This Case, which is between Germany and Poland, is ready for hearing, as the written proceedings have been concluded.

(b) the Case between France and Switzerland concerning the Free Zones of Savoy and the District of Gex.

(c) the Case between Brazil and France, concerning the Brazilian Federal Loans floated in France.

(d) the Special Arbitration Agreement between France and the Serb-Croat-Slovene State, submitting to the Court a case concerning the payment in gold of the Serbian loans floated in France, was ratified on May 16th, 1928.

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The consent of the Greek and Turkish Governments was obtained on May 5th, 1928 to compliance with a request made by the Mixed Commission for the exchange of Greek and Turkish populations to the effect that, through the Council, an advisory opinion should be obtained from the Court upon a point regarding the competence of the Commission.

III. — Legal and Constitutional Questions.

1. — CONVOCATION OF THE NINTH ORDINARY SESSION OF THE ASSEMBLY

The Acting President of the Council, M. Urrutia (Colombia) has convened the ninth session of the Assembly for Monday, September 3rd, 1928 at Geneva.

The agenda includes the report on the work of the Council and on measures taken to execute the decisions of the Assembly, which covers the work of the League since the last ordinary session. The work on arbitration, security and the reduction of armaments is included in the Report which further contains a survey of the work of the technical and advisory organisations and Committees (The Economic and Financial Organisation, the Health Organisation, the Organisation for Communications and Transit, the Committee on Intellectual Cooperation, the Committee on Traffic in Opium and the Commission for the Protection and Welfare of Young People) since September 1927.

The Assembly will consider the work of the Committee for the Progressive Codification of International Law and the preparatory work for the First Codification Conference.

The question of the League building will also come forward.

In accordance with the rules adopted on September 15th, 1926, the Assembly will elect three non-permanent Members of the Council.

2. — RELATIONS BETWEEN BRAZIL AND THE LEAGUE

The Brazilian Foreign Minister has replied as follows to the invitation embodied in the Council resolution of March 9th to continue to collaborate in the work of the League :

Monsieur le Président (1),

I have the honour to acknowledge receipt of Your Excellency's letter together with the text of the resolution on the relations between Brazil and the League of Nations adopted by the Council at the sitting held on March the 9th.

I hereby renew to Your Excellency and to the Council the thanks I had the opportunity of expressing on answering the telegram in which you informed me of that resolution and advised me of the despatch of the documents which I

(1) Translation supplied by the Brazilian Government.

have now received. I must furthermore express Brazil's appreciation of the very cordial terms in which these resolutions are worded.

On the 10th and 12th of June 1926, Brazil announced her intention of withdrawing from the League of Nations, setting forth fully the grounds for her action. The facts which preceded that decision of the Brazilian Government are well known. The widest publicity was given to the occurrence in its divers phases, and to all commentaries aroused by it.

The Government now responsible for the policy of Brazil, duly considering the subject, both from the political and from the moral standpoint, reviewing all the documents of the case, with the sole purpose of being loyal to the duties and responsibilities of this country, find no determining factor for altering, under such delicate circumstances, a situation which had already been clearly defined, since the contingencies which brought it about are nowise changed.

If, therefore, collaboration with the League of Nations implies permanence as a member thereof, the Brazilian Government are the first to regret that the present circumstances should not allow such collaboration.

It would appear to me, however, that it is not only by occupying a seat in the Assembly or in the Council that a country can collaborate with the League of Nations. Such countries collaborate as recognise its service to civilisation and to humanity. Countries that do honour to the great organisations, created by the League of Nations, amongst which the Permanent Court of International Justice stands foremost, and join in the conferences through which the League of Nations strives for universal welfare by working out problems of general interest, rightly consider themselves collaborators. Lastly, it is clear that support is also brought to the League of Nations by those countries that preach and practice, in whatever part of the world they may lie, to the utmost of their power, the true policy of preserving peace, in no matter what emergency, by the employment of juridical solutions, by their disinterestedness, by their amity and by their spirit of justice and of concord.

Collaboration being thus understood, I beg Your Excellency and the Council to consider my country one of the most devoted co-operators of the League of Nations, and if, in the future, Brazil finds it possible to return thereto she will only have ground for rejoicing both at the honour of being once more a member and at the facts in consequence of which her return to that great Institution will have been made possible. Brazil sincerely wishes that the blessings of mankind may be showered ever increasingly upon the League of Nations.

I avail myself of this opportunity to present to Your Excellency the assurance of my highest consideration.

(Signed) Octavio MANGABEIRA.

3. — INTERNATIONAL ENGAGEMENTS

Registration.

Among the Treaties and Agreements registered by the Secretariat in May figure :

A Treaty of Conciliation and Judicial Settlement between Italy and Lithuania (Rome, September 17th, 1927).

An Agreement between France and Germany concerning commerce between the Saar and Germany (Paris, August 5th, 1926) and a Protocol prolonging this Agreement (Paris, February 16th, 1927).

Commercial Treaties and Agreements between France and Italy, France and Switzerland, Italy and Lithuania, Hungary and Turkey, Germany and Turkey.

A Convention of Friendship and Commerce between Switzerland and Afghanistan.

Treaties of Establishment between Hungary and Turkey, Germany and Turkey, Switzerland and Turkey.

Agreements concerning the abolition of passport visas between Finland and Sweden, Austria and Czechoslovakia, Japan and Norway.

A Consular Convention between France and Poland.

An Agreement on the reciprocal recognition of tonnage services between Germany and Latvia;

- A Convention on Air Navigation between France and Spain;
- Conventions on extradition, legal assistance in penal matters and legal assistance in civil and commercial matters between Belgium and Czechoslovakia (Brussels, July 1927);
- Agreements between Poland and Germany concerning mineral deposits divided by the Germano-Polish frontier; and
- A Convention between Germany and Poland concerning assistance for the unemployed and unemployment insurance.

IV. — The Technical Organisations.

1. — THE HEALTH ORGANISATION

Twelfth session of the Health Committee.

The twelfth session of the Health Committee was held at Geneva from April 30th to May 5th with Dr. Madsen in the Chair.

Decisions of the Assembly and Council and the Medical Director's Report. — The session began with a discussion of the decisions of last Assembly and of the Council meetings of December and March concerning the Health Organisation. The Committee particularly noted the approval by the Council of its plans for developing the work of the Health Organisation in Latin America and the appreciation expressed by the Council to the Rockefeller Foundation for the additional sum of 25,000 dollars granted by the Foundation for interchanges of medical officers of health during 1928, thus raising the Foundation subsidy for this purpose to 50,000 dollars. The Committee then reviewed the work accomplished since its October session as set forth in the Medical Director's report.

Revision of the A. A. Cable code. — The cable code used by the Singapore branch of the League Epidemiological Intelligence Service is being revised so as to make it serviceable for the telegraphic exchange of epidemiological intelligence between the health services of all parts of the world. Further suggestions are being received from various sources and as soon as the approved code has been prepared it will be submitted to administrations chiefly interested for further suggestions and approval.

Epidemiological Intelligence Bureau at Singapore. — The Committee expressed its satisfaction at the continued development, growth and usefulness of its Singapore Bureau. The Bureau is now in weekly telegraphic communication with 140 ports, which is the maximum useful number until it becomes possible to add Chinese ports. The Epidemiological sub-centre at Melbourne now sends regular cables to the Bureau regarding health conditions in the Pacific Islands. In many cases the information sent covers whole countries as well as their ports.

The weekly wireless bulletin, thus improved, is transmitted by an increasingly efficient network of wireless. It is sent by a number of powerful stations in code, and a summary in clear is retransmitted by smaller stations, so that the opportunities for picking it up are much greater, especially for ships at sea. The amount and value of information in regard to infected ships have also been much improved. In addition thirty-five Far Eastern public health administrations now notify the Bureau usually by cable of the arrival of infected ships at their ports.

The President of the Health Committee gave a report of the Delhi meeting of the Advisory Council of the Singapore Bureau which he attended, as did Colonel Graham, chairman of the Advisory Council, member of the Health Committee and Public Health Commissioner with the Government of India.

The Committee took note of the report of the Expert Plague Commission and emphasised the importance of the recommendations of the Advisory Council concerning the collection of detailed information regarding the quarantine stations of the East and their value, the continuation of the enquiry into the efficacy of oral vaccination and the investigation of rat and flea conditions in ports. It further recommended that the Bureau should collect as full and detailed statistical information as possible on the seasonal prevalence of cholera and plague in all countries within the Bureau's sphere of activity.

Fumigation of Ships. — The Committee decided to study the methods of cyanide fumigation for which special advantages are claimed, by means of a small sub-committee. The Committee thanked Surgeon-General Cumming for his offer to co-operate in this work and notably to accord the sub-committee all facilities in the United States.

Yellow Fever. — The Epidemiological Intelligence Service has regularly reported the revival of yellow fever in West Africa. The disease reappeared in 1925 in Nigeria, on the Gold Coast, the Ivory Coast and in the French Sudan. In 1926, cases appeared also in Dahomey, the Upper Volta and Senegal (the first infection in Senegal since 1912). In 1927 there were epidemics in Senegal and in certain localities of the Gold Coast Colony; later it spread to Gambia, Portuguese Guinea, Liberia, Togoland, and at the end of the year to Boma and Matadi in Belgian Congo. Reports of 257 cases were received during the year and were not of course exhaustive.

In this connection the Committee considered a letter from the Belgian Government suggesting that the Health Committee might take measures to bring about collaboration between the colonial administrations concerned in the campaign against yellow fever in the estuary of the Congo. The Committee put itself at the disposal of the interested Governments for the consideration of any action in the matter which they might agree to recommend to the League Health Organisation.

Interchanges. — The Committee discussed the programme of interchanges and individual missions for 1928 which includes two collective interchanges. One will be held in Italy with public health officers from the Health Services of the Argentine, Austria, Belgium, Brazil, British India, Canada, France, Germany, Great-Britain, Irish Free State, Japan, Netherlands, Portugal, Spain, Switzerland, and the United States. This interchange is to study the Central Health Administration in Rome and will afterwards break up into groups to study particular subjects in different areas, such as the prevention of tuberculosis, housing and townplanning, urban sanitation and the campaign against malaria.

The second collective interchange is of a new type and will be attended by medical officers of health or sanitary engineers dealing with the administration of important rural districts from Brazil, Bulgaria, Colombia, Czechoslovakia, Denmark, Estonia, France, Germany, Greece, Guatemala, Hungary, Italy, Panama, Paraguay, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Spain and the U. S. S. R.

This interchange, devoted to rural hygiene, will visit selected rural districts in Belgium, France, Germany, the Netherlands, Hungary and the Kingdom of the Serbs, Croats and Slovenes.

Report of the Cancer Commission. — The Committee approved the report and recommendations of the Cancer Commission, including the formation of two expert sub-commissions for the study respectively of occupational cancer and certain aspects of the radiological treatment of cancer. It is known that certain professions (certain methods of cotton-spinning, the process of briquette-making, work in cobalt mines, one branch of aniline dye-work, and work involving contact with tar) increase susceptibility to cancer, but there is a very irregular distribution of cancer in diffe-

rent countries even in the same industries. Valuable lessons on the causation of cancer could be learned from the intensive study of the causes of this unequal distribution. The application of preventive methods also needs enquiry.

The great value of the radiological treatment of cancer has been demonstrated by experience, but there is a lack of agreement as to the precise action of the rays and the best methods of applying them. A study of the basic principles of the methods followed in a number of the most successful institutes in different countries would be of great practical value.

Report of the Smallpox and Vaccination Commission. — The Committee approved the suggestion of this Commission that the enquiry into the incidence of smallpox in Europe should be continued and extended to North America and the Dutch East Indies. At the present moment there is very little smallpox in Europe, which makes it possible to study closely such cases as appear, in order to determine, for instance, the exact rôle played by vaccination in reducing sickness and deaths, and to study the value of measures to prevent any future increase of the disease. There is a good deal of a mild form of smallpox in Great Britain and Wales, but the continent is almost free from the disease. The Commission is also studying a number of points concerning the preparation, use and effect of different vaccines.

Final Report of the Sleeping-Sickness Committee. — The Committee noted that the British, Belgian, Spanish, French, Italian and Portuguese governments had been requested to send delegates to a second Conference to study the final report of the Commission of Enquiry into sleeping-sickness and the observations of the Expert Committee on sleeping-sickness on whose behalf the Commission of Enquiry had carried out its investigations in Tropical Africa. On the scientific side the Expert Committee recommends a continuation of the research work begun by its Commission of Enquiry in the different national laboratories in sleeping-sickness areas, keeping in touch with each other through the Health Organisation, by for instance a system of interchanges of laboratory workers. It also suggested the establishment of a small *ad hoc* Expert Committee to receive and discuss annual reports on this research work, to keep in touch with everything published on the subject, to circulate collected papers to the research institutes and administrations concerned and to recommend to the Health Committee an annual scholarship the allocation of which should be devoted to this work.

Infant Mortality. — The Health Committee noted that the enquiry in Austria was concluded last December and that in Great Britain in January and the enquiries in the other European countries were still under way. The preliminary enquiries in Latin America are concluded and the enquiry properly so-called is being carried out in certain districts in Brazil, Uruguay, the Argentine Republic and Chile for a period of twelve months.

The Standardisation of Sera and Biological Products. — The Committee adopted the report on the session of its Permanent Standards Commission in Francfort, recording the work done to date on standardising sera, serological tests and biological products and laying down a programme of work for the future.

The report mentions that the unit for insulin adopted at the 1925 Geneva Conference is now used all over the world as the only unit of insulin; the international standard for pituitary extract adopted at the same time has proved satisfactory. The work done on securing an international standard for antitetanic and anti-dysenteric sera has been practically completed and good progress has been made with anti-diphtheric serum.

Sir George Buchanan emphasised the value of the Commission's work and mentioned that the recent international Pharmacopoeia Conference decided as regards biological products in the pharmacopoeia that their quality was satisfactorily des-

cribed by simply indicating that they conformed to the standards fixed by the League Health Committee through its Permanent Standards Commission. The international units fixed by this Commission were becoming known all over the world under the name of League units.

Work of the Malaria Commission. — The Committee noted that the next meeting of the Malaria Commission would be held at the end of June to discuss the report of two of its members on their visit to the United States and the conclusions reached in its second general report. A number of prominent American malariologists have been invited to attend the meeting in connection with the former point.

As in previous years special courses on malaria followed by a stage of practical work in malarial countries have been arranged and will be held in London, Hamburg, Paris and Rome. Fourteen scholarships are awarded for these courses by the Health Organisation in addition to those provided by the International Health Division of the Rockefeller Foundation.

Public Health Service and Health Insurance. — The Committee noted that the Joint Commission of experts for the study of the relations between public health services and health insurance organisations was confining its work in 1928 to the examination of two questions, namely the prevention of tuberculosis and the protection of maternity, infancy and the child of pre-school age. Local studies in a number of countries are now being carried out and general studies of the solutions adopted by the various organisations concerned with the prevention of disease have been begun.

Leprosy. — The Health Committee, on the reports of its Brazilian, Indian and Japanese members as well as on that of its President after his visits to Latin America and the Far East, recognised the international importance of leprosy and requested five of its members (Professor Chagas, Dr. Madsen, Col. Graham, Prof. Nagayo and Surgeon-General Cumming) to prepare a plan for an international investigation of this disease. It expressed its pleasure at the fact the Brazilian Government offered special facilities for the study of leprosy, and that, in addition to the funds devoted to these studies by this Government, Mr. Guinle, founder of various sanitary undertakings in Brazil, offered an annual contribution equivalent to 10,000 dollars. It requested its Medical Director to get into touch with the public health services making such a request, in order to discover the best method of organising an international enquiry, and asked the Council to ascertain from the interested countries what their health services would contribute to the study of leprosy in the way of facilities for investigation and financial support, on the understanding that the League would participate in the expenses occasioned by the nomination, travelling expenses and work of the experts designated by the Health Committee.

Revision of the International List of Causes of Death. — The Health Committee adopted a plan for co-operation between the League Health Organisation and the International Institute of Statistics on lines proposed by the French Government in the preparatory work for the forthcoming revision of the international list of causes of death, which will take place at an international conference convoked by the French Government in Paris in 1929.

Tuberculosis in Greece. — The Committee, on the report of Dr. Copanaris, Director of the Greek Health Service, and Dr. Leon Bernard, requested its Medical Director to study a plan of campaign against tuberculosis in Greek towns in conjunction with the Greek Health Authorities and the Greek Refugee Settlement Board. This action was taken on the proposal of the League Finance Committee which had been approved by the Council of the League.

Public Health Problems Arising out of the Earthquake in Bulgaria. — At the opening of its session, the Health Committee was informed that the Bulgarian Health Service had accepted the telegraphic offer of the Health Organisation to give technical assistance to the Bulgarian Government in dealing with the urgent public health problems caused by the recent earthquake disaster. The health administrations of certain neighbouring countries (Roumania, Hungary, Yugoslavia) also announced their readiness to help their colleagues in Bulgaria. The same offer was made to the Greek Public Health Administration, which, however, stated that the extent of the damage in Greece was not sufficient to necessitate recourse to outside help. Dr. Wroczynski (Polish), who worked for the Epidemiological Commission in Greece in 1923, was immediately despatched to Bulgaria.

Use of X-rays. — The Committee took note of a memorandum submitted by Dr. Jitta on the possible dangers resulting from the increasingly widespread use of X-rays, and requested the Medical Director to ascertain the existing laws or regulations on this subject in different countries and any other information bearing on action that has been or should be taken to obviate such dangers.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *The first session of the Economic Consultative Committee* ⁽¹⁾.

The first session of the Economic Consultative Committee was held in Geneva under the presidency of M. Thcunis (Belgium) from May 14th to 19th 1928, exactly a year after the International Economic Conference. Its members, who number about sixty, represent the economic interests and organisations that made the Conference an authoritative reflection of the economic life of the times and include representatives of the League Economic and Financial Committees, the International Labour Organisation, the International Chamber of Commerce, the International Institute of Agriculture, the International Cooperative Alliance, the Trade Union movement, capital, labour and trade, as well as certain economists. Its function is to survey the economic situation as it has developed since the Conference with particular attention to the way in which the recommendations of the Conference are being applied. That is to say, the Committee does not reopen questions of policy dealt with in the Conference's recommendations nor elaborate in detail programmes of work on these recommendations; it reviews the situation and what has been done through the League or otherwise since the Conference, and makes certain suggestions for the future.

The Committee held a few plenary meetings and then broke up into three sub-committees whose reports and resolutions were combined in a final report for the Council.

Economic Conditions in 1927. — In 1927 the improvement in economic conditions in Europe was greater than in any other year since the war, whereas the level of economic activity in the United States was not more than maintained. The improvement in Europe was more rapid in the centre and east in the west and applied to agricultural as well as industrial production. For the first time since 1914 (if the abnormal year 1921 be ignored) the steel production of Europe exceeded one half of the world's total. As regards the rest of the world, conditions in South America improved on the whole, while in the Far East they were less favourable than in Europe. Further progress was made in the consolidation of state finances and the stabilisation of currencies. Gold prices in the various countries showed a distinct tendency to converge. The general price index of the United States ave-

(1) For the composition of this Committee, see the *Monthly Summary*, Vol. VIII, No. 1, p. 14.

raged nearly 5 % lower in 1927 than in 1926, while prices rose in Central and Eastern Europe. The gold reserves increased in a number of European Central Banks, while the gold stock held by the United States was reduced by about one hundred and fifty million dollars.

As regards trade, Central and Eastern Europe have advanced relatively more than the West, and Europe as a whole more than North America. There appears to have been some improvement as regards the removal of restrictions on trade. On the other hand, it must not be forgotten that conditions in 1926 were very unsatisfactory, and the best that can be said of the present situation is that ten years after the war the international trade of Europe has at last recovered to about the pre-war level. Progress has been suspended for a decade and a half and starts to-day where it left off fifteen years ago. Substantially the diagnosis of the situation remains the same as that made by the Economic Conference. It follows that economic policy must continue to be directed towards an expansion of world trade and production without which a rise in the standard of living cannot take place.

Execution of the Conference's Recommendations in 1927. — The support given the recommendations of the Conference by Governments, at the Assembly and Council of the League, or in official statements to their parliaments or otherwise, has shown that the Conference did not misinterpret the desires and intentions of those responsible for the commercial policy of many of the countries of the world. Action on the Conference's recommendations was in fact more rapid than was the case after the Brussels Financial Conference of 1920.

Some tariffs are to-day higher than a year ago but are very much less than the rates proposed at the time. It may be said that the work of the Conference has already substantially checked the upward movement of tariffs which was in full swing in May, 1927.

A second development that can be traced directly to the Conference is the conclusion of a number of commercial treaties which have not only reduced duties between the contracting parties, but extended these reductions to other States under the most-favoured-nation clause.

But these improvements have hitherto been confined in the main to the relations between European states. A feature of the past year has been the more rapid improvement of trade between the nations of Europe than between Europe and the United States or other distant parts of the world. Inter-Continental no less than European trade is hampered by high tariffs and the movement for reducing trade barriers cannot gather its full momentum nor have its full fruition in an increase of world trade until it has spread from Europe to all the countries of the world.

So far as the League of Nations is concerned the main responsibility for carrying out the policy of the Conference has rested with the Economic Committee. The Convention on export and import prohibitions concluded last autumn, the draft convention on the treatment of foreigners and foreign enterprises, the preparation of a general scheme of uniform customs nomenclature, and the institution of enquiries into treaty methods, the most-favoured-nation clause and the possibility of collective action in tariff matters are some of the tasks carried out by the Economic Committee, and are at the same time the beginning of action in tariff matters by way of multilateral conventions. The progress already achieved is substantial and provides a basis on which there is every hope of building up international agreement and understanding over a very wide field.

The tendency of those interested in agriculture to look more and more towards international action and to found hopes on collaboration with the League of Nations has become more evident as the year has passed.

Recommendations for the Future. — The Consultative Committee divided its recommendations for the future into subjects affecting respectively trade, industry, coal and sugar, agriculture, tendencies affecting the peace of the world and the

purchasing power of gold. Throughout its deliberations it emphasised the interdependence of the three branches of economic life agriculture, industry and trade.

Trade. — The Committee emphasised the importance of restoring complete liberty of trading. It expressed the hope that the forthcoming Conference of the signatories of the Convention for the abolition of Import and Export Prohibitions and Restrictions would not admit any further reservations as regards liberty of trading except in a few cases justified by abnormal circumstances.

Coming to commercial policy, the Committee drew attention to the importance of a clear, comprehensive and binding definition and set of rules for the application of the most-favoured-nation clause, and expressed its hope that an interpretation confirmed and accepted by international agreement would soon be reached.

Much of the Committee's work was devoted to the question of tariff barriers and the improvement of trade. It reiterated the desire expressed by the Economic Conference that there should be collective agreements to secure general and progressive reduction of tariffs with a view to increasing the volume of the world's trade. As a first step the Committee suggested that there should be agreement to reduce duties on particular groups of commodities, each group to cover as many stages of production as is practicable, since reductions limited to raw materials or semi-finished products would increase the protection afforded to these products at later stages of manufacture. The Committee also asked that such reductions should eventually cover as many basic commodities as possible, but left the details to be worked out by the Economic Committee. The Consultative Committee pointed out that plans for tariff reduction would have a much greater prospect of success if governments would cease to increase tariffs, thus creating a favourable atmosphere in which to discuss reductions.

Industry. — As regards industry the Committee asked for a study of the subjects of rationalisation and industrial agreements, and the provision of adequate statistics and information concerning industrial development.

Coal and Sugar. — The serious position of the coal and sugar industries in a number of countries led to recommendations, in the interest of consumers and producers alike, that these two subjects should be closely studied in order to ascertain whether concerted international action could further the solution of the problems presented.

Agriculture. — The Committee suggested that information should be collected concerning the intensification of agricultural production, training, cooperation, credits, means of transport, marketing and development of direct relations between producers' and consumers' Cooperative Societies.

Economic Tendencies Affecting the Peace of the World. — The Committee asked that a preliminary study should be made of some of the more important principles and tendencies in financial and economic policy which tend to create or destroy conditions favourable to peace, a subject on which the Economic Conference has laid particular stress declaring that "the maintenance of world peace depends largely upon the principles on which the economic policies of nations are framed and executed".

Purchasing Power of Gold. — The fact that the currency of most countries has now been or is about to be stabilised on a gold basis made it necessary, in the opinion of the Committee, to recall certain resolutions of the Genoa Conference of 1922. Attention was drawn to the desirability of regulating credit with a view not only to maintaining currencies at par with one another, but also to preventing

undue fluctuations in the purchasing power of gold — in other words to maintain not only exchange stability but also stability of prices and so far as possible to reduce the alternation of booms and slumps in trade.

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In brief outline these were the main recommendations of the Committee which also dealt with a number of other subjects, such as commercial and industrial statistics, administrative protectionism (in particular the use of veterinary and other sanitary regulations as a means of excluding animal and vegetable products), customs nomenclature, which, as the Committee pointed out, underlies a great deal of the work on collective action for the reduction of tariffs, general adoption of the most-favoured-nation clause and the simplification of customs formalities. The question of methods, particularly that of the committee to be set up in co-operation with the International Labour Organisation, the International Chamber of Commerce, the Institute of Agriculture, the Institute of Scientific Management, etc., was also touched upon, always with the proviso that the details should be settled by the technical bodies actually carrying out the work.

In its report the Committee drew attention to the fact that out of the vast field before it it had selected only the branches of work which seemed ripe for action, met urgent immediate requirements and offered a prospect of practical results. It concluded :

While the Committee has thought it well to emphasise the large amount of additional work thrown upon the organs of the League, it considers it no less important to emphasise the great extent to which the achievement of the purposes desired by the Economic Conference depends upon the Governments of the different countries and upon the efforts made in those countries by all those whose advice is sought by the Governments and who are in a position to educate public opinion. For all the work which can be initiated or carried through by the League organs the limiting factor is necessarily to be found in the attitude of the several countries and their willingness to proceed further in the direction recommended by the Conference in the interests alike of the increased prosperity and the more assured maintenance of the peace of the world.

b) *Meeting of the Financial Committee.*

The Financial Committee met on May 30th at Geneva, with Sir Otto Niemeyer (British) in the Chair.

Its agenda includes consideration of the Bulgarian and Greek refugee settlement work, the question of a Bulgarian loan, the Conventions between the Greek Government and the Greek National Bank, the administration of the Austrian and Hungarian loan balances, and questions concerning the Danzig Municipal loan of 1925. The Committee will continue its examination of a scheme of financial assistance for States victims of aggression.

The meeting was attended by :

Mr. Roland Boyden (American), M. de Chalendar (French), M. Dubois (Swiss), M. Janssen (Belgian), Dr. Melchior (German), M. Ter Meulen (Dutch), M. Pospisil (Czechoslovak), Sir Henry Strakosch (South African), M. Suvitch (Italian), M. Tsushima (Japanese).

3. — COMMUNICATIONS AND TRANSIT

Meeting of a Special Committee of Telegraphic and Press Experts.

A Special Committee of Telegraphic and Press Experts convened by the Committee on Communications and Transit met in Paris from May 22nd to 24th under

the presidency of M. Ito, Councillor of Embassy and Member of the Committee on Communications and Transit.

There were further present :

M. Arendt, Ministerial Adviser in the German Postal Administration; M. Boulanger, Director of the Telegraphic Department of the French Postal and Telegraphic Secretariat; Mr. F. J. Brown, representing the International Cable Companies Association, London; M. R. Gesell, Editor in Chief of the "Telegraphen Union", Berlin; M. G. Gneme, Chief of the Telegraphic Department of the Italian Ministry of Communications; Mr. Thomas Wilson McAra, Secretary of the British Newspaper Proprietors' Association; M. Meynot, Director of the Havas Agency, Paris; Mr. Phillips, Assistant Secretary in the British General Post Office; Dr. J. Raeber, Director of the International Telegraph Union, Berlin.

The Committee's mandate was to examine what action might be taken on certain recommendations of the Conference of Press Experts held in Geneva in August 1927.

These recommendations concerned priority for press telegrams and wireless messages, "urgent" press telegrams and wireless messages, long-distance telegraph and wireless communications, regional telegraphic agreements, telephone rates, the authorisation to receive press messages by wireless, wireless rates, code telegrams, and the importance of telegraphic and wireless communications between the different continents.

The Committee formulated its conclusions in a report which will be transmitted to the League Committee on Communications and Transit.

4. — INTELLECTUAL COOPERATION

a) *Constitution of a Spanish National Committee on Intellectual Cooperation.*

A Spanish National Committee of Intellectual Cooperation has been officially constituted in Madrid under the Presidency of M. Julio Casares of the Spanish Academy. About twenty members, representing university, scientific, literary and artistic circles have already promised to collaborate.

b) *Inauguration of the Institute for the Unification of Private Law in Rome.*

The International Institute for the Unification of Private Law was inaugurated in Rome on May 30th. An account of the opening meeting will be published in the next number of the Monthly Summary.

This Institute originated in a proposal of the Italian delegation to the Assembly of 1924. The Italian Government offered to found in Rome an Institute for the Unification of Private Law and to grant for its upkeep an annual sum of one million lire. This generous offer was accepted by the Assembly and subsequently by the Council; and the latter, after consulting the competent organisations, in particular the Committee of Experts for the Progressive Codification of International Law the Committee on Intellectual Cooperation and the League technical organisations, concluded with the Italian Government the necessary agreements for the organisation, existence and normal working of the Institute. The general principles of these agreements are similar to those governing the creation of the Institute of Intellectual Cooperation in Paris. The engagements entered into by the Italian Government towards the Council of the League were ratified by Royal Decree of September 3rd, 1926. As premises for the new Institute the Italian Government decided to offer the Villa Aldobrandini.

The Institute will be under the direction of a Governing Body composed of an Italian President and fourteen members of different nationalities. On March 12th, 1927, the Council appointed M. Scialoja as President of the Governing Body

and nominated twelve members (the thirteenth member, of Spanish nationality, was appointed later).

The main object of the Institute is to study how to harmonise and coordinate the private law of the different States or different groups of States and gradually to prepare for the adoption, by the different States of a uniform system of private law.

V. — Administrative Questions.

TIRTHY-THIRT REPORT OF THE SAAR GOVERNING COMMISSION

The Governing Commission of the Saar territory has addressed to the Secretary-General the report on its work and the situation in the territory during the first quarter of 1928.

Economic and Social Situation. — In the economic field the most important event was the signature of the Franco-German Agreement on commerce between the Saar and Germany. By this Agreement the German markets for the Saar metal finishing, porcelain, glass, chemical and tobacco industries are extended. Fresh markets are provided for the furnishing and paper industries and the agricultural products of the northern part of the territory.

The Agreement replaces the various provisional arrangements and will henceforth regulate the entire trade between the Saar and Germany. It is a guarantee for the stability and the development of the economic life of the territory.

Mines. — On March 1st, 1928, the State Mining Administration dismissed some 3,800 workers, 1,800 of whom reside outside and 2,000 in the territory. This situation is a result of the general European coal crisis. The Administration also desires to reduce as far as possible the number of non-working days. Despite the dismissals, the total number of workers now employed is higher than in 1920. The Governing Commission is studying how to assist the dismissed workers.

On March 15th, the total number of unemployed in the territory was roughly 4,500 (2.6 % of the total number of workers employed).

The Governing Commission began negotiations with the French Government for the revision of the 1924 regulations concerning the contribution of the State mines to the Saar budget. Agreement was reached on the maintenance of the *status quo* as regards the contribution of the mines and the increase of the quota contributed by the French State to the communal budget of the territory. The Governing Commission recognised that it would be difficult in the prevailing conditions to increase the burden of the mines and that any new taxes would result in a rise in coal prices in districts where there is no competition, more particularly in the Saar Basin itself. The negotiations will continue.

Political Questions. — The Advisory Council of the Technical Committee met several times and gave their opinion on some ten draft decrees. The elections for the new Advisory Council were held in March 1928. There were no incidents.

The results of the elections are as follows : Social Democrats 5, Communists 5, German Economic Group 1, Saar German People's Party 3, Christian Socialists 1, German Nationalists 1, Centre 14.

The outgoing Advisory Council was composed as follows : Social Democrats 6, Communists 5, German Economic Group 1, Saar German People's Party 4, Centre 14.

The report gives details concerning administration, finance, social insurance, public works, social welfare, health, agriculture, etc.

The Governing Commission issued a Decree providing for the gradual development of the vocational training.

VI. — Political Questions.

1. — INCIDENTS BETWEEN THE JAPANESE AND CHINESE TROOPS AT TSINAN-FOU

The Japanese representative on the Council has communicated to the Secretary-General, for the information of the Council and Members of the League, a statement setting forth the facts and circumstances since the beginning of May which led to the incidents between Japanese and Chinese troops at Tsinan-Fou.

The statement may be summarised as follows :

The Japanese Government begins by recalling the more noteworthy incidents which took place in China in 1927. On January 3rd, the British Concession at Hankow was attacked and occupied by Chinese rioters. On January 6th a similar outrage was perpetrated on the British Concession at Kiu-Kiang. On March 24th the Southern Army entered Nanking, the Communist troops looted the Japanese Consulate and houses of Japanese residents. Serious outrages were committed on the Consuls and residents of other countries. British and American warships were compelled to open fire as a protective measure. On April 3rd the Japanese Concession at Hankow, numbering 2,500 inhabitants, was attacked, most of the Japanese residents had to leave the town and the same was the case as regards certain other towns on the Yang-Tse. On December 11th a collision occurred at Kanton between Communist and non-Communist groups of Chinese troops, leading to pillage, massacre, and the summary execution of the Communists.

It is then pointed out that since the first Chinese revolution civil wars have continually followed one another and the activities of the Communists have rendered general conditions still more disturbed.

At present the situation is such that foreign residents cannot depend, for the protection of their lives and property, on the Chinese authorities alone. It is inevitable, therefore, that Japan, a country contiguous to China, the interest of which are profoundly involved and many of whose people live there, should, if occasion require, endeavour to safeguard her people and her vested rights by her own exertions on the spot.

When recently the Southern Army commanded by General Chiang Kai-Shek was advancing northwards from Nanking in the direction of Tsinan, Japan dispatched her troops to Tsinan for the protection of 2,000 Japanese residents there. It need scarcely be said that this dispatch of Japanese troops is a measure of self protection rendered unavoidable by the above-mentioned state of affairs prevailing in China.

The incident of Tsinan-Fou is described in the following terms :

The unfortunate incident owes its origin to the fact that Southern soldiers looted the house of a Japanese resident, and that they fired on the Japanese soldiers who went to the rescue.

Before the incident occurred, the responsible officers of the Southern Army repeatedly declared that they would assume the responsibility for the maintenance of peace and order, and demanded the removal of the Japanese defence works. The Japanese troops removed their defence works on the night which, it so happened, preceded the outbreak of the disturbance, and some of the Japanese residents, who had gone to places of safety returned home.

The incident occurred immediately after the Japanese defence works were removed. At the moment that happened, the Chinese troops, in various places,

simultaneously began to attack the Japanese troops and to outrage and plunder the Japanese residents.

This outrage and plunder were almost entirely confined to the Japanese. These circumstances produced the impression that the disturbance was designedly brought about by the Chinese, at least by the lower classes among them.

In the face of much difficulty, the Japanese repeatedly established contact with the Chinese and arranged for the suspension of hostilities. On each occasion, orders failed to be obeyed on the Chinese side, and hostilities had necessarily to be continued.

As the Chinese troops, including "un-uniformed soldiers", fired indiscriminately under cover of any houses they could find, the Japanese troops had to engage in street fighting in the most difficult circumstances.

The brutalities which the Chinese soldiers committed on some of the resident Japanese men and women immediately after the incident occurred are so cruel that description of them is impossible.

It is alleged that the limit of twelve hours attached to the demand which was made by the Japanese Commander on the 7th gave the Southern Army scarcely any time for consideration (1). It must be noted, however, that at that moment the circumstances were so urgent that the Japanese Commander was convinced that, if there were any delay, sharp practice on the part of the Southern troops would find its opportunity and place not only the Japanese residents but the Japanese troops themselves in the most dangerous position. His precaution was but natural in view of the faithlessness hitherto manifested on the Chinese side.

It is to be sincerely regretted that these outrages compelled the Japanese troops to resort to force for the protection of the Japanese residents.

If it should be thought that the present deplorable incident would not have occurred but for the dispatch of Japanese troops to Tsinan, such a view would obviously be erroneous in the light of the above-mentioned incidents at Hankow and Nanking, occasions on which no foreign troops were present.

The present dispatch of the Japanese troops is for no other purpose but to protect the lives and property of Japanese residents, and implies nothing approaching interference with the military operations of any of the Northern or Southern forces, and the troops will be withdrawn as soon as the necessity for their continued presence ceases to exist, as was announced by the Japanese Government at the time they were dispatched.

When a disturbed state of affairs came into existence at Tsinan last year, the Japanese Government dispatched their troops to that district in June in order to afford the necessary protection to Japanese residents. As soon as the situation became such that the presence of the Japanese troops was no longer required, they were recalled, their complete withdrawal having been effected by September 8th.

Prior to this communication the Secretary-General had received a telegram on the same subject from M. Tan Yen Kai, President of the "Nationalist Government of the Chinese Republic". This telegram was immediately communicated for information to the Members of the Council.

2. — COMMUNICATION FROM THE PRESIDENT OF THE STRAITS COMMISSION

In accordance with the provisions of the Convention relating to the regime of the Straits (Lausanne 1923), the President of the Straits Commission has addressed to the Secretary-General a copy of a statement from the Government of the Union of Socialist Soviet Republics concerning its naval and air forces in the Black Sea.

This statement has been circulated to all Members of the League and the Governments of the United States, the Union of Socialist Soviet Republics and Turkey.

(1) On the 7th, at 4 p.m., the Chief Staff Officer of the Japanese troops demanded that the Chinese troops should withdraw to a limit of 20 Chinese-miles (*i. e.* about 7 English miles) from Tsinan and from either side of the Shantung Railway. He also demanded the disarming of the Chinese troops who committed outrages on the Japanese troops and residents, and the punishment of the responsible officers.

VII. — Other Questions.

VISIT OF THE SECRETARY-GENERAL TO BRUSSELS AND COLOGNE

At the invitation of the Belgian Government the Secretary-General, Sir Eric Drummond, accompanied by M. Sugimura, Under-Secretary-General and Director of the Political Section, paid a visit to Belgium during the first days of May.

The Secretary-General then proceeded to Cologne, where he attended the opening ceremony of the International Press Exhibition.

VIII. — Forthcoming Events.

- June 15th : Meeting of the Supervisory Commission in London.
- June 18th : Meeting of the Special Committee on the Jurisdiction of the European Commission of the Danube in Vienna.
- June 20th : Meeting of Experts on Veterinary Questions at Geneva.
- June 22nd : Meeting of the Committee of Experts for the Progressive Codification of International Law in Geneva.
- June 25th : Meeting of the Malaria Commission at Geneva.
- June 25th : Meeting of the Economic Committee at Geneva.
- June 27th : Meeting of the Committee on Arbitration and Security at Geneva.
- June 27th : Meeting of the Technical Committee on the Unification of Maritime Tonnage in London.
- June 29th : Second Conference for the abolition of export restrictions on Hides and Bones.
- July 2nd : Course in Malariology in Rome.
- July 2-4th : Meeting of the Committee of Health Experts on Infant Welfare in London.
- July 3rd : Meeting of the Second Conference on the Abolition on Import and Export Prohibitions and Restrictions at Geneva.
- July 9th : Meeting of the Sub-Committee on University Relations at Geneva.
- July 12th : Meeting of the Sub-Committee on Intellectual Rights at Geneva.
- July 16th : Meeting of the Sub-Committee on Arts and Letters at Geneva.
- July 20th : Meeting of the Sub-Committee on Sciences and Bibliography at Geneva.
- July 24th : Meeting of the Plenary Committee on Intellectual Co-operation at Geneva.

IX. — Publications of the League of Nations.

REPORT AND PROCEEDINGS OF THE WORLD ECONOMIC CONFERENCE

The Report and Proceedings of the World Economic Conference, which have recently been published in two volumes by the Secretariat, complete the series of documents issued in connection with the Economic Conference.

Volume I contains a general statement and a summary of the work of the Conference. The agenda of the Conference was divided into two parts including,

in the first place, a study of the general economic situation and, in the second, a discussion of problems concerning international trade, industry and agriculture.

The first volume further contains the plenary debates of the Conference, its report, and the debates of the Council on the report submitted by M. Stresemann on the work of the Conference.

Volume II contains a summary of the minutes of the three main Committees of the Conference, which dealt with the three principal categories of economic problems, commerce, industry and agriculture.

These two volumes constitute a complete record of the work of the Conference and one of the principal sources of study for all the economic problems of the present day.

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MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VIII. No. 6.

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I. — Summary of the Month.

Almost the entire field of the League's activity, political questions, arbitration and security, codification of international law, economic and financial questions, communications and transit, etc., was covered by the fifteen League Commissions and other organs meeting in June.

The more important events were the fiftieth session of the Council, the third session of the Arbitration and Security Committee and meetings of the Mandates Commission and of the Committee of Experts for the Progressive Codification of International Law.

The ordinary annual session of the Permanent Court of International Justice opened on June 22nd at The Hague.

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The fiftieth session of the Council took place from June 4th to 9th, the Cuban representative, M. Aguero y Bethancourt, presiding.

In his opening speech the President drew attention to the historical interest of this session, the fiftieth held by the Council. Article 4 of the Covenant, he said, stipulated that the Council should meet "at least once a year". Since 1920 the Council had held fifty sessions, with the result that statesmen enjoying the honour of representing their countries on the Council had worked and lived together in Geneva during a long period. They had thus learned to know and appreciate one another, and this had contributed to progress in good understanding between nations.

The principal questions on the agenda were political and concerned the progress of the Polish-Lithuanian negotiations, the St. Gotthard machine-gun incident, the Hungarian optants, and a request from the Albanian Government concerning Albanian property and the Albanian minority in Greece. There was also a series of minority problems, mostly concerning educational questions in Polish Upper Silesia.

The Council dealt with the following legal and constitutional questions : the reference to the Permanent Court of a request of the Mixed Commission for the exchange of Greek and Turkish populations; the relations between the League and institutes or organisations constituted under its authority; the ratification of agreements and conventions concluded under the auspices of the League.

The Council reviewed the technical and humanitarian work of the various League commissions since last March—the work of the Consultative Economic Committee, the Financial Committee, the Health Committee, the Advisory Commission for the Protection and Welfare of Children and Young People, and the Advisory Committee on Traffic in Opium.

It referred to the Economic Committee for study and gradual execution the recommendations of the Consultative Committee on commerce, agriculture, and industry, including those concerning coal and sugar; and to the Financial Committee the question of undue fluctuations of the purchasing power of gold.

The Council approved the proposals of the Health Committee concerning the standardisation of sera, international leprosy research and the fumigation of ships.

It took the necessary steps to give effect to the resolutions of the Advisory Committee on Traffic in Opium, more particularly, as regards the supervision and repression of the illicit traffic. It decided to extend measures in favour of Russian and Armenian refugees to certain groups of Assyrian, Assyro-Chaldean and Turkish refugees.

In addition to the fourteen regular Members of the Council the following States were represented for the discussion of the questions affecting their interests : Albania, Austria, Bulgaria, Greece, Hungary, the Serb-Croat-Slovene Kingdom, Czechoslovakia and Turkey.

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The economic work of the League included meetings of a Committee of Experts for the Unification of Customs Nomenclature, of a Committee of Veterinary Experts, of the Economic Committee and of the Second Conference for the Suppression of Import and Export Prohibitions on Hides and Bones.

The Malaria Commission drew up the principles and methods of anti-malarial work which it considers should be recommended in the light of the experience gained since 1924 and with particular reference to economic and political questions in Europe.

The Committee of Experts for the Progressive Codification of International Law held a session towards the end of June, when it decided to recommend to the Council two new questions as ripe for codification.

The Mandates Commission examined the annual reports of the Mandatory Powers for Palestine, Syria and Lebanon, the French Cameroons, French Togoland, Tanganyika, South West Africa, New Guinea and Nauru, and the report of the Royal Commission on the Administration of Western Samoa. It studied a certain number of general questions concerning the administration of the Mandates, such as economic equality, the liquor traffic etc.

The Committee on Arbitration and Security met at Geneva on June 27th for its second reading of the draft treaties prepared in March and for an examination of the German proposals for strengthening the means of preventing war.

II. — The Permanent Court of International Justice.

1. — CASE CONCERNING CERTAIN BRAZILIAN FEDERAL LOANS ISSUED IN FRANCE (1)

The French Government has appointed as its Agent with the Court for the purposes of this case M. Basdevant, Assistant Legal Adviser to the Ministry for Foreign Affairs. The Brazilian Government has appointed as its Agent Professor Eduardo Espinola.

By an Order dated May 1st, 1928, the President of the Court, taking into account the terms of the Special Agreement for Arbitration of August 27th, 1927, fixed the times within which the parties are to file their respective Cases and Counter-Cases as follows :

- (a) For the Case, by the French Government, June 30th, 1928;
For the Case, by the Brazilian Government, July 31st, 1928;
- (b) For the Counter-Case by the French Government, October 1st, 1928;
For the Counter-Case by the Brazilian Government, October 31st, 1928.

(1) See *Monthly Summary*, Vol. VIII, No. 4, p. 117

It is understood that the parties will hold themselves at the disposal of the Court one month after the filing of their respective Counter-Cases, i. e. as from December 1st, 1928.

2. — CASE CONCERNING CERTAIN SERBIAN LOANS ISSUED IN FRANCE ⁽¹⁾

The French Government has appointed as its Agent with the Court in this Case M. Basdevant, already appointed Agent in the case concerning the Brazilian Loans. The Government of the Serb-Croat-Slovene Kingdom has appointed M. Spassioie-vitch, Professor at the University of Belgrade, to represent it before the Court.

By an order of May 26th the President of the Court, taking into account the terms of the Special Agreement for Arbitration of April 19th, 1928, fixed the times within which the parties are to file their respective Cases and Counter-Cases as follows :

For the Cases, by both parties, July 25th, 1928.

For the Counter-Cases, by both parties, September 25th, 1928.

The President, at the same time, reserved the right of the Court to call upon the parties to submit replies within a time subsequently to be fixed.

3. — NEW CASE : INTERPRETATION OF THE GRECO-TURKISH AGREEMENT OF DECEMBER 1ST, 1926 ; FINAL PROTOCOL (ARTICLE IV)

On June 9th, 1928, a Request for an Advisory Opinion was filed with the Court in pursuance of a Resolution taken on June 5th, 1928, by the Council of the League, at the demand of the Mixed Commission for the Exchange of Greek and Turkish Populations and with the consent of the Greek and Turkish Governments. The Court is asked to give an Advisory Opinion on the interpretation of Article IV of the Final Protocol annexed to the Greco-Turkish Agreement concluded at Athens on December 1st, 1926, in so far as that article concerns the conditions for appeals to the arbitrator provided for therein. The Article in question is as follows :

Les questions de principe présentant quelque importance et qui pourraient surgir au sein de la Commission mixte à l'occasion des attributions nouvelles que lui confère l'Accord signé ce jour et qu'elle n'avait pas à la conclusion de ce dernier sur la base des actes antérieurs fixant sa compétence, seront soumises à l'arbitrage du président du Tribunal arbitral gréco-turc, siégeant à Constantinople. Les sentences de l'arbitre seront obligatoires.

The Greek Government has appointed as its Agent with the Court for the purpose of this affair M. Démètre Drossos, Director of the Ministry of Foreign Affairs of Athens. The Turkish Government has reserved its right to appoint an agent at a later stage.

By an Order dated June 12th, the President of the Court, having regard to Article 73 of the Rules of Court, fixed July 10th, 1928, as the date by which written statements, if any, on the question submitted to the Court, shall be filed by the Governments of Greece and Turkey.

4. — OPENING OF THE 14TH ORDINARY SESSION OF THE COURT : HEARINGS IN THE CHORZOW CASE ⁽²⁾

The first public sitting of the session was held on June 21st. There were present on the Bench, in addition to the judges mentioned in the preceding number

(1) See *Monthly Summary*, Vol. VIII, No. 5, p. 138.

(2) See *Monthly Summary*, Vol. VII, No. 2, p. 37.

of the Bulletin, M. Rabel and M. Ehrlich, Judges *ad hoc* appointed by Germany and Poland, respectively, for the purposes of the Chorzow case.

According to a statement made on this occasion the following cases were actually pending before the Court :

(a) Case between Belgium and China concerning the denunciation of the sino-Belgian Treaty of November 2nd, 1865;

(b) Chorzow case. Claim for indemnities;

(c) Case between France and Switzerland concerning the status of the Free Zones of Savoy and of the *Pays de Gex* ⁽¹⁾;

(d) Case between Brazil and France concerning certain Brazilian Federal Loans issued in France;

(e) Case between France and the Serb-Croat-Slovene Kingdom concerning the payment of certain Serbian loans;

(f) Case for Advisory Opinion concerning the interpretation of the Greco-Turkish Agreement of December 1st, 1926 ⁽²⁾.

Only the Chorzow case had so far been inscribed on the list for the present session.

After this statement the hearings in the Chorzow case immediately began, Dr. Erich Kaufmann, representing Germany, expounding the German point of view in public hearings on June 21st and 22nd, and M. Sobolewski, speaking for the Polish Government, explaining its point of view at a public hearing held on June 25th. M. Kaufmann and M. Sobolewski delivered a Reply and a Rejoinder on June 27th and June 29th respectively.

The Court withdrew to consider its further action in the matter.

5. — JURISDICTION OF THE COURT

The names of the Egyptian and French Governments as well as of the Free City of Danzig should be added to the list of those having taken action in the matter referred to in the Registrar's circular letter of March 24th, 1927.

6. — EXTERNAL STATUS OF THE MEMBERS OF THE COURT ⁽³⁾

The Council of the League, on June 5th, 1928, noted an agreement reached on May 22nd of the same year between the President of the Permanent Court of International Justice and the Minister for Foreign Affairs of the Netherlands concerning the interpretation of Article 19 of the Court's Statute and, in so far as the situation of the staff of the Court at the Hague was concerned, of Article 7 of the Covenant.

III. — Arbitration, Security and the Reduction of Armaments.

1. — MEETING OF THE COMMITTEE ON ARBITRATION AND SECURITY ⁽⁴⁾

The Arbitration and Security Committee met on June 27th with Dr. Benes, Foreign Minister of Czechoslovakia in the Chair.

At its second session, in February and March, the Committee prepared certain draft standard conventions and treaties.

(1) See *Monthly Summary*, Vol. VIII, No. 3, p. 66.

(2) See *Monthly Summary*, Vol. VIII, No. 5, p. 140.

(3) See *Monthly Summary*, Vol. VIII, No. 3, p. 66.

(4) See *Monthly Summary*, Vol. VIII, p. 67.

The third session was devoted to : (1) the second reading of the draft treaties prepared in March and a study of draft bi-lateral treaties; (2) the study of the German proposals for the strengthening of means of preventing war. One of the Members of the Committee, M. Rolin-Jacquemyns has prepared a report on the subject.

The Committee also noted the report of the Joint Committee examining the scheme for the financial assistance of States victims of aggression.

All the States represented on the Preparatory Commission for the Disarmament Conference, with the exception of the United States, have up to now taken part in the work of the Arbitration and Security Committee.

The Turkish Government took part in the work of the Preparatory Commission last March for the first time, and on that occasion intimated that it also wished to take part in the future meetings of the Arbitration and Security Committee.

The U. S. S. R. is represented by an observer ⁽¹⁾.

2. — JOINT COMMITTEE DEALING WITH ECONOMIC QUESTIONS CONNECTED WITH DISARMAMENT

The Council has appointed M. Suvich, Under Secretary of State in the Italian Finance Ministry, to replace M. Bianchini on the Joint Committee dealing with economic questions connected with Disarmament.

IV. — The St-Gotthard Incident.

Request of the Roumanian, Serb-Croat-Slovene and Czechoslovak Governments.

Measures to be taken in the Interval between the Sessions of the Council.

The Committee of Three (The Netherlands, Chilean and Finnish representatives) studying the St. Gotthard incident submitted to the Council on June 7th two reports, one on the incident itself the other on measures to be taken in the intervals between the Council sessions.

The representatives of Hungary, the Serb-Croat-Slovene Kingdom, and Czechoslovakia had been invited to take part in this meeting so as to be able to give the Council any information that might be required.

Reports of the Committee of Three. — In its first report, that on the St. Gotthard incident, the Committee refers to the resolution adopted by the Council in March, explains the arrangements made for studying the incident (appointment of two groups of experts, etc.), analyses the principal points of the reports of the experts and gives an account of its meeting at the Hague at the beginning of May. The report concludes with the following observations :

The Committee feels bound to express its deep regret at finding itself confronted with an attempt to effect the clandestine transport of war material. Although the consignment in question may not have been of great military importance, the Committee cannot omit to point out the grave dangers to good understanding and mutual confidence between nations which is involved by any clandestine traffic in arms. This incident affords striking evidence of the immense importance for the establishment of mutual confidence between States, and consequently for the consolidation of peace, of an early ratification of the Convention on the Control of Trade in Arms concluded under the auspices of the League of Nations.

(1) A full account of the proceedings will be published next month

As regards the Hungarian Government in particular, the unlawful presence of war material in its territories would appear to acquire special importance from the fact that, in regard to the trade in arms, the Hungarian Government is under obligations arising from the Treaty of Trianon. It may be pointed out that the request for the insertion of this matter in the agenda of the Council was actually made with reference to the Rules in force for the Exercise of the Right of Investigation by the League of Nations, as provided in Article 143 of that Treaty.

The Hungarian Government has considered the incident in question exclusively from the standpoint of railway and Customs regulations. The Hungarian authorities complied with the provisions of those regulations. The Hungarian Government does not appear ever to have thought it necessary to consider the question of the final destination of war material. It believed that it was sufficiently complying with its obligations under the Treaty of Trianon by ordering the material in question to be rendered unserviceable as war material—which was done. The final destination of the material is not apparent from the information which the Committee has been able to obtain, acting within the limits of its powers. On the other hand, that information furnishes no evidence that the material was intended to remain in Hungarian territory.

The second report on measures to preserve the *status quo* concludes with the resolution the text of which is given at the end of this Chapter.

Statements of the Representatives of the Serb-Croat-Slovene Kingdom and Czechoslovakia and of the Members of the Council. — The Czechoslovak representative, M. Veverka, noted with regret that the Committee had been unable to shed full light on certain points which seemed to him to be of the first importance, in particular on the destination of the war material discovered at the St. Gotthard Station. M. Veverka regretted, further, the limited scope of the enquiry whose conclusions were based solely on information given by the authorities or nationals of the party concerned.

He concluded :

It is obvious that any first step in a new field taken by the League of Nations serves as an important example for the future work of the League in the same field..... if, therefore, the League of Nations were condemned to remain inactive in so important a field (the supervision of the obligations contained in Part V of the Peace Treaties)..... the confidence of States in it and their feeling of security would certainly not be increased.

The representative of the Kingdom of the Serbs, Croats and Slovenes, M. Fotitch, also expressed his regret that in spite of the efforts of the Committee to clear up the affair, the report threw no light on several very important points and its conclusions did not remove the interest which the Governments felt in regard to Hungary's execution of her disarmament obligations. He enumerated several circumstances which, in his opinion, gave rise to as serious presumption, that the war material seized at the St. Gotthard Station was not intended to leave Hungarian territory.

We particularly regret... he said, that the Committee of Three has not even succeeded in establishing the authenticity of a fact and of determining the genuine consignee. The importance of this matter goes beyond the limits of the specific case, and gives rise to serious doubts as to the possible efficacy of the action of the League of Nations should the day ever come when the question of disarmament has emerged from the stage of preliminary negotiations, in other words, the day on which the nations renounce a portion of the security which they at present find in their own forces in the hope that they will find an equivalent protection within the League of Nations.....

The Roumanian representative, M. Antoniadé, associated himself with the statement of his Czechoslovak and Serb-Croat-Slovene colleagues. He drew attention to certain points which seemed to him to merit attention.

It think, he said, it is necessary without any delay to consider measures to prevent the renewal of such incidents, or, in the event of their occurrence, to enable a rapid and efficient procedure to be adopted, with a view to the observation and repression of the infringement of the treaty. It is for this purpose that the Council has been presented with the second report, which deals with the measures to be taken in the intervals between its meetings. I think that the proposals of the Rapporteur are calculated to ensure a step in advance in this matter.

The Hungarian representative, General Tanczos, said that the reply to the observations of the representatives of the Petite Entente was contained in the report and in its annexes and that for the moment he had nothing to add.

The French representative, M. Paul-Boncour, said that he took his stand on the ground of the League of Nations and of the international security that it must ensure. He observed that from the insufficient results of the enquiry it should not be inferred that the League was powerless to investigate such matters, for no investigation had taken place. The Committee had been merely instructed to throw light on documents submitted to the Council through its personal investigations and such information as it was able to collect.

M. Paul-Boncour then explained the reasons why the war material seized at St. Gotthard was of considerable military value.

He concluded that the procedure adopted by the Council was not a procedure likely to afford the necessary guarantee and he drew attention to that laid down in the regulations of 1926 relating to the exercise by the Council of its right of investigation, a right which might be completed by measures to preserve the *status quo*.

Control, he said, that is to say, the possibility of the League verifying on the spot these conditions of international security with which it has charged itself, seems to me an essential element of this security. I should not speak with this deep conviction..... if it were a question of measures which would for all time apply to certain States and if a general reduction of armaments were not to follow the measures that have been laid down for these States by the Treaties. I should not speak with this conviction if I did not think that such measures must help in the creation of the atmosphere of security necessary to this general reduction of armaments.....

The Chairman of the Committee of Three, M. Beelaerts van Blokland, recalled that the Committee had only been instructed to compile as complete a dossier as possible so as to enable the Council to form an opinion on the question.

We are, he added, I venture to say, all agreed that it is highly regrettable that this St. Gotthard affair has not been cleared up. We are confronted by an enigma, by an incident which has certainly greatly interested public opinion, not only in Hungary and in the neighbouring States, but in all Europe. As we have said in our report, this clandestine traffic in arms constitutes a great danger to good understanding between nations, and to mutual confidence.....

The British representative, Sir Austen Chamberlain, also noted :

The result of the procedure which the Council adopted in this case is not satisfactory to any one of us.....

..... It is clear that, if another incident arose, we should have to seek means more efficacious than those which we chose on this occasion..... But it would be I venture to say, a great mistake to suppose that, because the particular procedure which we adopted in this case failed, the Council has therefore exhausted its resources. I hope that no further incidents of this kind will occur; but should such an incident occur again, I would say in the words of a great statesman of my country : "The resources of civilisation are not yet exhausted".

The German representative, Dr. von Schubert, also expressed his regret that the Committee of Three and the technical experts, in spite of the care that they had given

to the work and of all the efforts that they had made, had not succeeded in completely clearing up the situation. "Full light upon these incidents would certainly have been advantageous to all concerned. For this reason there can be no doubt that all concerned have wished for this matter to be cleared up....". He declared that the partial insuccess of the investigation proceedings in a particular case did not give ground for doubting the value and effectiveness of this procedure. He considered that the interest shown by public opinion in various quarters in connection that the St. Gotthard incident had been excessive and would disappear of its own accord if full account were taken of what the Council had done in the present case and of what it might do in similar cases.

To conclude, he stated that, in his opinion, there was not to be found in the St. Gotthard incident any element that might be considered as an obstacle to the beginning of general disarmament.

Resolutions of the Council. — On the proposal of the President, the Council adopted the following resolution :

The Council :

1. Takes note of the Report submitted by the Committee of Three and warmly thanks the Members of that Committee for discharging the task entrusted to them;

2. Regrets that the Hungarian Government has considered the incident which occurred on January 1st, 1928, at the Szent Gotthard railway-station exclusively from the standpoint of railway and Customs regulations, without having thought it necessary to concern itself with the question of the final destination of this war material, although its presence, under a false declaration, on Hungarian territory acquired special importance from the fact that, in regard to the trade in arms, Hungary is under obligations arising from the Treaty of Trianon;

3. Notes with regret that, in the present circumstances, it has been impossible to determine this final destination. It is, however, convinced that the discussions have sufficiently shown the Council's view of the gravity of this incident and the importance it attaches to such incidents not recurring;

4. Draws attention to the fact that every Member of the Council has the right to request an extraordinary meeting of the Council, and that the latter has authority to order immediate investigation in virtue of the rules in force for the exercise of the right of investigation, which rules the Council maintains intact;

5. Takes this opportunity of emphasising the importance, for the establishment of mutual confidence between States and consequently for the consolidation of peace, of an early ratification of the Convention on the Control of Trade in Arms concluded under the auspices of the League of Nations.

Measures to preserve the Status Quo. — On the report of the Committee of Three the Council adopted a resolution concerning measures to preserve the *status quo* to be taken in similar cases and also in cases where differences had been placed on its agenda in accordance with paragraph 2 of Article II or other articles of the Covenant such as Articles 13 or 15 (measures for giving effect to arbitral awards, disputes likely to lead to a rupture).

The resolution adopted by the Council provides that the Secretary-General, when a case of this kind is submitted, shall communicate immediately with the interested parties, drawing their attention to the following text of the resolution :

The Council considers that, when a question has been submitted for its examination, it is extremely desirable that the Governments concerned should take whatever steps may appear to them necessary or useful to prevent anything occurring in their respective territories which might prejudice the examination of settlement of the question by the Council.

The Secretary-General shall request the States concerned, in the name of the Council, to forward their replies to him without delay, and to inform him of the steps which have been taken.

V. — Legal and Constitutional Questions.

1. — CODIFICATION OF INTERNATIONAL LAW

The fourth session of the Committee of Experts for the Progressive Codification of International Law took place at Geneva from June 22nd to June 28th, with M. Hammarskjöld (Sweden) in the chair.

The Committee examined a proposal of the Paraguayan Delegation to the 1927 Assembly for the preparation of a general and comprehensive plan for the codification of international law. This proposal, referred by the Council to the Committee, recommends the principle of universality as the necessary foundation for future international legislation.

In the light of the experience gained and considering that the work of codification should proceed progressively, the Committee decided to uphold the method which it had already adopted and applied.

After examining the replies received from Governments since its last session, the Committee decided to recommend to the Council the following subjects as sufficiently ripe for codification: 1) the legal status and duties of consuls; and 2) the criminal jurisdiction of States in regard to acts committed outside their territories.

As regards the revision of the classification of diplomatic agents and the communication of judicial and extra-judicial acts (letters of request in penal matters), the Committee was of opinion that they could not be recommended as sufficiently ripe for regulation by international conventions.

The Committee noted reports submitted by M. de Visscher (Belgium) on the question of the application in common law of the notion of limitation and the legal status of private international non-profit-making associations, and decided not to recommend them for codification at present.

The Committee referred to Governments its report on conflicts of laws relating to domicile in the form of a questionnaire, in accordance with its usual procedure, asking them to communicate their observations by April 1st, 1929, at the latest.

The Committee decided to undertake no new studies until other circumstances had arisen or until it had received fresh instructions from the Council.

The Committee also dealt with recommendations concerning extradition referred to it by the Mixed Committee for the suppression of the offence of counterfeiting currency.

In its report, the Committee recalls that it carefully studied this question at its second session and that its enquiry led to the conclusion that it did not seem possible at present to contemplate a general regulation of the question of extradition. It is, nevertheless, of opinion that there are very serious reasons in favour of the international regulation of the question of extradition in connection with the offence of counterfeiting currency.

The session was attended by:

M. Hammarskjöld (Swedish), Chairman; M. Diena (Italian), Vice-Chairman; Mr. Wickersham (United States of America); M. Matsuda (Japanese); M. de Visscher (Belgium); M. Schucking (German); M. Rundstein (Polish); M. Mastny (Czechoslovak); M. Suarez (Argentine); M. Guerrero (Salvador); Sir Mohamed Rafique (Indian); M. Kusters (Netherlands) replacing M. Loder, and M. Magalhaes (Portuguese).

2. — INTERNATIONAL ENGAGEMENTS

a) *Ratification of Agreements and Conventions concluded under the auspices of the League.*

On June 7th the Italian representative submitted to the Council the report, which it had asked him to prepare in March, on the question of the ratification of agreements and conventions concluded under the auspices of the League.

M. Scialoja noted that there had been a marked improvement as regards the number of ratifications since the adoption of the Assembly resolution of 1926 concerning the publication by the Secretary-General of a periodical report on the position as regards the ratification of agreements and conventions.

He, nevertheless, considered that something more could be done. On his proposal the Council decided to invite the League Committees to examine from time to time the position in regard to the ratification of the conventions in which they were interested. After considering the reports of its committees the Council, if it thought it desirable, might decide to draw the attention of States to the expediency of ratifying these conventions or some particular convention.

b) *Registration.*

Among the treaties and international engagements registered with the League in June figure :

A Treaty of Conciliation, Judicial Settlement and Arbitration (Copenhagen, March 14th, 1928) concluded by Denmark and Spain, presented by Denmark.

A Treaty concluded by the United States and the Netherlands (Washington, December 18th, 1913) with a view to submitting to a permanent international commission disputes which may arise between the two States, presented by the Netherlands.

A Treaty of Commerce and Navigation (Tokio, July 28th, 1927) between Germany and Japan, presented by Japan.

The Protocol relating to the Bulgarian stabilisation loan with annexes (Geneva, March 10th, 1928).

Conventions on Extradition and Legal Assistance in Criminal Matters between Austria and Estonia and Belgium and Finland.

A Convention (Rome, November 25th, 1925) between Hungary and Italy for the avoidance of double taxation and the settlement of certain other questions relating to direct taxation, presented by Italy.

A Convention (March 20th, 1883) founding the Paris Union for the Protection of Industrial Property, revised at Brussels on December 14th, 1900, at Washington on June 2nd, 1911 and at The Hague on November 6th 1925, presented by the Netherlands.

The Madrid Arrangements of April 14th, 1891 concerning the Suppression of False Indications of Origin of Wares and the international registration of manufacture and trade marks revised at The Hague on November 6th, 1925, presented by the Netherlands.

An Arrangement concerning the international deposit of industrial designs or models (The Hague, November 6th, 1925) presented by the Netherlands.

Exchanges of Notes concerning the abolition of the Passport Visa between Finland and the Netherlands and Germany and Latvia.

Provisions concerning Air Letter and Parcel Post adopted at the Hague Conference of September 10th, 1927, presented by Finland.

VI. — The Technical Organisations.

1. — THE HEALTH ORGANISATION

a) *Report of the Health Committee on its twelfth Session.*

The report of the Health Committee on its twelfth session was considered by the Council on June 4th. On the proposal of the Japanese representative, the

Council decided to communicate to Governments and competent authorities the report and conclusions of the Permanent Standards Commission held at Frankfurt from April 25th to 28th. At this meeting an understanding was reached first on a whole group of important sera such as anti-diphtheritic, anti-tetanic and anti-dysenteric sera and secondly on the method for testing a series of biological products such as arseno-benzenes.

The Council offered to place the services of the Health Organisation at the disposal of the Governments of certain countries of tropical and central Africa for the conclusion of an arrangement regarding joint preventive measures to check the spread of yellow fever in the Congo Estuary. It also placed the services of the Health Organisation at the disposal of the Greek Government to assist it in carrying out a practical programme and an efficient campaign against tuberculosis.

The Council approved the proposals of the Health Committee regarding plans for international leprosy research work and an enquiry into the methods of ship fumigation as an indispensable means of preventing plague.

It noted with satisfaction that an Epidemics Commissioner had been placed at the disposal of the Bulgarian Health Administration to coordinate public health measures rendered necessary by the recent earthquake. The Commissioner has obtained the assistance of the Bulgarian, Polish, Roumanian and Serb-Croat-Slovene Health Services, which have sent either experts or material. Medical assistance has been organised for the population of the affected areas and it is hoped that all risk of an outbreak of epidemics may be eliminated.

The Council accepted the offer of the Rockefeller Foundation to increase from 50,000 dollars to 60,335 dollars its grant for the Epidemiological Intelligence Services and Public Health Statistics in 1928, to be devoted to the systematic collection of documents and archives. It thanked the Foundation for this further proof of its interest in the work of the Health Organisation.

b) *Fourteenth Session of the League Malaria Commission.*

Objects of the Session. — The Malaria Commission of the League Health Committee met at Geneva from June 25th to 29th. The session was attended not only by all the members, corresponding members and experts of the commission, but by seven representatives of the United States Public Health Service and the Rockefeller Foundation, to discuss the most effective methods of combating malaria, particularly in the economic and political conditions of Europe. This discussion was based on the data contained in the second general report of the Commission, and this report is itself the fruit of scientific research, practical work and study tours undertaken by the Commission and its members since 1924, including observation on the spot of malaria in the Soviet Union, Balkan countries, Italy, the Mediterranean Basin and Holland. Two members of the Commission also paid a visit to the United States and studied the way malaria is being dealt with in some of the Southern States and in the Mississippi Basin.

Membership and Procedure of the Commission. — The members attending this session were : Dr. A. Lutrario (Chairman), former Director-General of Public Health, Rome; Dr. Markoff, Inspector of Malaria, Public Health Service, Sofia; Prof. Brumpt, Professor of Parasitology, Faculty of Medicine, University of Paris; Prof. Marchoux, Pasteur Institute, Paris; Prof. Nocht, Director of the Institute for Tropical Medicine, Hamburg; Prof. Schilling, Robert Koch Institute, Berlin; Dr. Balfour, Director of the London School of Hygiene and Tropical Medicine; Mr. Evans, Deputy Director, Public Works Department, Nigeria; Col. James, Chief of the Epidemiological Intelligence Service, Ministry of Health, London; Dr. Stanton, Colonial Office, London; Dr. Weyman, Director of the Wellcome Bureau of Scientific Research, London; Dr. Moutoussis, Director of the Government Laboratory, Athens; Prof. Ascoli, Director of the Superior School of Malariology, Rome;

D.^r Labranca, Public Health Service, Rome; Prof. Missitoli, Director of the Experimental Station for anti-malaria Work, Rome; Prof. Ottolenghi, Director of the Institute of Public Health, University of Bologna; Prof. Schuffner, Director of the Section of Tropical Hygiene, Royal Colonial Institute, Amsterdam; Prof. Swellengrebel, Institute of Tropical Medicine, Amsterdam, Dr. Kligler, Department of Hygiene, Hebrew University, Jerusalem; Dr. Anigstein, State Health Institute; Prof. Ciuca, Faculty of Medicine, University of Jassy; Prof. de Buen, Secretary of the Malaria Commission, Madrid; Prof. Pittaluga, Professor of Parasitology, University of Madrid; Prof. Marzinowsky, Director of the Institute for Tropical Medicine, Moscow; Dr. Maxcy, Public Health Service of the United States of America, Washington; Dr. Bailey, Rockefeller Foundation, Paris; Dr. Boyd, Rockefeller Foundation, Edenton, N. Carolina; Dr. Collins; Rockefeller Foundation, Sofia; Dr. Ferrell, Rockefeller Foundation, New York; Dr. Hackett, Rockefeller Foundation Experimental Station for anti-malaria work, Rome; Dr. Strode, Rockefeller Foundation, Paris; Dr. Taylor, Rockefeller Foundation, Paris; Dr. Sfaric, Director of the Malaria Institute, Trogir.

After a short general discussion the Commission broke up into three sub-committees of which the first considered the methods of combating malaria recommended in the Commission's second general report; the second studied certain aspects of the epidemiology of malaria; the third the use against malaria of quinine, other alkaloids of quinquina, and other medicines such as plasmochine. The reports of these sub-committees were submitted to the full Commission, which, after some discussion, adopted a number of resolutions and recommendations.

Recommendations of the Commission. — The resolutions and recommendations with the report accompanying them are intended for the use of health services, particularly in Europe, faced with the problem of combating malaria, and present in a condensed form the views of the world's leading malariologists on the cheapest and most effective methods that can be applied, given the political and economic conditions of the European countries concerned. The conclusions of the Commission may be briefly summarised as follows :

1. The prevention of malaria must be guided by scientific knowledge. The Commission accordingly considers that it is necessary that malaria-infested countries should possess organisations for the systematic and specialised study of malaria. The Commission considers that these organisations should be scientific in character and deal with research rather than with measures of application, with malaria solely and specifically rather than with malaria as part of the study of public health.

2. The Commission does not recommend the utilisation of all available methods of malaria prevention in the same locality at the same time. It considers it preferable to employ, according to circumstances, one or two methods which, with the means available, can be brought above the standard called minimum effective degree of perfection.

3. Subject to certain definite limitations based on the knowledge of the region, there should be considerable freedom of choice as regards the particular methods of malaria control to be adopted. The fact that measures have succeeded in one region is not a guarantee of their success in another where, perhaps, circumstances and conditions are quite different.

4. The Commission is of opinion that the first duty of Governments which have to organise anti-malaria measures is the care of malarious sick, the second consists in studying in detail the different local aspects of the problem with the object of choosing and carrying out the most efficacious, cheapest, and best adapted method or methods in its solution.

5. The improvement of the conditions of the inhabitants which result from the development of drainage schemes is one of the determining factors in the regression of malaria. The work done is only efficacious in so far as it produces

intensives cultivation of the ground. It is certain, moreover, that the use of anti-larval measures, whilst more extensive works are being carried out, is of great value inasmuch as it reduces the anopheline density and serves to bridge the dangerous period which accompanies and follows such undertakings.

Programme of further Studies. — The Commission agreed upon a programme of further study bearing on :

a. Dwellings and malaria, taking account of conditions in tropical, sub-tropical and southern countries.

b. The study of the malaria-carrying mosquito in the different countries. This study will be made from the point of view of the conveyance and prevention of malaria.

c. The practical importance of the intensive use of quinine in preventing malaria.

2. — ECONOMIC AND FINANCIAL ORGANISATION

At its fiftieth session, the Council considered the work of the Consultative Economic Committee, the Economic Committee and the Financial Committee. The resolutions based by the Council on these subjects are analysed below, as is also the work of the Committee of Experts for the unification of customs nomenclature and of the Sub-Committee of veterinary experts.

An account of the work of the June session of the Economic Committee and of the second Conference for the Abolition of Export Prohibitions on Hides and Bones will be published in the next number.

Work of the Economic Committee (1).

The report of the Economic Committee was considered by the Council on June 7th.

The Council approved the enquiries undertaken on the subject of the equitable treatment of foreign nationals and enterprises, the unification of customs nomenclature, the preparation of a diplomatic conference on statistics, the unification of legislation in regard to bills of exchange, cheques, etc.

It expressed its satisfaction at the results obtained by the Conference which met in March and drew up protocols on the export of hides and bones.

Report of the Consultative Economic Committee.

The report of the Consultative Economic Committee on its first session was discussed by the Council on June 9th. On the proposal of the German representative, it referred to the Economic Committee for gradual study and action the Consultative Committee's recommendations on commerce, agriculture and industry, including those relating to the examination of the coal and sugar questions.

The Council reserved for later decision the recommendations concerning the establishment of close relations between the various organisations dealing with agricultural questions. It instructed the Economic and Financial Committees to undertake a study of some of the more important principles and tendencies in financial and economic policy and practice which may affect conditions favourable to peace.

The Italian representative, M. Scialoja, drew the attention of the Council to a problem which, in his opinion, was indirectly raised by the report, namely the

(1) Rapporteur : the German Representative.

scope and methods of the League's work in the economic field. His Government considered that work as highly beneficial and, indeed, strictly necessary. It nevertheless thought that, to obtain positive results and avoid dispersal of effort, the League's work must be limited to establishing and formulating general principles of economic policy and considered that it should refrain from dealing with questions arising out of special contingencies or temporary circumstances affecting certain countries and certain branches of production.

As regards the recommendations on coal and sugar, the Italian representative was of opinion that the League's action should be confined to studying the various aspects of the general problem they presented. In considering general questions he urged that the League should proceed gradually, methodically and without undue haste. He submitted, in conclusion, certain observations regarding the budget of the Economic and Financial Organisation.

After an exchange of views between the rapporteur and the British, Italian and French representatives—the general opinion expressed being that the wider questions raised by M. Scialoja demanded careful consideration before any decision could be taken—the Council adopted the report, with certain amendments based on the observations of the Italian representative.

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The Council approved the appointment of M. Tomás Ramirez, late Minister for Public Education, Professor of Political Economy and Civil Law at the Santiago University (Chile), as member of the Consultative Economic Committee, to replace M. Quezada, who had resigned.

Customs Nomenclature.

The Sub-Committee of Experts instructed by the Economic Committee to study the unification of customs nomenclature held its fourth session in Geneva from June 4th to 22nd.

The experts considered the observations submitted by the industrial and commercial circles concerned to which the Secretariat had communicated the original nomenclature prepared by the experts in the autumn of 1927.

This enquiry, which covered twenty-one countries, led the experts to modify certain points of their original draft and enabled them to establish a final framework.

Before establishing a general nomenclature, the experts decided, with a view to their next meeting, to prepare separately the various sections and chapters of the nomenclature which they have divided among themselves.

They will meet next October to coordinate the various sections which are to be established according to a joint and well defined plan. They will also examine the questions raised by the classification of wares containing various substances (combined wares) and separate parts of machines and apparatus.

Meeting of the Sub-Committee of Veterinary Experts.

The second session of the Sub-Committee of Veterinary Experts was held at Geneva from June 20th to 23rd.

The Sub-Committee adopted a report setting forth its views on the replies received from various Governments to a questionnaire addressed to them. The Sub-Committee noted that as regards veterinary police measures all Governments had not yet adopted the system recommended at its previous session with a view to the application of certain resolutions of the Economic Conference. These resolutions aim at reducing measures of veterinary control for the importation of cattle

so as to avoid possibilities of disguised economic protection, while safeguarding the legitimate interests of public health.

The Sub-Committee therefore again stated the rules which it considered indispensable for the putting into practice of the system which it had proposed. These rules provide in the first instance for the establishment by States of an organisation of a sanitary service which will enable them to certify at any moment and on their own responsibility, the origin and state of health of animals for exportation. At the same time States should, according to the Committee, have the quality of meat for sale and public consumption controlled by their veterinary officials, and exercise a similar control as regards meat preparations for export.

The Sub-Committee also studied measures which it considered advisable for the publication in various countries of sanitary veterinary bulletins. In this respect it based its conclusions on the studies undertaken by the International Office for Contagious Animal Diseases, which are still being pursued.

To complete this work, the Sub-Committee considered it indispensable to enquire into the measures at present in force in different countries as regards the import, transit and export of animals and raw material of animal origin. It considered that, for a thorough study of the question of the inspection of meat destined for export, it was indispensable to obtain the advice of specialists from large exporting countries. Finally, as regards methods of disinfection for the transport of meat, the Sub-Committee was of opinion that it would be advisable to await the result of the investigations undertaken by the International Office for Contagious Animal Diseases.

The next session of the Sub-Committee will be devoted to the further examination of these various questions (import and export of animals; trade in meat and animal products; disinfection).

The following Members took part in the work of the Sub-Committee :

M. G. Bisanti, Director of the Veterinary Services of the Ministry of the Interior at Rome, Professor de Figueiredo Parreiras-Horta, Director of the Ministry of Agriculture, Brazil, M. J. Hamr, Director of the Veterinary Section of the Ministry of Agriculture, Prague; Mr. R. Jackson, Chief Veterinary Officer at the Ministry of Agriculture and Fisheries, London; M. C. O. Jensen, Director of the State Veterinary Services, Copenhagen; Dr. Kasper, Adviser to the Ministry of Agriculture and Forests, Vienna; Professor Leclainche, Inspector General, Chief of the Health Services at the Ministry of Agriculture, Paris; M. J. Nowak, professor of veterinary medicine to the Medical Faculty at Cracow; M. C. Petrovitch, Inspector at the Ministry of Agriculture, Belgrade; Professor Vallee, Director of the National Research Laboratory at Alfort; Dr. Wehrle, Director of the Veterinary Section of the Health Ministry at Berlin.

Work of the Financial Committee (1).

The report of the Financial Committee, which met a few days before the Council, was examined by the latter on June 8th.

The Committee dealt with questions concerning the balance of the Austrian and Hungarian loans, the Danzig Municipal loan of 1925, financial assistance for States victims of aggression, the meeting of Central Banks statisticians, the Greco-Bulgarian Agreement, on the indemnification of emigrants, the purchasing power of gold, the financial position of Bulgaria and Greece and the settlement of Greek and Bulgarian refugees (2).

(1) Rapporteur : the Finnish Representative.

(2) The financial position of Greece and Bulgaria and Portugal and the settlement of refugees a redealt with in special chapters.

The Council approved the general report of the Financial Committee and expressed the hope that the Greco-Bulgarian agreement of December 9th, 1927, would be ratified without delay.

Settlement of Greek Refugees. — Financial Stabilisation.

The financial situation of Greece and the progress of the refugee settlement work were examined by the Council and the Financial Committee on the basis of reports from the Greek Government and the Refugee Settlement Commission.

The programme of the Greek Refugee Settlement Commission for 1928, given in its report for January 1st—March 31st, provides for the extension of the settlement work to the islands of the Eastern Aegean, and, in particular, Mytilene, Chios and, eventually, Samos. A special service has been formed to study a plan for settlement in Mytilene, where a population of 100,000 includes about 40,000 refugees, most of whom are in a precarious condition.

In Chios—the first stage in the exodus of Greek emigrants from Turkey—there are approximately 17,000 refugees, living in the most deplorable conditions, houses and land being the most pressing need. The Commission contemplates a credit of about £ 100,000 for this work.

The report dwells upon a series of adverse circumstances—drought, hail, a severe winter, floods and, lastly, the earthquake in Corinth—which have had a most unfortunate effect upon the settlement work. Crops have been destroyed, the live-stock has suffered and a considerable number of dwellings have been reduced to ruins. For the more urgent wants, extraordinary credits of about £ 55,000 have been set aside. A scheme of anti-earthquake house construction has been prepared, but the rebuilding of houses in Corinth has been postponed pending the publication of the conclusions of the technical services of the Ministry of Public Works on the reconstruction of the destroyed areas.

As regards the refugee settlement budget a somewhat serious position has arisen owing to the fact that the agreement for an American loan of £ 2,500,000 cannot be ratified before the United States Congress meets again in December. The funds at the disposal of the Settlement Commission enable it to continue work until September only. The Commission has therefore engaged negotiations with the Greek Government for an advance of £ 1,000,000 on the future American loan in order to make immediate arrangements for the most urgent work ⁽¹⁾.

The Council noted the report of the Refugee Settlement Commission. Pending a final settlement of the financial problems at issue, it recommended that the expenses of the settlement work should be covered provisionally as contemplated in the Geneva Protocol of September 16th, 1927.

Financial Stabilisation. — As regards the general financial position in Greece, the Financial Committee noted in its report that since May 14th the Greek currency had been stabilised on a gold basis. On the same day a new bank of issue, the Bank of Greece, began to function and its obligation to exchange its bank notes against foreign gold exchange, in accordance with its statutes, came into force.

The opening balance-sheet showed a gold foreign exchange reserve of over 53 % of note circulation and other sight liabilities.

The Council congratulated the Greek Government upon the success of its scheme for the stabilisation of the drachma.

Settlement of Bulgarian Refugees. — Financial Stabilisation.

The seventh report of the League Refugee Commissioner in Sofia and certain questions relating to expenditure on account of the Bulgarian Reconstruction loan were considered by the Council and the Financial Committee.

(1) See *Monthly Summary*, Vol. VIII, No. 3, p. 89.

The League Commissioner drew special attention to the fact that, during the period from February 15th to May 15th, the refugee settlement work had been carried on under exceptionally unfavourable conditions, the richest part of Bulgaria having been devastated by repeated earthquakes. The immensity of the disaster in an impoverished country like Bulgaria faced the Government with very serious problems and the repairing of damage will be a burden to Bulgaria for a long time to come.

No part of the refugee loan funds can be diverted from the purposes specified in the Protocol of September 28th, 1926. As, nevertheless, the stricken population included a certain number of refugees who had not hitherto been assisted—either because they needed no help or had found means of earning a livelihood—the Commissioner decided to include them in future in the settlement scheme, and thus help the Bulgarian Government in its relief work. The Commissioner moreover placed at the Government's disposal a sum of 45,000,000 levas, being the approximate amount of the interest on the unexpended loan funds.

The report further dwells on certain difficulties encountered in the settlement work—owing to the friction between the General Directorate and other organisations such as ministerial departments whose assistance is essential—and gives details concerning the distribution of seed, cattle and implements, the building of houses and allocation of land, the draining of marches, the refund of expenses by refugees etc. The campaign against malaria opened this year under favourable auspices, the General Directorate for the Settlement of Refugees having undertaken the construction of a health centre for the use of the Rockefeller Foundation at Petritch.

The Council expressed its sympathy with the Bulgarian Government in the misfortunes which had overtaken part of the population and its desire that the Refugee Commissioner and the Health Organisation might continue to help the Bulgarian Government in every possible way ⁽¹⁾.

Financial Stabilisation. — The Bulgarian Loan Protocol provided that a sum of £ 250,000 out of the loan proceeds should be spent on the improvement of the Bulgarian means of communication.

M. Regnoul, Chief Engineer to the Board of Management of the Paris—Lyon—Mediterranean Railway Company, was appointed for this purpose and his report, which contained a detailed programme for the upkeep, improvement and construction of railways, ports and roads, was considered by the Council on June 8th.

On the recommendation of the Financial Committee, the Council gave its general approval to the programme of expenditure contained in M. Regnoul's report and authorised the Commissioner to liberate the necessary monies, subject to his being satisfied, after consulting the Financial Committee, that the Bulgarian Government had proceeded to the necessary reorganisation of the railway administration.

Issue of Reconstruction Loan.

The Council authorised the issue of the Bulgarian Reconstruction loan under the auspices of the League; as soon as the President of the Financial Committee, with such consultations of his colleagues as might be necessary, was satisfied that the requisite conditions existed. It further authorised a modification of the Protocol so as to allow of an increase in the loan total to such an extent and under such conditions as regards control and expenditure as the Financial Committee might decide.

Portuguese loan.

On June 6th the Portuguese Government sent a letter to the President of the Council notifying him that it had most carefully examined the clauses relating to

¹⁾ See Chapter on the Health Organisation.

the League of Nations control which, in March last, had prevented the successful conclusion of negotiations for the issue of an external loan of £ 12,000,000 sterling in order to carry out a scheme for the financial reconstruction of Portugal, currency stabilisation and economic development.

The Portuguese Government feels unable to accept these clauses and has decided not to take any further steps with regard to the loan.

Purchasing power of gold.

The question of the purchasing power of gold raised by the Consultative Economic Committee at its recent session was considered by the Council on June 8th.

The Council had previously received the advice of the Financial Committee, which recalled that the Genoa Conference had declared that the first stage in monetary reconstruction was to prevent currency fluctuations in relation to gold; the second to prevent undue fluctuations in the purchasing power of gold itself.

The Financial Committee considered that the first stage might now be regarded as nearing its conclusion, various countries having stabilised their currency or being about to do so.

The Council instructed the Financial Committee to examine to what extent and in what way the League could most usefully assist in the study and solution of the question of undue fluctuations of the purchasing power of gold.

3. — COMMUNICATIONS AND TRANSIT

a) Establishment of a League of Nations Radio-Telegraphic Station (1).

The Council decided to forward to the Assembly for consideration the report of the Committee for Communications and Transit on the question of the establishment of a League Radio-Telegraphic Station.

On this occasion the British representative pointed out that in its present form the report of the Committee on Communications and Transit did not contain all the necessary information to enable the Assembly to take a decision.

Sir Austen Chamberlain recalled that the object of the resolution passed in December 1926 had been to enable the Council and the Assembly to judge whether the establishment of a special League wireless station would afford trustworthy means of communicating in time of crisis with the Members of the League, and whether a special station would be so far superior to other means of communication as to justify the cost involved.

In his opinion, to decide these questions, it would be necessary not only to have specifications of the most suitable form of installation, together with estimates of cost, but also to make a detailed examination of the conditions under which the station would work in normal times, on which would depend very largely its efficiency in time of crisis.

On the first point the Committee's report gave, he said, fairly detailed information, but it would appear necessary to pursue the investigations on other points. The Committee on Communications and Transit had, moreover, stated that a supplementary report would be prepared for the meeting of a Committee of experts from telegraphic administrations; it was necessary that both the general and supplementary reports should be available for consideration by the Assembly, which might then contemplate other solutions than that of a League wireless station.

The French representative reminded the Council that the study concerning the wireless station had been begun at the request of the Committee of the Council

(1) Rapporteur : the Polish Representative.

entrusted with the examination of the measures that might be undertaken under Article II of the Covenant. This Committee had been led to consider the possible danger to the League, in the case of a great European conflict, from the fact that lines of communication might be affected by this conflict. M. Paul-Boncour stated that the final aim in view was to discover means of ensuring the absolute independence of the League's radio-telegraphic communications in a crisis.

Sir Austen Chamberlain agreed.

The Rapporteur, M. Zaleski, Poland, said that the Special Committee that had drawn up the report had already dealt with certain of the question raised. It would meet again before the Assembly and would once more examine the question as a whole.

b) Meeting of the Committee on Private Law in Inland Navigation.

The fourth session of the Committee on Private Law in Inland Navigation was held at Vienna from June 8th to 14th. It was attended by :

M. B. Winiarski, Deputy, Professor of Law at Poznan University (Chairman).

M. E. Bonaki, first president of the Court of Appeal of Galatz.

M. P. Chargueraud-Hartmann, Secretary of the International Commission of the Oder, Legal Adviser to the French Ministry of the Marine.

M. J. Hostie, Secretary-General of the Central Commission for Rhine Navigation.

M. H. de Jarmay, Director of the Royal Hungarian Company for River and Maritime Navigation.

M. Nauta, Barrister at Rotterdam.

M. Richter, Councillor in the German Ministry of Justice.

M. C. Rossetti, Chairman of the Committee of Private Law and of the Central Commission for Rhine Navigation.

M. Sitensky, Legal Adviser to the Czechoslovak Ministry of Commerce.

The Committee prepared a draft convention on certain questions of river law on the basis of a draft established by a Sub-Committee of the Central Commission for Rhine Navigation dealing with questions of registration, property, mortgages, liens etc.

The Committee made a series of modifications in this draft convention so as to take account of the legislation of the various countries represented on it.

The Committee further studied a draft convention on administrative measures for certifying the nationality of vessels for inland navigation and two questionnaires concerning responsibility for damages resulting from collisions and the jurisdiction of courts as regards collisions.

The next session of the Committee will be held in February, 1929, when it will definitely adopt its various draft conventions so that an international conference on the subject may be convened in the Spring of 1930.

4. — INTELLECTUAL COOPERATION AND INTERNATIONAL BUREAUX

a) Relations between the League and Institutes or Bodies set up under its Authority.

Pursuant to a resolution of the Assembly, the Council had instructed the Secretary-General to prepare a memorandum on the question of the relations between the League and Institutes or bodies set up under its authority. This memorandum formed the basis of a report which was examined by a Committee constituted at the request of the Italian representative and adopted by the Council on June 7th.

The report, which is analysed below, deals, first, with the general principles to be followed in placing international bureaux under the League's direction, *i. e.*, the application of Article 24 of the Covenant, and, secondly, with the general rules which might in future govern the acceptance of international institutes by the League. It will be forwarded to the Assembly.

1. *Application of Article 24 of the Covenant.* — This article provides that "there should be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League".

In 1921 the Council approved certain rules to be observed in placing international bureaux under the direction of the League. At its recent meeting it laid down the general principles which should govern the relations contemplated in this article between the League and certain international bodies and, similarly, the procedure for the establishment of such relations and their acceptance by the League.

The Council defines the "direction" of the League of Nations, as the exercise by the League of a general mission in regard to the examination and coordination of the various manifestations of international life. On this hypothesis the League should see that the organisation in question always preserves a strictly international character, and that this work is carried on in an efficient manner. The necessity of avoiding over-lapping must also be borne in mind.

The exercise of authority by the League further implies that its organs shall be fully informed as to the work of the institutions covered by Article 24; with due reference to the precedents already established, the League shall be able to call upon those institutions whenever their services may be of technical value from the standpoint of its general work; and, lastly, the League's competent organisations shall, if they think fit, be able to reach any decision in pursuance of this mission concerning general examination and coordination.

The Council also sets forth the procedure for the establishment of the League's direction. This direction which, by the Council resolution of 1921, can only be extended to official institutions, must be established by a definite legal act admitting of no future doubt. It is for the Council to pass a resolution when the conditions laid down in Article 24 are fulfilled, declaring that this or that institution is henceforth placed under the direction of the League of Nations.

2. *Principles which might govern the acceptance of International Institutions by the League of Nations.* — As regards the principles which might govern the acceptance of international institutes by the League, the Council adopted certain rules, based on the experience of the last few years in connection with the creation of the International Institute for Intellectual Cooperation in Paris, the Institute for the Unification of Private Law in Rome and the Educational Cinematographic Institute also in Rome.

These rules are :

1. The object of the Institute must come within the sphere of activity of the League of Nations.

2. The legal statute of the Institute must provide for its independence as regards the local authorities.

3. The constitution of the Institute must be such that the League organs are able to exercise supervision over its work.

b) *Relations between the International Institute of Agriculture and the League of Nations.*

In connection with the examination by the Council of the above report, the Italian representative informed it of the desire of the Italian Government that closer relations should be established between the International Institute of Agriculture in Rome and the League of Nations. Closer cooperation between the two organisations would, it was considered, not only prevent duplication of work, but serve the general interests of agriculture.

The Italian Government, which is the depository of the Convention of 1905 founding the Institute, has already approached the parties to the Convention on the subject. At the request of M. Scialoja, the Council instructed the Secretary-General to get into touch with the President of the Institute with a view to investigating this question and preparing the way for a subsequent decision.

In accordance with the desire expressed by the Consultative Economic Committee, the President of that Committee, M. Theunis, will take part in the negotiations.

c) *Inauguration of the International Institute for the Unification of Private Law, at Rome.*

The opening ceremony of the International Institute for the Unification of Private Law, whose seat is in Rome, at the Villa Aldobrandini, took place on May 30 in the presence of the King of Italy, the Italian Prime Minister, the Diplomatic Corps, the Representative of the Acting President of the Council of the League and numerous members of universities and learned societies and the members of the Governing Body of the new Institute. The League Secretariat was represented by M. Dufour-Féronce, Under-Secretary-General and Director of the International Bureaux and Intellectual Cooperation Section; Marquis Paulucci di Calboli Barone, Under-Secretary-General in charge of the internal administration, and M. Buero, legal adviser to the Secretariat.

On behalf of the Italian Government, the Prime Minister, M. Mussolini, handed over the Institute to the League, recalling the motives which had actuated the Italian Government in making this effective contribution to the League's work intellectual cooperation.

In the vast domain of intellectual cooperation, he said, it appeared to us that one of the most strongly felt needs of scientists and business men was the organisation of a centre for the study and coordination of private law. As a matter of fact, the individual interests of the citizens of all States are becoming and more interwoven, while private law, with its far-reaching ramifications, differs considerably in the various legislative systems.

Recalling the difficulty of the task with which the Institute is faced, M. Mussolini added :

The problem you are called upon to study is a complex one, you will have to undertake a work of unification, assimilation and coordination which, varying in scope according to circumstances, will bring you nearer to the object of the Institute, namely, the harmonious co-existence of the various national systems of private law.

M. Restrepo, Colombian Minister in Rome, replacing M. Urrutia, Acting President of the Council, thanked the Italian Government on behalf of the League. He described the work which had so far been done in the field of intellectual cooperation, in particular as regards international law. Thanks to the initiative of the Italian Government, the League's efforts would now be extended to private law.

The unification of private law, M. Restrepo added, means working for the establishment of a universal law and for the reduction of one of the most formidable barriers that separate persons of different nationalities. To be brief, it is an endeavour to ensure the peaceful and productive development of the life of the peoples..... by the foundation of the Institute, Italy, who has always proved a valuable collaborator in the League's work, has acquired a fresh title to the gratitude not only of the League of Nations, but of mankind in general...

M. Restrepo concluded by saying that the work which the Institute was about to undertake was of an essentially practical order, but not without difficulty :

The method and the aim of the new Institute is to reconcile such difficulties as may occur in the various legislative systems. The Institute opens to-day under the most favourable auspices. Its seat is in Rome, the eternal city, where all things, even the stones of the ruins, bear the indelible imprint of the law-making genius of a people who from its sacred precincts dictated its laws to the whole world.

M. Dufour-Feronce, Under-Secretary-General of the League of Nations and Director of the Section for International Organisations and Intellectual Cooperation thanked the Italian Government on behalf of the Secretary-General.

Few cities, he said, are so suitable as Rome to be the seat of the institute of international private law. But it is not merely to the illustrious legal tradition of ancient Rome that we must look to justify this choice. We must also take into account the learning, the intelligence and the intellectual action of the Rome of to-day, the worthy successor of ancient Rome. Under the lofty patronage of these two Romes it is impossible that the International Institute of Private Law should not prove worthy of their brilliant legal tradition.

M. Dufour-Feronce recalled that political interests were not the only important factor in the life of peoples. Nations, like individuals, had their daily round of practical work, which was none the less essential for the development of the life of the collectivity.

Private law, he said, deals with the normal activity of the individual, his profession, his daily work, his family ties. And since economic transactions, and even family ties, spread their ramifications across frontiers and beyond seas and oceans, it is indispensable that the various systems of private law should be coordinated.

Finally, M. Scialoja, Italian representative on the Council, and Chairman of the Governing Body of the new Institute, thanked the speakers on behalf of the Institute and recalled that this centre of legal study had been created in order to enable civilised nations as far as possible to enjoy the advantages of unified law. This legal unity, he said, had been an important factor in the development of the greater part of Europe up to the end of the eighteenth century, when the creation of various new States had put an end to it.

M. Scialoja drew attention to the character of universality acquired by Roman law at the time of the Roman conquest and later during the Renaissance. He noted that this tendency to become universal had also been shown by Canon Law and Mohammedan law, both of which were of religious origin.

History has shown, he said, that success is now possible if we do not endeavour to do too much and in too general a way. The number of facts in support of this view is increasing from day to day. I will not refer to the series of treaties concerning international private law because our task is not to lay down rules for the settlement of conflicts of laws but, on the contrary, to draw up rules whose object is to avoid these conflicts by means of the unification of laws.

M. Scialoja concluded :

The Institute will make use of all that has already been done and of the work of all those who are pursuing the same object.....

We wish to achieve practical results, and these demand a most careful scientific and political preparation. We shall have to study and prepare drafts which the League of Nations can recommend to States. We should also endeavour to disseminate ideas and as far as possible to give them concrete form.

First Meeting of the Governing Body. — The first meeting of the Governing Body took place in Rome with M. Scialoja in the Chair, The rules of the Institute were discussed and approved and M. Pietro de Francisci, professor of the History of Roman Law at Rome University, was appointed as Secretary-General of the Institute.

This meeting was attended by :

M. Ambroise-Colin (France); M. Destrée (Belgium); M. Rabel (Germany); M. Loder (Netherlands); M. Rocco (Italy); M. Felibe Sanchi Roman (Spain); M. Antoniadé (Roumania), (replacing M. Titulesco); M. Celfo Bojme (Brazil), (Replacing M. Fernandez); Mr. Beckett (England), (replacing Sir C. J. Barbington Hurst); M. Thadée de Romer (Poland), (replacing M. Rundstein).

d) *Subsidies granted to the International Institute of Intellectual Cooperation.*

Acting on the Assembly recommendation of 1926 that States should grant subsidies to the International Institute of Intellectual Cooperation, the Belgian Government has made arrangements for a sum of 20,000 francs to be paid at the end of 1928, pending the inclusion of a regular subsidy in the budget of 1929.

The Egyptian Government has intimated that it will contribute 15,000 old francs to the budget of 1928.

e) *Appointment of a Successor to Professor Lorentz.*

M. Joseph Susta, Professor of general History at the Charles University of Prague has been appointed by the Council to replace the late Professor Lorentz as member of the Committee on Intellectual Cooperation.

VII. — Administrative Questions.

THIRTEENTH SESSION OF THE PERMANENT MANDATES COMMISSION

The thirteenth session of the Permanent Mandates Commission took place at Geneva from June 12th to June 29th.

At the opening meeting, the Chairman paid a tribute to the memory of Mme. Bugge-Wicksell, who had taken part in the work of the Commission since its creation. He welcomed M. Nobumichi Sakenobe, the new Japanese Member, and Mme. Valentine Dannevig (Norwegian), who has succeeded Mme. Bugge-Wicksell.

After hearing statements by M. Van Rees on the work of the Council concerning mandates and by the Secretariat on the work done since its last meeting, the Commission constituted its Bureau, re-electing as Chairman Marquis Theodoli and as Vice-Chairman M. Van Rees.

The meeting was attended by Mlle. Dannevig (Norwegian), M. Kastl (German), Lord Lugard (British), M. Merlin (French), M. Palacios (Spanish), M. W. Rappard (Swiss), M. Van Rees (Dutch), Marquis Theodoli (Italian), M. Nobumichi Sakenobe (Japanese), and Mr. Grimshaw (International Labour Office). M. Orts (Belgian) and M. Freire d'Andrade (Portuguese) were unable to attend.

The Commission's agenda included the examination of the reports of the Mandatory Powers on Palestine (Great Britain), Syria and Lebanon (France), French Cameroons and Togoland, Tanganyika (Great Britain), New Guinea (Australia) and Nauru (British Empire).

The Mandatory Powers had appointed the following accredited representatives :

Great Britain : Lt. Colonel Symes, Secretary-General of the Palestine Government (Palestine and Trans-Jordan); Mr. J. Scott, Secretary-General of the Tanganyika Government, and Mr. Machtig, of the Colonial Office.

Australia : Major General Sir Granville de Laune Ryrie, High Commissioner in London (Nauru and New Guinea).

France : M. Robert de Caix (Syria and Lebanon), M. Duchêne (Director of Political Affairs in the Colonial Ministry) (French Cameroons and Togoland).

The Commission also examined the report of the Royal Commission of Enquiry the administration of Western Samoa. At its preceding session it had decided to abstain from any comment on the disturbances which had occurred in Samoa during the past few years until the New Zealand Government had communicated the results of its enquiry into the situation together with its conclusions and decisions.

The New Zealand Government had accredited for the examination of this report Sir James Parr, High Commissioner in London, assisted by Major General Sir George Richardson, until last April Administrator of Western Samoa.

On this occasion the Commission also dealt with various petitions concerning Western Samoa. The agenda included a certain number of petitions concerning Palestine, Syria and Lebanon, Tanganyika, and South West Africa.

The Commission pursued its study of certain general questions concerning the administration of the mandated territories, in particular, problems relating to the liquor traffic, economic equality, and the extension of Treaties of commerce and establishment to mandated territories.

As regards the liquor traffic, the Commission, in accordance with resolutions of the Assembly and the Council in September and December 1927, began a study of the causes of the increased importation of alcoholic liquors into territories under B. Mandate, where such an increase had been noted, and of the measures to be taken to remedy this situation.

On these general questions the Commission drew up recommendations for submission to the Council.

An analysis of the observations of the Commission on the reports examined at this session will be published later.

VIII. — Protection of Minorities.

The Council dealt with a certain number of petitions, most of which were brought to its notice under the German-Polish Convention on Upper-Silesia by the *Deutscher Volksbund* in Polish Upper Silesia and concern educational questions. One of the petitions was from the Silesian Section of the Association of Poles in Germany.

The Council also examined an important point of procedure raised by the Lithuanian Government on the occasion of a petition from Ukrainians residing in Lithuania. The Council referred it for study to a Committee of Jurists, which will submit a report at its next session.

At the request of the Lithuanian representative the Council postponed to its next session its examination of the final report on the treatment of persons of Lithuanian race or language in the district of Vilna, a question which the Council, by its resolution of December 10th, 1927, had referred to the Committee of Three.

1. — QUESTIONS CONCERNING UPPER SILESIA

Three of these questions, concerning the establishment of minority schools at Biertultowy, at Stara-Wies and at Gieraltowice were settled by the Council on the basis of the decision of the Permanent Court of International Justice of April 26th, 1928.

The difficulties which had arisen in this matter were due to the fact that many persons responsible for the education of children who did not speak the language of the minority had nevertheless requested that these children should be admitted as pupils in the minority schools. The Council decided on the report of a Committee of Three (the Colombian, Italian and Netherlands representatives) to lay down the principles which should govern declarations concerning the language of the children. These principles are as follows :

(1) Any person making a request, either for the establishment of a minority school or for the entry of a child into an already existing school, must declare, according to his conscience and on his personal responsibility, what is the language of the child for whose education he is legally responsible; this declaration must set out what its author regards as the true position in regard to the point in question. It should, however, be understood that this right freely to declare what is the language of a child, though comprising, when necessary, the exercise of some discretion in the appreciation of circumstances, does not constitute an unrestricted right to choose the language in which instruction is to be imparted, or the corresponding school.

(2) The Polish Government is justified in not admitting to the minority schools children whose language, according to the declaration of the persons responsible, is only Polish, or for whom there is no declaration concerning the child's language.

(3) The declarations concerning the language of children made by persons responsible for the education of these children may not be made subject to any verification, dispute, pressure or hindrance whatever on the part of the Polish authorities.

In this connection the Council recalled the opinion expressed in its resolution of March 12th, 1927, to the effect that it was not desirable to admit to minority schools children who spoke only Polish.

It expressed the hope that, once the Polish Government had prepared the forms for the oral or written declarations regarding the language of the children in such a way as to avoid all possible misunderstanding with regard to the objective nature of these declarations, difficulties of the kind which had hitherto arisen would no longer occur and the normal working of the minority schools from a scholastic point of view, which is the responsibility of the Polish authorities, would thus be ensured.

The Polish representative noted that the decision of the Court of April 26th, 1928, had recognised the correctness of the main theses of the Polish Government which it had already defended in March 1927. He pointed out that the Polish Government had always recognised that the Upper Silesian Convention implied that the school authorities were not at liberty to verify or dispute the declarations of the persons responsible for the education of the children. He expressed his

regret that the Committee of Three which had studied the question had not thought it desirable to recommend the application of an impartial linguistic control by a neutral pedagogic expert, as instituted by the resolution of the Council of March 12th, 1927.

He added that the Polish Government would in no case admit that, in consequence of declarations not in accordance with the actual facts, the good working of the school from an educational point of view should be rendered impossible.

The German representative, Dr. Von Schubert, noted the statement of the Polish representative according to which the Polish Government recognised that the Upper Silesian Convention implied that the Polish authorities were not at liberty to verify or dispute declarations made in order to obtain entry into the minority schools. He emphasised that the decision of the Hague Court stated this important principle without any restriction.

As regards the creation of a primary minority school in Brzezinka, the Council expressed its desire that the Polish Government would find it possible to reopen the minority school under conditions that would avoid any further fear of the draw-backs which had given rise to the present question and that would at the same time in no way interfere with the normal operation of the Polish school.

With regard to two other questions concerning the composition of the teaching staff of the secondary minority school at Krölewska Huta and the use of the German language in together with the official language in the registers and other documents of the minority schools, the Council, relying upon the spirit of equality and the goodwill of the Polish Government, decided to abstain from taking any action in this matter because, in its opinion, there was no provision in the Upper-Silesian Convention expressly relating to these cases.

The German minority at Godulla had complained of acts of violence from which it had suffered on the occasion of the entry of children for the minority school. After noting the observations of the Polish Government, according to which the responsible persons had been handed over to the Courts, the Council expressed its confidence that suitable punitive measures would be taken against them.

The Polish minority in certain districts of German Upper Silesia had also complained of acts of violence. In the observations which it submitted on this subject, the German Government declared that in the principal case the persons implicated had been sentenced by the court to long terms of imprisonment and in other cases inquiries had been instituted. The Council noted this information and expressed its confidence that equally suitable measures would, if necessary, be taken in the cases under investigation.

2. — RECEIVABILITY OF PETITIONS

On November 14th, 1927, twenty-one persons of Ukrainian origin living in Lithuanian addressed to the League a petition in which they complained that they had been deprived of their land by the Lithuanian Government. The petition was considered as receivable by the Secretary-General and by the Acting President of the Council, to whom the petition was submitted, in accordance with the regular procedure, as the result of a protest from the Lithuanian Government. That Government finally asked that the Council agenda should include the question of the receivability of petitions concerning persons resident in a State but not belonging to a minority of race, language or religion.

The Lithuanian Government considered that there could be no question of the protection of minorities because there was no Ukrainian minority in Lithuania and the petitioners did not possess the distinctive characteristics of a national minority.

After an exchange of views between M. Voldemaras (Lithuania), the rapporteur, M. Urrutia (Colombia), M. Procope (Finland), M. Paul-Boncour (France),

the President, M. Agüero y Bethancourt (Cuba), M. Scialoja (Italy), and M. Villegas (Chile), the Council on June 6th decided that the petition was receivable from the point of view of form, without prejudice to the question of substance. It considered that the concrete points of procedure raised by the Lithuanian representative should be submitted to a Committee of Jurists for examination. The Committee of Jurists will be composed of experts appointed by the Council, representatives of Germany, France, Italy, the Netherlands and Roumania. It will submit its report to the Council next September.

3. — TREATMENT OF PERSONS OF LITHUANIAN RACE OR LANGUAGE IN THE DISTRICT OF VILNA

Last March the Committee of Three (the Chinese, Colombian and Netherlands representatives) studying this question had informed the Council that it would submit its final report at the June session.

The Lithuanian Government having asked to be represented on the Council for the examination of this report, the Council consulted a Committee of Jurists, which concluded that the Lithuanian request should be acceded to owing to the circumstances in which this question had been brought before the Council last December and to the fact that the Council resolution dealt at the same time with general political questions and cases of minorities.

The Council having decided to accept the conclusions of the Jurists, the Polish representative said that, out of a spirit of conciliation and goodwill towards Lithuania and in order to prove once more the friendly feelings of Poland towards that country, he would make no objection to the proposal that the Lithuanian representative should sit on the Council. He nevertheless thought that the procedure applied in this case should not be allowed to constitute a precedent.

The British representative and the French representative also observed that the procedure had been adopted owing to exceptional circumstances, and should not form a precedent.

The Roumanian representative then proposed that the Council should examine the report of the Committee of Three. The German representative pointed out that M. Voldemaras was not present and that, in view of the fact that Poland had agreed that Lithuanian should be represented when the matter was discussed, it would be preferable to adjourn it until the next session of the Council.

The Council decided to postpone the examination of this question to its next session.

IX. — Political Questions.

1. — THE HUNGARIAN OPTANTS

In reply to the invitation of the Council at its March session, the Roumanian Government in a letter dated May 28th, 1928, expressed its regret that it could not accept the proposals of the Council. The Hungarian Government, in a letter dated June 6th, confirmed its acceptance of the proposals.

At the beginning of the meeting of June 8th, Count Apponyi and M. Titulesco stated that they had nothing to add to the previous communications of their Governments.

The Rapporteur, Sir Austen Chamberlain, then proposed that the Council should urge the two parties to bring the dispute to a close by reciprocal concessions.

In his statement to the Council Sir Austen Chamberlain retraced the various stages of this affair and the successive efforts of the Council to settle it.

Hungary, he said, maintains her objection to the solution suggested by the Council in September 1927 and Roumania maintains her objection to the proposal approved last March. As each of these proposals required the assent of both parties neither can be imposed on either party against its will. The Council having declined to enforce what was described as a sanction on the refusal of Hungary to accept the earlier proposal will not, I presume, think it proper to proceed to sanctions against Roumania for her later refusal.

Consequently Sir Austen Chamberlain proposed a draft resolution which was unanimously adopted, the Hungarian delegate abstaining. The resolution reads :

The Council :

Whilst deeply regretting that the parties have hitherto failed to reach agreement on the lines of the Council's recommendations,

Without desiring to exclude any other friendly arrangement, remains of opinion that this dispute ought to be settled by the parties upon the basis of the solutions which the Council has recommended to their acceptance, maintains its resolutions of September 19th, 1927, and March, 1928.

And urges the Governments of Hungary and Roumania to bring this long dispute to a close by reciprocal concessions.

Count Apponyi then set forth the doubts and objections which prevented him from purely and simply accepting the resolution. These doubts and objections bear, in particular, on the role of the Council in this affair, on the meaning and scope of the Council proposals of September 19th, 1927 on the difficulties of an arrangements by means of conciliation between the parties.

He stated that the role of the Council did not seem to him to have been fulfilled by the recommendation containing this resolution since it left in abeyance what was, in his opinion, a definite obligation imposed by a Treaty of Peace, that is, the appointment by the Council of deputy-judges so as to enable the Mixed Arbitral Tribunal to continue its work.

The Roumanian representative said that the reply to the objections which had once again been raised by Count Apponyi was contained in previous statements.

The Rapporteur, Sir Austen Chamberlain, said that he would abstain from replying to Count Apponyi so as not to reopen the debate.

M. Titulesco remarked that as a result of the resolution adopted by the Council, the question was now no longer before it and had been left to the goodwill of the parties. He read a proposal which the Roumanian Government intended to make to the Hungarian Government.

This proposal provides that as soon as the Hungarian Government had notified the Roumanian Government of its acceptance, both Governments would ask the Council to appoint one of its Members from among those who had been specially interested in this question. The Member appointed would enquire, on the basis of the Council recommendations of July 5th, 1923, September 17th, 1927 and March 9th, 1928, whether, within the limits of the Roumanian Agrarian Law for Transylvania, there were any liquidations which had been prohibited by Article 250 of the Treaty of Trianon, and would if necessary fix *ex aequo et bono* the amount of compensation due to those nationals whose requests had been recognised as well-founded on the basis indicated above.

The possible sums to be allotted to certain of the claimants would be paid to them by the Hungarian Government, and the deduction of those sums would be made from the reparations due to Roumania under the Treaty of Trianon.

Count Apponyi, while leaving it to his Government to give a definite and detailed reply to the Roumanian proposals, said that it would be impartially examined by Hungary in the sincere desire to find a solution. He then drew attention to certain difficulties and dangers presented in his opinion by this proposal and which might make it impossible to reach an agreement.

To conclude, he declared that, should the result of the negotiations be negative, he would maintain before the Council, to its full extent, his request that neutral persons should be appointed from whom the substitute judge might be chosen for the Mixed Arbitral Tribunal.

The President of the Council pointed out that, since the resolution submitted by the Rapporteur had been adopted by the Council, the question of the Hungarian optants was closed so far as the Council was concerned. He added that he had granted the request of M. Titulesco to speak, though it was not included in the agenda, in order that he might inform the Council of the proposal that his Government intended to submit to the Hungarian Government for consideration; he had also granted Count Apponyi's request to speak and had then asked M. Titulesco not to speak a second time, since there was no reason for the Council to discuss the Roumanian proposal, the affair being closed as far as it was concerned.

This statement gave rise to correspondence between the President of the Council and the Hungarian and Roumanian representatives.

In a letter to the President, Count Apponyi expressed the opinion that the Council's decision would only take the question out of its hands provided that an agreement were successfully reached between the parties or that the substitute judges were appointed. He recalled his statement to the Council that he reserved for his Government the right to bring up again its request with regard to these appointments, should the negotiations not succeed.

M. Titulesco stated that not merely were the declarations in Count Apponyi's letter contradicted by the report, by the resolution of the Council and by the whole discussion in the Council and could not in any way alter the Council's decision to regard the question as closed so far as it was concerned, out also that these unilateral declarations on Count Apponyi's letter had already appeared in the minutes.

It would be seen from the minutes that the President's reply had been called forth by these unilateral declarations.

The President of the Council acknowledged the receipt of the letters of the Hungarian and Roumanian representatives, which were communicated to the Members of the Council.

2. — THE POLISH-LITHUANIAN DISPUTE

At its March session the Council asked the Netherlands representative, M. Beelaerts van Blokland, to submit a report on the progress of the negotiations between the Polish and Lithuanian Governments and on the official communications made by the two parties.

In his report to the Council on June 6th M. Beelaerts van Blokland enumerated the documents concerning the Polish-Lithuanian Conference at Koenigsberg addressed to him by the Polish Government, noting that "un fortunately the negotiations recognised by the Council as indispensable for the establishment between the two countries of the good understanding upon which peace depends had not yet succeeded and were being protracted without any appreciable progress being made". He informed the Council that the Polish Government had made arrangements for the return of the persons expelled from Poland last October, and that four of the eleven persons had taken advantage of these arrangements. Finally, he recalled that, when declaring in its resolution of December 10th, 1927, that that resolution in no way affected the questions on which the two Governments had differences of opinion, the Council did not mean to say that one of the parties was free to take any measures likely to prejudice the progress of the negotiations, for the party which took such measures would be putting itself in the wrong not only at the Council table, but in the eyes of international opinion.

The Lithuanian representative, M. Voldemaras, drew attention to the fact that the report submitted by M. Beelaerts van Blokland was incomplete, as its

only contained information and documents from official sources, most of them communicated by the Polish Government. He added that the Lithuanian Government possessed a number of documents of great importance for the negotiations at present in course and would produce them at the proper time.

M. Voldemaras informed the Council that several persons had recently been arrested who belonged to armed bands operating on the Polish-Lithuanian frontier with a view to overthrowing the Lithuanian Government. The Polish representative, M. Zaleski, formally stated that no armed bands existed in Poland.

The British, French and German representatives expressed their regret that the negotiations had not led to appreciable or satisfactory results. Sir Austen Chamberlain said :

Six months have passed, and our Rapporteur is obliged to tell us that no appreciable progress has been made. Indeed, without specifically mentioning any incident in the last paragraph of his report, he refers to something which has taken place, and which is known to us all, which does not constitute progress in the direction which the Council desired, but an act, an irritating act—it would not be using exaggerated language to say an act of provocation—which is directly contrary to that which the Council desired and which it expected from both parties.

He appealed to the Lithuanian representative to show a greater spirit of conciliation during the negotiations :

The sympathy of us all goes out naturally to the smaller in any dispute between two nations. My own country has experienced this sometimes when involved in a dispute; other countries have experienced it also. To Lithuania, therefore, as the smaller of the two Powers separated by those differences, the sympathy of everyone is given freely and generously, but on one condition—that Lithuania does not use that weakness in order to pursue a course of provocation which no great nation faced by another great nation would dare to follow.

To conclude, he begged M. Voldemaras not to misinterpret the last words of the Council's resolution of December 10th, 1927 now that the Rapporteur had once more set forth clearly their meaning and their limitations, saying :

I feel sure that the Council will be profoundly disappointed if, when we meet three months hence, far greater progress cannot be recorded by the Rapporteur, and if the official documents circulated by the two parties do not show a greater readiness than I can find in those emanating from the Lithuanian Government up to the present time to bring about those peaceful conditions which it is the object of the Council to secure.

M. Paul-Boncour said that, in his opinion, the situation could not be prolonged without danger to peace and that it was clearly not fitting for the League and its executive organ, the Council, to remain powerless in the face of such a situation.

He asked the rapporteur if it would not be possible to fix a certain time limit for the negotiations, it being understood that if within a fixed period they had not succeeded, the Council would itself deal with the question not merely, as at that moment, in order to be informed of the progress of the negotiations, but in order to take steps with a view to a more rapid solution.

Dr. von Schubert noted that there were still great difficulties in the way of a rapid and complete solution of the problem, but he expressed the hope that something practical might be done and that a result might be obtained, even though only a partial one. Germany, he said, was specially interested in the removal, as soon as possible, of anything that might disturb peace in the relations between two of her neighbours.

M. Voldemaras said that he could not remain unmoved by the appeal made to him Sir Austin Chamberlain in the general interest of Europe. He recalled that

the Polish-Lithuanian question was not a new one and could hardly be settled in a few months. He added :

We ask you not to pass judgment without obtaining full information on the whole question. If this be the desire of the Council, it will be very simple, when the negotiations are sufficiently advanced, to realise the actual existing possibilities and to draw up a detailed report based solely on the information officially received from the two parties.

Replying to M. Paul-Boncour, the rapporteur said that it seemed difficult to gauge in advance the moment at which the negotiations would come to an end, adding :

At any rate, however, we can express the desire, and we have the right to expect, that appreciable progress should be made. Both parties must make it possible for us to note not only that an effort has been made but also that some result has been achieved by making it. At our next session, we must be in a position to note that a step forward has been taken.

The President then submitted a draft resolution emphasising the necessity of the negotiations making appreciable progress before the next session of the Council and inviting the Netherlands representative to submit a report in order that the Council might, if necessary, take up the question again.

M. Voldemaras thereupon submitted an amended text by which the Council recommended that the resolution of December 10th, 1927 should be carried out to the full extent and as shortly as possible. The two texts were put to the vote, the amended proposal being rejected except for the vote of the Lithuanian representative, the original proposal being unanimously accepted by all Members of the Council, with the exception of M. Voldemaras.

As both these resolutions required unanimity neither of them could be adopted.

The British representative then proposed that the Council should adopt a resolution to include in the agenda of its next session not only the question of the progress of negotiations but also that of the Polish-Lithuanian relations. For the adoption of this resolution a majority was necessary, bearing as it did upon a question of procedure. It was unanimously adopted by the Council, the Lithuanian representative having adhered to the proposal.

3. — ALBANIAN PROPERTY AND THE ALBANIAN MINORITY IN GREECE

On April 10th the Albanian Government requested the Council, in virtue of Article II of the Covenant, to examine the question of Albanian property and the situation of the Albanian minority in Greece. This question was, accordingly, placed on the agenda of the June session.

On June 5th the Council heard statements by the representatives of the parties, M. Mehdi Frasheri for Albania and M. Politis for Greece. The Albanian representative said that his Government had decided to submit the question to the Council because direct negotiations with the Greek Government had not led to any result. He then dealt with the question of Albanian property and the situation of the Albanian minority.

He stated that the application of the agrarian law in Greece had led to the confiscation, more or less disguised, of Albanian properties, despite the fact that in virtue of its international obligations the Greek Government was not entitled to proceed to expropriation and requisition of foreign property without apparent reason and without a just preliminary indemnity. He pointed out that for landowners of certain nationalities, the Greek Government had consented to mitigate the provisions of the agrarian law; and proposed that to settle the question a Mixed Commission should be formed under the presidency of a neutral.

The Albanian representative then described the situation of the Albanian minority in Greece to which, he alleged, exceptional measures were applied, resulting in vexations, restrictions and injustice. He added that if this situation were not remedied the Albanians would shortly be forced to leave Greece.

The Greek representative said that his Government was convinced that the Albanian request could not be received, was inadmissible and entirely out of order. There was no tension between Greece and Albania; the Greek Government had the very sincere intention to maintain the best of relations with Albania and the strictest bonds of friendship. It had constantly given proofs of its goodwill towards its neighbour and, as a matter of fact, negotiations were being conducted between the two Governments on the questions which Albania had now submitted to the Council in virtue of an unfair application of Article 11 of the Covenant.

M. Politis explained that the expropriation of Albanian lands had taken place under an agrarian law which the influx of refugees had rendered necessary and had affected all landed proprietors without distinction of class or nationality. In the interest of the maintenance of neighbourly relations the Greek Government, however, was ready to examine to what extent it could grant certain concessions to the Albanian landowners. It would, nevertheless, always refuse to recognise that there existed a legal obligation for it freely to grant Albanian nationals a more favourable treatment than the national treatment and still less the special advantages which, for exceptional reasons, had been agreed to in the case of certain foreign landowners.

To refuse, gentlemen, to accede to the demands of a foreign Government claiming privileged treatment without compensation for its nationals is the absolute right of any State which has its dignity at heart. This can in no way be considered as an act which might disturb the peace or good understanding existing between the countries concerned, nor is it an act which would warrant recourse to the Council of the League of Nations.

As regards the situation of the Albanian minority, M. Politis pointed out that the complaints brought forward by Albania were already to be found in protests from private persons which had been examined and rejected, or which were under examination by Committees of Three of the Council. He emphasised that, in his opinion, the Albanian Government had no right to interfere in a question of this kind, recalling that, to avoid any interference on the part of one power in the internal affairs of another power, the Minority Treaties had reserved to Members of the Council alone the right to bring before the Council a question concerning a minority. He submitted that the step taken by the Albanian Government was contrary to the procedure drawn up by the League and the practice adopted by the Council as regards the protection of minorities and that Article 11 of the Covenant was not applicable to this case.

He concluded with the following general observations :

I have followed with continued interest the development of the minorities question since the re-establishment of peace, and I must confess that I feel much apprehension. This system was established to correct to a certain extent certain ethnological situations of difficulty. A loyal effort to live together on the part of different people has been observed. Their union was directed by reason; I am alarmed to note, however, that this loyalty and this union, the result of reason, are little by little being changed in certain countries into a struggle which is aggravating the disease it was designed to cure. Minorities are being ceaselessly submitted to the action of subversive propaganda. Their grievances are kept continuously awake and philanthropists more clumsy than ill-intentioned are constantly urging them to agitate and are rejoicing at the increase in the number of petitions from private persons submitted to the Council.

..... I venture to ask you to pay very serious attention to this state of affairs. The present situation cannot continue to develop in the direction which it has taken without causing the gravest danger to the peace of the world. Just as

I am of opinion that the Council should formally insist on the execution of the obligations assumed by States possessing minorities, so do I also think it necessary that it should remind minorities, whenever the occasion arises, that they should strictly fulfil their duties, and it should discourage any attempt, direct or indirect, to create disaffection, enmity or hostility between the minorities and their national Government.

Resolution of the Council. — The Committee of the Council (the British, Japanese and Polish representatives) set up to study the question submitted on June 9th a report which the Council adopted.

As regards the question of the property of Albanian nationals in Greece, the Council considered that direct negotiation between the parties, conducted in a spirit of conciliation, would seem to constitute the most suitable means of reaching a solution. It accordingly expressed the wish that the parties might reach a friendly solution.

The Council came to the conclusion that it should abstain from taking into consideration the question of the Albanian minorities in Greece. It emphasised that certain complaints brought forward by the Albanian Government had already been examined or were being examined in accordance with the ordinary procedure for petitions submitted to the League of Nations.

The reasons why the Council decided to abstain from acceding to the request of the Albanian Government were stated as follows in the report :

We are unanimous in considering that the system of the protection of minorities instituted by the treaties, while having as its principal object the protection of the minority itself, is also intended not only to prevent that questions concerning the protection of minorities should acquire the character of a dispute between nations but to ensure that States with a minority within their borders should be protected from the danger of interference by other Powers in their internal affairs.

The authors of the Minorities Treaties had this danger clearly in view. They gave to members of the Council the right to call the Council's attention to any infraction or any danger of infraction of the provisions of the Minorities Treaties.

This, however, does not prevent, under the rules in force, a State not represented on the Council from presenting a petition on the subject of the treatment of a minority.

The protection of minorities is an international affair, but one of the essential objects of the system established by the treaties and of the procedure laid down by the Council is that, whilst bearing this international character, a case of the protection of minorities should not become a dispute between neighbouring States. Once the matter is before the Council, it becomes an affair between the Council and the State to which the minority belongs nationally, not a question between that State and the State with which the minority is racially connected.

One of the main objects of the system of the protection of minorities would be frustrated, and an important purpose of the Minorities Treaties themselves would be defeated, if the Council consented to accept as normal an appeal based on Article 11 in lieu of the minority procedure.

Article 11 should only be invoked in grave cases which produce a feeling that facts exist which might effectively menace the maintenance of peace between the nations. In normal cases, on the other hand, an appeal to Article 11 would create the very dangers which the Minorities Treaties were intended to avert.

The representatives of the parties accepted the report.

The Albanian representative expressed the hope that the competent organs would carefully consider the question of the Albanian minority. As regards the question of property, he stated that his Government would willingly lend itself to the negotiations proposed by the Council.

The Greek representative said that his Government would respond to the appeal of the Council as regards the question of Albanian property. He added, nevertheless, that his Government could not abandon the legal view by which it maintained that, in accordance with present international law, no State had any

obligation to grant to foreigners in connection with such a question better treatment than they granted to its nationals by the terms of a general law. He expressed his satisfaction that the Council had confirmed in its report the legal practice followed by the League in regard to the whole question of minorities, adding that his Government would never agree to any open or disguised intervention on the part of the Albanian Government in the internal affairs of Greece.

To conclude, he expressed the hope that once this question had been settled the list of cases in which recourse had been had to the Council from one side or another would be closed and that relations of confident friendship and practical cooperation might be established between Greece and Albania.

The German representative, Dr. Von Schubert, agreed with the solution recommended by the Committee of Three.

While the report emphasises, on the one hand, that recourse to Article II as a substitute for the application of the minorities procedure should not become the general rule, it states, on the other hand, that in grave cases Article II can be applied to questions of minorities. The question of principle has, therefore, in my view, been satisfactorily settled.

In this connection he submitted certain observations concerning the general remarks made by the Greek representative on June 5th.

I must confess that these remarks surprise me somewhat. They might almost give the impression that the Council's duty at the moment is less to protect minorities than to oppose any tendency to safeguard the rights of these minorities. I note with satisfaction that such a view has not been expressed in the report before us. If it had been otherwise, I could not have accepted the report, since I cannot admit that such a conception is correct. Even though emphasis has been laid on several occasions—and once more in the report—on the fact that the problem of minorities is an international one, it is obvious that this should not mean that the importance of the rights of minorities are lessened, but, on the contrary, it should throw into sharp relief the serious and sacred character of those rights.

This is no question of simple contractual stipulations between two States, stipulations which may be modified when the two parties so wish. It is a question of an international institution of the highest character. Nobody will deny that this institution may, like all human institutions, one day encounter difficulties, and I should be the last person to defend the tendencies that would make the rights of minorities the basis for all kinds of pettiness, which, moreover, has never, within my knowledge, occurred. I do not, therefore, see any serious danger from this source. On the other hand, there would be a serious danger, if the idea of which I have just spoken were to spread. If the rights of minorities are applied by all concerned in the spirit which established those rights, we may be sure that, far from setting up barriers between the States concerned, those rights may well constitute a bond between them.

The British representative recalled that the supervision of the Minority Treaties and the consideration of petitions made in pursuance of them was one of the most important, but at the same time one of the most delicate tasks of the Council.

Just because these questions are so delicate and may so profoundly affect international relations I think it is—as noted in our report—of the greatest importance that, in normal cases, the normal procedure should be followed and that only in cases of real and profound gravity should we have recourse to Article II of the Covenant.

4. — REQUEST OF THE MIXED COMMISSION FOR THE EXCHANGE OF GREEK AND TURKISH POPULATIONS (1)

The Greek and Turkish Governments, having consented to the question raised by the Mixed Commission for the Exchange of Greek and Turkish populations

(1) See chapter on the Permanent Court.

concerning the interpretation of the Greco-Turkish Agreement of 1st December, 1926, being submitted to the Court for an advisory opinion, the Council decided on June 5th to comply with the request of the Mixed Commission of February 4th.

On this occasion the Greek and Turkish representatives said that their Governments were prepared to waive their right to appoint judges *ad hoc* when this matter was dealt with by the Court.

* * *

The Council appointed M. Manuel Rivas Vicuna (Chilean) to succeed M. K. M. Widding as Member of the Mixed Commission for the Exchange of Greek and Turkish Populations.

5. — REPORT OF THE STRAITS COMMISSION

The third report of the Straits Commission was noted by the Council on June 5th ⁽¹⁾.

The Council authorised the Secretary-General in future to communicate the reports of the Commission not only to the Members of the Council and Powers signatory to the Convention, but also to the Members of the League and any technical organisation of the League which might be interested in the information contained in the report.

It further decided that the reports should not be included in the agenda unless one of the countries to which they were communicated wished to raise a question in regard to them.

X. — Social and Humanitarian Questions.

1. — TRAFFIC IN OPIUM ⁽²⁾

The question of the traffic in opium and other narcotics was discussed by the Council on June 8th. The Netherlands representative informed the Council that his Government had ratified the Opium Convention of 1925, the Canadian representative intimating that Canada had approved the ratification which would shortly be deposited ⁽³⁾. The British representative observed that when the Canadian ratification was actually received the Convention would come into force.

On the recommendation of the Advisory Committee on Traffic in Opium, the Council instructed the Secretary-General to send a reminder to Governments which had not furnished their annual reports on the trade in opium and other drugs in their territories. It decided to draw the attention of all Governments, Members of the League or parties to the Hague Convention to the necessity for the adoption of measures such as the withdrawal of the license from firms engaged in the illicit traffic, strict control of the export and transit traffic, immediate communication and investigation of seizures, severe penalties for traffickers etc., and to forward to them for examination a standard code for the administrative control of narcotic drugs drawn up by the Advisory Committee.

It was decided to recommend that morphine esters such as benzoyl morphine and similar products should be placed under the same control as morphine as regards manufacture, import and export.

As regards benzoyl-morphine, the Italian representative, M. Scialoja, suggested that, in addition to the reference made by the Rapporteur to the provisions of Article 10 of the Geneva Convention which had not yet come into force, it would

(1) Rapporteur : the Chinese Representative.

(2) Rapporteur : the Canadian Representative.

(3) The Canadian ratification was deposited on June 27th

be desirable to quote also Article XIV § (d) or the Hague Convention of 1912, the aim of which was in general the same as that of Article 10 of the Geneva Convention.

This Article reads :

The Contracting Powers shall apply the laws and regulations respecting the manufacture, import, sale or export of morphine, cocaine and their respective salts :

d) To all new derivatives of morphine, of cocaine, or of their respective salts, and to every other alkaloid of opium, which may be shown by scientific research, generally recognised, to be liable to similar abuse and productive of like ill-effects.

2. — TRAFFIC IN WOMEN

The report of the Traffic in Women Committee on its seventh session was considered at the Council on June 5th.

As regards the question of the continuation of the expert enquiry into the traffic in women, the Council decided to await the report of the Committee as to the nature and scope of further investigation before coming to any conclusion.

The Council also endorsed the proposals of the Committee regarding studies to be made by the Secretariat on laws and regulations on the traffic on countries where licensed houses have been abolished and of the laws and penalties relating to souteneurs *i.e.*, persons living on the immoral earnings of women.

Obscene Publications. — By article 16 of the Convention for the suppression of obscene publications (Geneva, September 12th, 1923) the Council is called upon to consider the desirability of summoning a conference at the end of each period of five years to discuss the revision of the Convention. This point had been referred to the Traffic in Women Committee, which had reached the conclusion that the time had not yet come for a further conference. The Council endorsed this view and noted that the Committee proposed to place this question on the agenda of its next session and to consider the best means of giving effect to the intentions of the framers of the Convention.

3. — CHILD WELFARE

The Council considered the report of the Child Welfare Committee on its fourth session and, on the proposal of the Canadian representative, requested the Secretary General to communicate it to Governments, calling special attention to the resolutions on the legal age of marriage and on the cinematograph.

It noted the proposal of the Child Welfare Committee that the five thousand dollars offered in 1925 by the American Social Hygiene Association should be employed in studying the problem of children whose environment is bad or who are exposed to moral and social dangers.

4. — EXTENSION TO OTHER REFUGEES OF MEASURES TAKEN TO ASSIST RUSSIANS AND ARMENIANS

The report of the League High Commissioner on the possibility of applying to Assyrian, Assyro-Chaldean and Turkish refugees the measures taken to assist Armenians and Russians was discussed by the Council on June 7th.

(1) Rapporteur : the British Representative.

The information received showed that there were no fewer than 15,000 Assyrians and Assyro-Chaldeans in Southern Russia who were unable to establish themselves and wished for passports and employment elsewhere. In Iraq and Syria there were respectively 12,000 and 1,500 Assyrians mostly agricultural workers, who wished to retain their nationality and to be settled as colonists in Syria and Lebanon and Iraq under the direct protection of the Mandatory Powers concerned. A certain number of refugees of Turkish nationality, prescribed by their Government, were living in various countries of Europe.

The Council decided to invite the fifty Governments which had adopted the arrangements made in favour of Armenian and Russian refugees to extend them to the abovementioned categories. It, moreover, invited the Intergovernmental Conference on the Legal Status of Russian and Armenian Refugees, meeting on June 28th, to consider the possibility of making appropriate recommendations concerning the issue of passports to Assyrian and Assyro-Chaldean and Turkish refugees and for the regulation of their legal status.

XI. — Other Questions.

1. — THE NEW LEAGUE BUILDINGS

The Special Committee dealing with the question of the new League buildings was unable to submit a report on the revised design of the architects to the June session of the Council.

The plans provisionally adopted by the Special Committee and by the Council in March were prepared before any definite specifications were available for the new library to be built and endowed by the gift of Mr. Rockfeller, Junior. These specifications were drawn up by a Committee of Experts immediately after the March session of the Council, but unforeseen difficulties arose which prevented the architects from terminating the work.

2. — ALLOCATION OF EXPENSES

On June 9th the Council noted the report of the Committee on the allocation of expenses.

It agreed with the Committee that the scale at present in force should not be revised before 1930.

XII. — Forthcoming Events.

- July 16th : Sub-Committee on Arts and Letters, Geneva.
 - July 25th : Plenary Committee on Intellectual Co-operation and Governing
— Body of the Institute on Intellectual Co-operation, Geneva.
 - July 31st : Supervisory Committee, Paris.
 - August 20th : Commission on Small Pox and Vaccination, Geneva.
 - August 30th : Financial Committee, Geneva.
-

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MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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I. — Summary of the Month.

JULY 1928

The principal League events in July were the second Conference for the Abolition of Import and Export Prohibitions and Restrictions and the annual session of the Committee on Intellectual Cooperation. The third session of the Arbitration and Security Committee came to an end on July 4th.

The conference of the signatories of the Convention for the Abolition of Import and Export Prohibitions and Restrictions (Geneva, November 8th, 1927) met in Geneva from July 3rd to July 11th to examine the various reservations to the Convention and to make arrangements for putting it into force.

It drew up a supplementary agreement which was immediately signed by twenty-seven States. This conference was preceded by a special conference on hides and bones which succeeded in making definite arrangements for the removal of export prohibitions on these commodities.

The Committee on Intellectual Cooperation met on July 25th and was still in session at the end of the month. The plenary session was preceded by meetings of sub-committees on intellectual rights, arts and letters, university questions, science and bibliography.

Other meetings included those of a Committee of Health Experts on Infant Welfare and of experts studying the question of a League radio-telegraphic station.

The Permanent Court of International Justice continued in session.

The Saar Governing Commission sent in its report for the second quarter of 1928.

II. — The Permanent Court of International Justice ⁽¹⁾.

1. — THE GRECO-TURKISH CASE ⁽²⁾

The Governments directly interested in this question submitted to the Court for Advisory Opinion, on being notified of their right to appoint judges of their nationality to sit *ad hoc* under Article 71-§ 2 of the Rules, have informed the Registrar that they do not intend to avail themselves of this right.

The Turkish Government has appointed as Agent for this question Djemal Husni Bey, President of the Turkish delegation to the Mixed Commission for the exchange of populations; the Greek Agent is M. Démètre Drossos, director in the Greek Ministry for Foreign Affairs.

The written proceedings having been concluded on July 10th, the Court has decided to add the case to the list of the present session. The hearing to be held to enable the representatives of the interested Governments to present their views to the Court orally has been fixed for Monday, August 6th.

The Mixed Commission for the exchange of populations has informed the Registrar of the Court that it has appointed its President to represent it if necessary before the Court.

2. — THE FRANCO-BRAZILIAN AND FRANCO-SERBIAN CASES ⁽²⁾

The first phase of the written proceedings in these case has been concluded by the filing of the cases of the various parties within the times laid down.

III. — Arbitration, Security and Reduction of Armaments.

THIRD SESSION OF THE ARBITRATION AND SECURITY COMMITTEE

The Arbitration and Security Committee held its third session at Geneva from June 27th to July 4th.

It proceeded to the second reading of three model general conventions for the peaceful settlement of international disputes, prepared at its preceding session, adding to these three model bilateral conventions on the same lines, namely :

1. A bilateral convention for the peaceful settlement of all international disputes (Convention A);
2. A bilateral convention for judicial settlement, arbitration and conciliation (Convention B);
3. A bilateral conciliation convention (Convention C).

The Committee also proceeded to the second reading of model treaties of non-aggression and mutual assistance prepared at its second session. The models thus adopted in second reading are virtually the same as those adopted in first reading, which were analysed in the Monthly Summary of April 15th.

Introductory notes which explain the structure of the various treaties mention, nevertheless, certain adjustments which were made in view of the results of the

(1) This article has been compiled on the basis of information furnished by the Registrar of the Court.

(2) See *Monthly Summary*, Vol. VIII, No. 6, p. 160.

discussion in second reading. The participation of States not Members of the League in treaties of non-aggression and mutual assistance has, in the opinion of the Committee, been rendered possible by reference to the provisions of Article 17 of the Covenant.

With regard to this point, the Turkish delegation, which took part for the first time in the work of the Committee, submitted certain suggestions, the examination of which was adjourned.

The question of financial assistance for States victims of aggression, which had been referred to a Joint Committee composed of the members of the Financial Committee and the Committee on Arbitration and Security, was reported on by the Chairman of the Joint Committee, M. Veverka. As the various Governments had not yet had an opportunity of taking cognisance of the Joint Committee's report, the Committee on Arbitration and Security was not able to enter into a thorough examination of the political aspects of the question. In these circumstances, it decided to transmit the report to Governments, so that they should be able to give the necessary instructions to their delegates to the Assembly, and recommended that the Assembly should give its opinion on the questions raised and instructions for the continuation of the work. The Committee emphasised the importance which it attached to financial assistance and the value of such a measure for security and disarmament.

The present position is as follows : The Financial Committee considers that financial assistance should be given not only in the case provided for in Article 16 of the Covenant, but also in the case of a threat of war if such action should be deemed wise and effectual to safeguard or re-establish peace. It should be brought into operation by a unanimous vote of the Council, minus the votes of the parties to the dispute. On this subject very varied opinions were expressed in the Joint Committee, in particular on the question of the guarantors of the loan granted in execution of the assistance scheme, as well as on the application of Article 4, paragraph 5 of the Covenant, which reads :

Any Member of the League not represented on the Council shall be invited to send a representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

Observations were submitted on the character of the decisions the Council would be called upon to give.

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The Arbitration and Security Committee also examined suggestions made by the German delegation at its preceding session with a view to strengthening the means of preventing war.

The Committee had instructed the Belgian delegate, M. Rolin-Jaequemyns, to prepare a memorandum with a view to the discussion of these suggestions at its third session. This memorandum analyses each of the suggestions, setting forth the arguments in favour of their adoption, together with the difficulties which would have to be solved in order to give them practical effect. The memorandum ends with a questionnaire summarising the general points raised by the German suggestions.

The question was first of all examined by the plenary Committee and then referred to a Drafting Committee, which drew up a model treaty designed to strengthen the means of preventing war.

By this treaty the High Contracting Parties undertake, in the event of a dispute arising between them and being brought before the Council, to apply the provisional recommendations of the latter relating to the settlement of the dispute and designed to prevent any measures being taken by the parties which might have a prejudicial effect on the execution of an arrangement proposed by the Council.

The High Contracting Parties further undertake to refrain from any measures which might aggravate or extend the dispute.

In the event of hostilities having broken out, the parties undertake to comply with the recommendations which the Council may make for the cessation of hostilities, prescribing in particular the withdrawal of forces having penetrated into the territory of another State or into a demilitarised zone.

The Arbitration and Security Committee, after adopting in first reading this model treaty, decided to submit it to Governments and to request them to give the necessary instructions to their delegates to the Assembly.

In an introductory note the Committee draws the attention of Governments and of the Assembly to certain points raised in the course of the discussion.

It observes, in the first place, that the purpose of the model treaty, as clearly shown by the debates, is to facilitate, by undertakings to be assured voluntarily in advance by the parties, the action taken by the Council under the Covenant. The German delegation's second suggestion, that States should undertake in advance to accept recommendations of the Council for the maintenance and re-establishment of the military *status quo* normally existing in time of peace, could not be embodied in the model treaty because it was impossible to reach agreement on this point. Certain delegations considered that a provision of this kind might usefully be included among measures for the prevention of war, while others contended that the difficulty of devising a rigid system for the definition of the military *status quo* normally existing in time of peace would be so great that the drawbacks of attempts to provide for such action by the Council would outweigh its advantages.

The German delegation thought that better results might be achieved when further progress had been made in the work connected with the limitation of armaments and proposed to revert to this suggestion in due course.

As regards the question of supervising the execution of the measures recommended by the Council, certain delegations expressed the view that supervision on lines to be settled in advance appeared to them difficult, if not impossible, to accept. Others expressed the opinion that, in return for the undertakings given, States should be assured that the Council would take prompt and efficient measures to satisfy itself as to the execution of the measures recommended.

The Polish delegation, which submitted a text to this effect agreed that its proposal should figure in the introductory note and that the model submitted to Governments should include a provision in virtue of which the parties would undertake to lend themselves to any action which might be decided upon by the Council with a view to ensuring the execution of measures recommended for the cessation of hostilities.

For such action of the Council, as well as for the cessation of hostilities, the recommendations would be made by unanimous vote, minus the votes of the parties engaged in hostilities. A number of delegations held that this provision should be extended to Article I of the model treaty concerning provisional recommendations of the Council in the event of a dispute between contracting parties.

The Committee did not feel that it could accept the idea of a general protocol open to the signature of all States, and merely prepared a model multilateral treaty, whilst recording its opinion that the practical value of such a treaty would be proportional to the number of contracting parties. This model might, it considered, also be used for bilateral treaties in cases in which this procedure might appear preferable.

The Committee did not wish to exclude the possibility, for States preferring to adopt this procedure, of supplementing treaties of mutual assistance on the lines of the treaty to strengthen the means of preventing war. Certain delegations expressed the opinion that the indispensable corollary of the undertakings given in this Treaty was a system mutual assistance against any State failing to keep its pledges.

In accordance with the resolution of the Council of June 4th, the reports of the Committee on Arbitration and Security have been placed on the supplementary agenda for the ninth Assembly.

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The third session of the Committee was attended by delegations of all the countries represented at its second session (1) and by the Turkish delegation, presided over by Munir Bey.

IV. — Legal and Constitutional Questions.

INTERNATIONAL ENGAGEMENTS

Registration.

Among the treaties and international engagements registered in July figure :

A treaty of conciliation, judicial settlement and arbitration between Spain and Portugal (Lisbon, May 28th, 1928); a treaty of conciliation and arbitration between Germany and Italy (Rome, December 29th, 1926); a treaty of conciliation and arbitration between Poland and the Serb-Croat-Slovene Kingdom (Geneva, September 18th, 1926).

A treaty of friendship and cordial collaboration between Poland and the Serb-Croat-Slovene Kingdom (Geneva, September 18th, 1926); a treaty of friendship between Latvia and Afghanistan (Riga, February 16th, 1928).

Treaties of commerce between Estonia and Czechoslovakia and the Netherlands and Abyssinia.

Exchanges of notes between Finland and Belgium and Finland and Italy concerning the suppression of the passport visa between these countries.

A series of treaties between Germany, France and the Saar Governing Commission concerning Saar frontier questions.

International conventions concerning goods, passenger and luggage transport (Berne, October 23rd, 1924).

These conventions have been ratified by Austria, Belgium, Bulgaria, Czechoslovakia, Danzig, Denmark, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Luxemburg, the Netherlands, Norway, Poland, Roumania, the Saar Governing Commission, Sweden and Switzerland.

A series of arrangements concerning telephone communications through various countries between Germany and Norway, Germany and Czechoslovakia, Sweden and Czechoslovakia, France and Sweden, Norway and Switzerland, Austria and Norway, Belgium and Norway, the Netherlands and Sweden, Norway and Czechoslovakia, Belgium and Sweden, Norway and the Netherlands.

The International Health Convention (Paris, June 21st, 1926).

Labour treaties between Belgium and France and Belgium and Luxemburg.

A convention concerning reciprocal protection of industrial property rights (Moscow, February 24th, 1928) between Norway and the Union of Socialist Soviet Republics.

V. — The Technical Organisation.

1. — THE HEALTH ORGANISATION

Infant Welfare.

The Committee of Experts on Infant Welfare met in London on July 3rd. The meeting was attended by Dame Janet Campbell (British), Chairman; Dr Clark

(1) See *Monthly Summary*, Vol. VIII, No. 3, p. 67.

(U. S. A.); Dr. Collett (Norwegian), Dr. Debré (French), Dr. Gorter (Netherlands), Dr. Pirquet (Austrian), Dr. Rott (German).

The Enquiry into infantile mortality, which has been conducted in twenty-nine districts of seven European countries during the past year, is now terminated. The experts discussed the results obtained and drew up a plan for the preparation of their final report.

They further contemplate the continuation of their enquiry into immunisation against measles, scarlet-fever and diphtheria and the preparation of a scheme for the study of rickets, which will be submitted to the Health Committee for approval.

2. THE ECONOMIC AND FINANCIAL ORGANISATION

a) Conference for the Abolition of Import and Export Prohibitions and Restrictions.

The second Conference for the Abolition of Import and Export Prohibitions and Restrictions was held in Geneva, from July 3rd to 11th under the presidency of M. Colijn, former Prime Minister of the Netherlands. Its object was to complete by a supplementary agreement the convention concluded on November 8th, 1927, by the first Conference. That convention provided that a conference of signatories should take place in June or July 1928, when a decision would be taken with regard to the reservations which the signatories were entitled to put forward before February 1st, 1928, for the maintenance of certain prohibitions, either temporarily (pending removal of the circumstances which had given rise to them), or without any indication as to their later removal (in the case of prohibitions which did not prejudicially affect the trade of other countries); the conference was further to examine the situation in the light of the number and geographical position of the countries acceding to the convention, and of their reservations, and to determine accordingly the conditions for its coming into force and the time limits for the deposit of ratifications.

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The second Conference included representatives of the twenty-nine States signatory to the convention, namely, Austria, Belgium, Bulgaria, Chile, Czechoslovakia, Denmark, Egypt, Estonia, Finland, France, Germany, Great Britain, Hungary, Italy, India, Japan, the Kingdom of the Serbs, Croats and Slovenes, Latvia, Luxemburg, the Netherlands, Norway, Poland, Portugal, Roumania, Siam, Sweden, Switzerland, Turkey, and the United States. The International Chamber of Commerce was represented in an advisory capacity.

Several States had made requests for exemption from the principle of the general abolition of prohibitions. A certain number of these requests were withdrawn spontaneously or after discussion; those maintained and authorised by the Conference are not very numerous.

Moreover, as the result of a special conference which held two consecutive sessions, seventeen States were able by special arrangement to renounce export prohibitions on hides and bones.

The Conference for the Abolition of Prohibitions noted that the general situation resulting from the accessions to the convention and the limited number of reservations was satisfactory. It decided that, to come into force the convention must be ratified or acceded to by at least eighteen States, and that the contracting parties might individually make the entry into force of the convention dependent upon the ratification or accession or one or more of the following States: Austria, Czechoslovakia, France, Germany, Great Britain, Hungary, Italy, Japan, the Kingdom of the Serbs, Croats and Slovenes, Poland, Roumania, Switzerland, Turkey, and the United States.

The supplementary agreement concluded by the Conference was signed on July 11th by Germany, Austria, Belgium, Great Britain, Italy, Denmark, Egypt, Estonia, Finland, France, Hungary, India, Italy, Japan, Latvia, Luxemburg, Norway, the Netherlands, Poland, Portugal, Roumania, the Serb, Croat, Slovene Kingdom, Siam, Sweden, Switzerland, Czechoslovakia, Turkey. For Bulgaria and the United States the time limit for signature was fixed at August 31st.

The ratifications must be deposited at the League Secretariat before September 30th, 1929, an exception being made for the United States for special reasons. If at that date the requisite conditions are fulfilled, the convention will enter into force on January 1st, 1930.

Should the convention actually come into force on that date, all the contracting parties must abolish, within six months at the latest all import and export prohibitions and restrictions, with the exception of those authorised by the convention.

These exceptions may be classified under two heads — those concerning prohibitions resulting from normal and non economic circumstances (national defence, moral grounds, public health etc.), or from exceptional circumstances (famines, disasters etc.) and those maintained with the assent of the other contracting parties,

The list of the latter is as follows :

A. Prohibitions authorised temporarily but which the States concerned undertake to remove as soon as possible :

Import and Export : Coal and derived products (Germany and Czechoslovakia); rice (Japan).

Import : Dye-stuffs (Great Britain and Japan); used machinery for industrial installations (Roumania).

Export : Scrap-iron (Germany, Austria, Belgium, Italy, France, Chile, Luxemburg, Roumania, Sweden and Czechoslovakia); fine wool (Portugal); cork in the raw state (Portugal); hop shoots (Czechoslovakia); rose trees and roots and shoots (Bulgaria); mares (Chile).

B. Prohibitions recognised as not affecting prejudicially the trade of other countries : Export of certain ores (Italy and Roumania); corn (Italy); crude oil (Roumania); helium gas (United States); live stock, eggs, and organic fertilisers (Egypt); platinum and precious stones (Finland); pine resin (Portugal); quartzite (Czechoslovakia).

In his closing speech the President stated that, compared with the enormous quantity of prohibitions which, if ratified, the convention would remove, the few exceptions which had been authorised were of but slight importance. Although hundreds of prohibitions were actually in force, the exemptions authorised only numbered eighteen, of which ten were of minor importance as regards world trade.

M. Colijn added that in his opinion the convention constituted the first important multi-lateral treaty directly affecting economic relations between peoples :

This result may be considered as constituting a substantial progress by anyone able to appreciate the barriers to international trade formed by prohibitions and restrictions, and also by anyone knowing the methods in use for the negotiation of commercial treaties.

We accordingly feel that we have made a great step in advance towards the freedom of trade recommended by the International Economic Conference of May 1927. This step has been made in one of those collective negotiations recommended by the Economic Conference of May 1927 as a useful substitute for bilateral negotiations. We have thus, I believe, succeeded in an experiment which may in future serve as an example for the solution of many other problems.

I am sure that a further application of the system of collective negotiations will be equally successful and will lead us little by little towards the ideal contemplated by the Conference of May 1927 towards the greatest possible freedom of trade.

b) *Second Conference on Hides and Bones.*

Agreements for the removal of export prohibitions and arrangements concerning export duty on hides and bones were concluded by nineteen countries at a second conference which was held from June 28th to 30th.

The meeting was presided over by M. Serruys, Chairman of the League Economic Committee, and the following States were represented : Austria, Belgium, Czechoslovakia, Denmark, Finland, France, Germany, Great Britain, Hungary, Italy, Japan, Latvia, Luxemburg, Netherlands, Norway, Poland, Roumania, the Serb-Croat-Slovene Kingdom and Switzerland.

The Conference drew up two international arrangements supplementary to the Convention for the Abolition of Prohibitions. The principal clauses may be analysed as follows :

A. *As regards hides* : all the contracting parties undertake to suppress, by October 1st, 1929, at the latest, all export prohibitions. They also undertake not to impose export duty on those commodities, an exception being made for the Roumanian Government, which retains its liberty as regards these duties, but declares that it has no intention of establishing excessive duties.

B. *As regards bones* : the contracting parties will suppress export prohibitions, by October 1st, 1929, at the latest, an exception being made for the Italian Government, which is authorised to maintain its present system pending the conclusion of certain negotiations concerning export duty on bones. The possibility of imposing export duties is maintained within maximum limits which, for most of the contracting parties are Frs. 1.50 (gold) per hundred kilos. An exception is made for countries belonging to the two following groups : Austria, Hungary and Czechoslovakia, for whom the maximum rate of Frs. 3. — (gold) has been fixed, and Poland, Roumania, the Serb-Croate-Slovene Kingdom, Finland, Estonia and Latvia, who retain their liberty as regards export duties.

The latest date for the deposit of the instruments of ratifications of these two arrangements is July 1st, 1929. This will enable the States concerned to take cognisance of the situation with regard to the hides and bones trade before entering into a definite engagement as regards the convention for the general abolition of prohibitions. It was further understood that the ratifications of the convention might be declared null and void if the agreements had not been ratified by all contracting parties and that, in this case, each State would be at liberty to claim the maintenance of export prohibitions on hides and bones.

At the end of the Conference the arrangements were signed on behalf of all the States attending, with the exception of Japan and Latvia.

c) *Twenty-Fifth Session of the Economic Committee.*

The twenty-fifth session of the Economic Committee was held at Geneva, from June 25th to 28th, with M. Serruys in the chair.

The agenda included the following questions : commercial policy, a diplomatic conference on statistics, unification of customs nomenclature, veterinary convention, bills of exchange, an International Institute of Mines and new tasks devolving on the Economic Committee as a result of the recommendations of the Consultative Committee.

Commercial Policy : The report of the Committee to the Council contains a general statement of its conclusions on the subject of commercial policy. For the study of this problem the Committee has endeavoured to find a method capable of ensuring at one and the same time a detailed study of all the factors involved and their coordination in a coherent system.

This statement is in three parts, the first dealing with tariff systems and treaty-making methods, the second with most-favoured-nation treatment and the third with collective action with a view to tariff reduction.

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In the first part, the Committee unanimously recognised that no new tariffs should be instituted or existing tariffs recast without taking account of the effect which the rates of these tariffs might have on international trade, and that the various States, however anxious they might be to adapt their tariffs in an autonomous fashion to their financial or economic requirements, could not establish them without taking account of the obstacles to trade in general to which they might give rise. But while some of its members considered that the procedure for this purpose should be that of negotiations resulting in an exchange of tariff guarantees, others maintained that tariff treaties were incompatible with the theory and practice of certain States which claimed the right to legislate as they wished in these matters, on condition that these laws should be applied without discrimination to the detriment of any country.

Those members of the Committee who expressed themselves in favour of systems which could alone make it possible for States to negotiate regarding the amount of customs tariffs proposed in addition that States adopting such systems should negotiate prior to putting such tariffs into force, and should undertake to revise their rates after negotiation so as to bring them into harmony with the reductions affected by agreement.

The Committee was, nevertheless, of the opinion that the system of intangible tariffs was not opposed to the resolutions of the Economic Conference so long as such tariffs were established with moderation, as was the case in certain countries. Incompatibility would only exist in cases where tariffs constituting an intolerable obstacle for foreign trade were established by States which refused to contemplate their reduction by negotiation or imposed repeated variations of duty upon the trade of other States.

Without pronouncing itself with regard to the principle of intangible tariffs, the Committee nevertheless considered that States applying this system should be ready to examine the claims of other States and that they should, as far as they found it possible, establish their tariffs for fairly long periods.

The Committee also dealt with the question of bargaining tariffs that is to say, autonomous tariffs reducible by agreement, or double-column tariffs, which do not exclude conventional adaptation.

In this respect it unanimously recommended the following measures : reduction of the margin of negotiation; negotiations prior to the application of tariffs; far-reaching consolidation of tariffs and the conclusion of long-term agreements; the avoidance of incessant changes in a contractual statute by the variation of the tariff on which it is founded.

In the second part of the report the Committee stated that different conceptions regarding tariffs and treaty-making methods appeared to be generally associated with different ideas regarding the most-favoured-nation treatment. While States which refuse to negotiate in tariff matters claim most-favoured-nation treatment as a preliminary condition of any treaty and as a right which is beyond discussion, other States which have established their tariffs with a view to negotiation and which attach more value to tariff agreements than to the legal guarantee constituted by

the most-favoured-nation clause, when not accompanied by tariff advantages, consider the grant of this clause as subordinate to agreement on tariffs.

The Committee considered that the Economic Conference of 1927 had not embraced the doctrine that equality treatment was a right which could not be questioned, but it recognised that the Conference had expressed itself clearly in favour of the reciprocal grant of most-favoured-nation treatment, of the widest possible extension of its scope and of extremely liberal practice in its application.

On this subject, as on that of tariff and contractual systems, the Committee inclined towards a compromise of fact rather than a choice between conflicting theories. It noted that it might be possible to reach unanimity on a doctrine declaring that most-favoured-nation treatment ought to be normal and that refusal of this guarantee or the establishment of a differential system ought only to occur when States refused to pursue an equitable tariff policy or resorted to discriminatory practices.

The Committee also dealt with the question of exceptions to the most-favoured-nation treatment, and the report sets forth its conclusions as regards customs unions, colonial and imperial preference, preferential regimes in the case of States with ethnographical, historical or geographical ties, and the special case of trade between frontier zones.

The report then describes the position as regards studies which are being pursued in connection with the drafting of the most-favoured-nation clause, penalties for derogations considered as illegal, certain special exceptions as regards the obligations resulting from the clause, the effect of the clause in bilateral treaties upon plurilateral treaties.

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The third part of the report recalls that the Economic Conference laid stress upon the necessity of bringing about a reduction of tariffs, not only by means of bi-lateral agreements but also by collective action of States. Various systems were proposed, which would permit of a progressive reduction of all tariffs by a fixed percentage, but upon examination it appeared that the time was not yet ripe for their realisation. The Committee felt that it would be preferable first to study specific cases and to test the value of the methods and systems put forward.

Noting the results of the Conference on Hides and Bones, the Committee recognised that for the settlement of certain questions different methods had been selected and sometimes combined. It considered that, while the recommendation of the Economic Conference for concerted action of States with a view to a general and simultaneous reduction of customs tariffs should not be lost sight of, it was indispensable to proceed with prudence so as to secure by virtue of well conducted experiments the progressive adhesion of the nations to a general system of tariff reduction.

The Committee accordingly selected a number of basic industrial products, and also certain foodstuffs, in respect of which it will undertake, in collaboration with the Sub-Committee on Customs Nomenclature, preliminary enquiries and the study of a concerted reduction of tariffs. These enquiries will be carried out with the assistance of the Secretariat, and for each product will be conducted by a special rapporteur.

The products selected are aluminium, semi-manufactured iron products, cement, leather, log and sawn wood, cellulose and paper, fresh fruits and vegetables, rice.

Diplomatic Conference on Statistics : The Committee noted the draft Convention prepared by the Secretariat on the basis of the investigations and discussions of the Joint Committee set up by the League and the Hague Institute. It decided that this draft could be communicated to Governments in its present form.

The Committee recommended that the International Institute of Agriculture and the International Chamber of Commerce should be invited to take part in a consultative capacity in a conference to be convened towards the end of the year.

Unification of Customs Nomenclature : The Committee noted the findings of the Sub-Committee on the unification of customs nomenclature and requested the Council to communicate to Governments the draft framework prepared by the experts, indicating the principles to be observed and stating that the Sub-Committee would now embark on the second stage of its task, namely the preparation of a draft standard nomenclature.

Veterinary Questions : The Committee noted the report of the Sub-Committee of Veterinary Experts and asked the Council to authorise the Secretary-General to forward it to the States concerned. It considered that Governments should be asked to state their opinions in regard to the principles recommended by the experts concerning the organisation of sanitary services and the publication of bulletins.

Bills of Exchange : The Committee requested the Secretary-General to communicate to all Governments, Members or non-Members of the League, the report of the jurists on the possibility of harmonising the various laws of the Continental group on bills of exchange and cheques, at the same time asking them to formulate, before the end of the year, any observations and proposals they might desire to make and to state whether in their opinion the draft could be used as a basis of discussion for a conference.

International Institute of Mines : The Committee had been asked by the Committee on Intellectual Cooperation to deal with a proposal concerning the creation of an international institute of mines. Having obtained qualified opinions, the Committee came to the conclusion that, so far as the proposal affected problems of an economic nature, it was neither practical nor possible on international lines, but that its scientific aspects were of considerable importance, even from an economic point of view. The Economic Committee accordingly expressed the hope that the Committee on Intellectual Cooperation would remain in touch with it while it continued its study of the scientific aspects of the proposal.

New Tasks : At its June session, the Council, on the report of the Consultative Committee, assigned to the Economic Committee certain new duties, leaving it to that Committee to decide in what order it should proceed.

As regards coal, the Committee proposed to consider this question later in all its aspects; in the meantime it asked some of its members to obtain information on the subject and instructed the Secretariat and the International Labour Office to collect statistics.

With regard to the recommendation of the Consultative Committee, concerning sugar, the Economic Committee asked all its members to collect information and statistics and requested the Secretariat to obtain similar information concerning certain countries which had no nationals on the Economic Committee.

The Committee finally instructed certain of its members to prepare reports on the questions of dumping, administrative protectionism and tendencies in economic policy which might influence international peace.

This session was attended by :

M. D. Serruys (Chairman), Director of Commercial Agreements in the French Ministry of Commerce (French); Dr. E. Trendelenburg (Vice-Chairman), Secretary of State in the German Ministry of Economics (German); M. J. Brunet, Envoy Extraordinary and Plenipotentiary Minister (Belgian); M. J. A. Barboza Carneiro, Commercial Attaché, Brazilian Embassy, London (Brazilian); Sir Sydney Chapman,

Chief Economic Adviser to the British Government (British); M. A. di Nola, Director-General in the Italian Ministry of Commerce (Italian); M. F. Dolezal, Under-Secretary of State in the Polish Ministry for Commerce and Industry (Polish); M. Jan Dvoracek, former Minister of Commerce (Czechoslovakia); Mr. Eastman, Chairman of the Merchants' Association of New York; M. N. Ito, Councillor of Embassy, Assistant-Director of the Japanese League of Nations Office (Japanese); M. G. Jahn, General-Director of the Central Statistical Office of Norway (Norwegian); Professor E. Neculcea (Roumanian); Dr. Richard Schuller, Chief of Section in the Austrian Foreign Ministry (Austrian); M. W. Stucki, Director of the Trade Division of the Federal Economic, Department (Swiss).

3. — COMMUNICATIONS AND TRANSIT

Construction of a Radio-Telegraphic Station near the Seat of the League.

The Committee of Experts studying the question of the construction of a radio-telegraphic station near the seat of the League met at Geneva, from July 6th to 8th, to terminate the enquiry undertaken by the Committee on Communications and Transit and to prepare a report for the Assembly.

After considering the amount of traffic which such a station would probably have to handle, the Committee proposed two alternative solutions, i.e., the construction of an independent station for the exclusive use of the League, or the possibility of using a Swiss station which would be erected near Geneva and be handed over to the League in times of emergency.

The meeting was attended by :

M. O. Arendt, Director in the German Postal Ministry; M. P. L. Boulanger, Director of the Telegraphic Department in the French Postal, Telegraph and Telephone Ministry; M. P. Jäger, Adviser to the German Postal Ministry; Mr. F. W. Phillips, Assistant Secretary at the General Post Office, London, assisted by Mr. A. H. Read, Inspector of Wireless at the General Post Office; M. E. Stahlinger, Chief of the Wireless Department in the Polish Postal and Telephone Ministry.

There were also present :

M. Furrer, Director-General of the Swiss Postal and Telegraphic Services; M. Rothen, Director of the *Radio Suisse* Company.

4. — INTELLECTUAL COOPERATION

The Committee on Intellectual Cooperation met at Geneva on July 25th. The plenary session was preceded by meetings of sub-committees ⁽¹⁾ on intellectual rights, university relations, arts and letters, science and bibliography.

The Committee elected as Chairman Professor Gilbert Murray (British), to succeed the late Professor Lorentz; as Vice-Chairmen Madame Curie and M. Destrée.

An account of the proceedings will be published next month.

VI. — Political Questions.

POLISH-LITHUANIAN RELATIONS

The Secretary-General received from M. Voldemaras, Lithuanian Prime-Minister and Foreign Minister, the following letter dated July 23rd, 1928 :

(1) For the composition of the plenary Committee, as well as its sub-committees, see Vol. VIII, No. 1, p. 7 of the *Monthly Summary*.

Some time back a report appeared in the press concerning Polish military manœuvres to be held in August in the Vilna area near to the line of demarcation, as a reply to Lithuanian manœuvres recently concluded at Varena (Orany).

As regards the Lithuanian manœuvres, no such arrangements were made. It is true that the old Russian firing range is at Varena, and every summer the Lithuanian artillery goes there for its firing practice. The Lithuanian Government invariably notifies the Polish Government so as to avoid any possible misunderstandings. Similarly, the Polish artillery practices on the range between Svencionys and Pabrade near to the line of demarcation ("Alexeyevski-Poligon"). These practices have never led to any incidents on either side.

The question would assume a very different aspect in the case of military manœuvres near the line of demarcation. The Assembly of Polish troops in any large numbers would constitute such a possible danger to Lithuania that the Government would be compelled to take precautions and reinforce the Lithuanian army in order to protect exposed points. In these circumstances incidents might occur which would endanger peace.

In bringing the above to your notice, I would request you to be so good as to ascertain the facts and, if the report is true, to set in motion the machinery provided for by the Council resolution of December 10th, 1927, to avert the danger of frontier incidents.

The Polish delegate to the League of Nations, M. Sokal, to whom the letter was communicated for his observations, replied on July 27th as follows :

I have the honour to acknowledge receipt of your letter of July 26th, forwarding to me a copy of the Lithuanian Government's note dated the 23rd instant, with regard to press reports concerning military manœuvres to take place during August near to the Polish-Lithuanian frontier.

My Government instructs me to give you the following information.

Military exercises are held in Poland every year after the harvest, in different parts of the country. This year these exercises will take place in Little Poland, Volhynia, in the neighbourhood of Warsaw, etc. The annual exercises in the Voivodie of Vilna will be held, not in August, but in September, and they will take place in the neighbourhood of Oszmiana and Iwie, that is to say, at a far greater distance from the Lithuanian frontier than last year (Swieciany-Podbrodzie). These facts clearly prove that the insinuations of the Lithuanian Government are devoid of all foundation.

The Polish Government categorically rejects any protest from other countries against its right to organise military exercises within its territory.

My Government would point out that the constant endeavours of Lithuania to impute to Poland bellicose intentions, solely on the strength of unconfirmed press reports, constitutes a grave abuse which cannot be tolerated by the League of Nations. Such tactics are all the more to be condemned since Lithuania has recently rejected the Polish proposals to conclude a pact of non-aggression and, contrary to the Council resolution of December 10th, 1927, she has for more than six months been placing innumerable obstacles in the way of a successful issue to the Polish-Lithuanian negotiations, the purpose of which was to arrive at that "good understanding... upon which peace depends".

The Polish Government, having given the most solemn assurance of its desire to maintain peaceful relations with Lithuania and having shown every wish to reach an agreement in the course of direct negotiations, protests most strongly against the methods employed by the Lithuanian Government, which, on the eve of the League of Nations Assembly, is seeking to create an atmosphere of insecurity and to evade its responsibility to world opinion for the failure of the negotiations with Poland, which responsibility, however, the Lithuanian Government will be unable to refuse.

This correspondence has been circulated to members of the Council for their information.

VII. — Forthcoming Events.

- August 22nd : Committee on Smallpox and Vaccination, Geneva.
August 27th : Special Committee for the drafting of a Convention on the Private
Manufacture of and Publicity for the Manufacture of Arms,
Munitions and War Material, Geneva.
August 30th : Financial Committee, Geneva.
August 30th : Fifty-first session of the Council, Geneva.
September 3rd : Ninth Assembly of the League of Nations, Geneva.
September 20th : Special Committee for the Jurisdiction of the European Commis-
sion of the Danube, Geneva.
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MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VIII. No. 8.

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I. — Summary of the Month.

August 1928

August was devoted to the final preparations for the ninth session of the Assembly and the fifty-first session of the Council, the only meetings being those of the Smallpox and Vaccination Commission of the Health Organisation and the Special Commission for the Private Manufacture of Arms.

Sessions of the Council and of the Financial Committee opened on August 30th and will continue during the Assembly.

The Special Commission on the Private Manufacture of Arms continued its work on a draft convention on the supervision of the private manufacture of arms and on the publicity of arms manufacture.

The Smallpox and Vaccination Commission dealt with certain technical questions in connection with vaccination.

The correspondence received in the League Secretariat included a communication from the British Government enclosing the text of its replies to the United States Government with regard to the proposals for a treaty for the renunciation of war as an instrument of national policy. In reply to the Council's invitation to resume membership of the League, the Government of Costa Rica presented a request for an interpretation of the Monroe Doctrine.

The Permanent Court of International Justice continued in session. At the end of August nominations for the seat left vacant by Judge Moore's resignation had been received from the national groups of thirty-eight countries and concerned twenty-six candidates.

II. — The Permanent Court of International Justice ⁽¹⁾.

1. — CASE CONCERNING THE INTERPRETATION OF ARTICLE IV OF THE FINAL PROTOCOL ANNEXED TO THE GRECO-TURKISH AGREEMENT OF DECEMBER 1ST, 1926 ⁽²⁾

On August 6th and 7th the Court heard the statements made before it by the representatives of the Governments directly concerned, namely, the Governments of Greece and Turkey. Both representatives—M. Drossos for Greece and Djénal Husni Bey for Turkey—waived their right to reply.

On August 28th the Court delivered its Opinion, which was immediately transmitted to the Council of the League. This Opinion may be summarised as follows :

The Mixed Commission for the exchange of Greek and Turkish populations was established by the Convention signed at Lausanne on January 30th, 1923. Its duty, under this instrument, is to supervise and facilitate the emigration contemplated by the Convention and to liquidate certain movable and immovable property; it finally decides all disputes regarding property, rights and interests to be liquidated. It is composed of eleven members, of whom three are neutral, four Turkish and four Greek; its decisions are taken by a majority of the votes of its members.

The duties of the Commission were subsequently added to on two occasions : in the first place, by a Declaration concerning Moslem properties in Greece signed at Lausanne on July 24th, 1923, and, secondly, by an Agreement between the Greek and Turkish Republics concluded at Athens on December 1st, 1926. The object of the latter instrument, the application of which is entrusted to the Mixed Commission, is to overcome the difficulties which had arisen in connection with the application of certain clauses of the Peace Treaty of Lausanne of July 24th, 1923, and of the Declaration above-mentioned. Furthermore, a Final Protocol appended to the Agreement lays down in Article IV *that questions of principle of importance which may arise in the Mixed Commission in connection with the new duties thus entrusted to it*, shall be submitted for arbitration to the President of the Greco-Turkish Mixed Arbitral Tribunal sitting at Constantinople. The conditions for reference to the President-Arbitrator had given rise to differences of opinion amongst the members of the Mixed Commission and it was as a result of these differences of opinion that the Commission decided to ask the Council to request the Court for an interpretation of Article IV of the Final Protocol in regard to these conditions. The Greek members of the Commission held that the two States which signed the Agreement and its Protocol—namely, Greece and Turkey—alone were entitled to submit a question to the arbitrator. On the other hand, the Turkish members

(1) This article has been prepared with the aid of information furnished by the Registry of the Court.

(2) See *Monthly Summary*, Vol. VIII, No. 7, p. 198.

held that recourse to the arbitrator must be preceded by a decision of the Commission.

In its Opinion the Court proceeds in the first place—on the basis of the document annexed to the Request and the written and oral statements submitted to it on behalf of the Greek and Turkish Governments—to define the exact points in regard to which it holds that its opinion is desired. These points are as follows : first, is it for the Mixed Commission itself to ascertain whether the conditions for reference to the arbitrator laid down in Article IV of the Final Protocol are actually fulfilled? secondly, if they are fulfilled, to whom does the right of referring a question to the arbitrator belong?

In order to reply to these questions, the Court first of all considers the general structure and duties of the Mixed Commission. In this respect, it considers that the members of the Commission take part in the work of the Commission in an individual capacity and do not constitute delegations. The Court then observes that the Commission's powers are all directed to the same general object : the facilitation of the exchange of populations and the acceleration of the work of the Commission. And the Court takes this common aim into account in order to arrive at a correct interpretation of Article IV of the Final Protocol which it proceeds to analyse.

This Article seems to the Court to be clear : though it contains no express provision governing the question by whom and when a matter may be referred to the President of the Mixed Arbitral Tribunal, it is possible and natural to infer that this power belongs to the Mixed Commission whenever it finds itself confronted with questions of the kind contemplated by the Article. For, by definition, the questions contemplated are questions arising within the Mixed Commission, that is to say emerging in the course of its deliberations. This being so, it is clear—having regard amongst other things to the principle that, as a general rule, any body possessing jurisdictional powers has the right in the first place itself to determine the extent of the jurisdiction—that points affecting the extent of the jurisdiction of the Mixed Commission must be settled by the Commission itself, without action by any other body being necessary. Article IV however provides for the reference to another tribunal of questions of a particular kind : in the case of questions of principle of some importance which arise in certain given circumstances, it is no longer for the Commission to decide such questions on their merits, but for another tribunal, namely, the President of the Mixed Arbitral Tribunal. It follows therefore from the principle enunciated above that the right of reference to this tribunal can only belong to the Mixed Commission, since it is a matter of determining the extent of the latter's own competence. Accordingly it rests with the Commission alone to decide whether the conditions governing such reference are fulfilled; and, moreover, for practical reasons that body is alone in a position to do so. Its duty is to refer a question if the required conditions are fulfilled, and, if not, to decide the disputed point itself. On the other hand, the President of the Mixed Arbitral Tribunal, once he is satisfied that a question has been referred to him by a decision of the Mixed Commission, must decide this question without considering whether the required conditions are in fact fulfilled. This excludes any danger of a negative conflict of jurisdiction.

It is true that Article IV of the Final Protocol contains the word arbitration. But it is not a case of arbitration properly so-called, the characteristics of which are not present; in the first place there are no parties to bring their dispute before the tribunal; next, the submission of a question to the arbitrator does not necessarily presuppose a difference of opinion even amongst the members of the Commission, for the reference of a question might also be decided upon even if all the members of the Commission were agreed as to the solution which, in their opinion, should be given to a question of principle which had arisen. There is therefore no reason to attach decisive importance to this word "arbitration". There is nothing in the

relevant instruments which would tend to show that Article IV constitutes an arbitration clause which may be invoked by States alone.

Having regard to the common aim underlying the instruments dealing with the exchange of Greek and Turkish populations, the restriction placed by the disputed Article on the general powers of the Commission cannot constitute an impediment to the fulfilment by the latter of the duties entrusted to it, but must be construed in such a way as to accelerate and facilitate the progress of its work. Speed must be regarded as an essential factor in the work of the Mixed Commission, both in the interest of the populations with which it is concerned and in that of the Greek and Turkish Governments. And though no doubt the idea underlying Article IV may on the one hand have been that the Mixed Commission, being mainly an administrative body and its members not being necessarily in the first place jurists, is not the most suitable body to settle legal questions of principle of some importance, it may on the other hand also have been that it is desirable to secure a measure of consistency as between the decision of the Mixed Commission and of the Mixed Arbitral Tribunal, both of which have to a certain extent jurisdiction in matters of liquidation.

The Court's Opinion was given unanimously. The Greek and Turkish Governments having expressly waived their right to appoint national judges, no Greek or Turkish judges *ad hoc* were included upon the Bench.

2. — DENUNCIATION BY CHINA OF THE SINO-BELGIAN TREATY OF NOVEMBER 2ND, 1865 ⁽¹⁾

On August 13th the Court made a new Order in this suit, which was referred to the Court at the end of 1926 by an application emanating from the Belgian Government.

The times for the written proceedings in the Case had been successively extended in the interests of negotiations undertaken between the two parties with a view to concluding a new Treaty by decisions of the Court or of its President, the last being given on February 21st, 1928. According to the terms of this decision the written proceedings in the Case were to have been concluded on November 15th, 1928, the Chinese Government having to submit its Counter-Case on August 15th, 1928.

At the beginning of August, however, the Belgian Government asked for a further extension by six months of the time limits thus fixed, stating that this request was in accordance with the wishes of the new Chinese Government and was justified by recent events in China, which had not been calculated to facilitate negotiations for the conclusion of a new Treaty.

By its Order of August 15th, the Court decided to comply with this request and to fix May 15th, 1929 as the date for the conclusion of the written proceedings in this suit, the date for the deposit of the Chinese Counter-Case being fixed as February 15th, 1929.

3. — NEW RATIFICATION OF THE COURT STATUTE

On July 20th, 1928, the Chilean Minister accredited to the Swiss Federal Council, who is at the same time head of the Chilean Permanent Secretariat accredited to the League of Nations, deposited the instrument of ratification by his Government of the Protocol of Signature of December 16th, 1920, to which the Statute of the Court is attached.

(1) See *Monthly Summary*, Vol. VIII, No. 2, p. 47.

4. — THE OPTIONAL CLAUSE

On June 25th, 1928, the Estonian Minister for Foreign Affairs addressed to the Secretary-General of the League of Nations a letter by which he declared that his Government accepted as compulsory the jurisdiction of the Court under Article 36 of the Statute for a new period of ten years beginning on May 2nd, 1928.

The terms of the declaration of acceptance which is thus renewed are follows :

The Estonian Republic declares to recognise as compulsory *ipso facto* and without special agreement, in relation to any other Member of State accepting the same obligation, that is to say, on condition of reciprocity, the jurisdiction of the Court, in conformity with Article 36, paragraph 2, of the Statute of the Court... in any future dispute in respect of which the Parties have not agreed to have recourse to another method of pacific settlement.

5. — DEATH OF THE VICE-PRESIDENT OF THE COURT

M. André Weiss died at The Hague during the night of August 30th-31st after a short illness.

M. André Weiss was born at Mulhausen on September 30th, 1858. He studied law at that Faculty of Law of the University of Paris. He obtained the *lauréat* of that Faculty and of the general competitive examination of French Faculties of Law (1878) and became *agrégé* of the Faculties of Law in 1881. After lecturing at the Faculty of Law of Dijon, he was in 1891 appointed professor at the Faculty of Law of Paris, where he at first lectured on civil law, and from 1908 onwards, on public and private international law.

In 1907 he was appointed legal adviser to the French Ministry for Foreign Affairs. He took part, as agent for the French Government, in various arbitrations, including the case of the Deserters at Casablanca (1909) and the Savarkar Case (1911). He presided over various commissions at the Foreign Ministry and Ministry of Justice and was delegate and legal adviser of France at the Peace Conference in 1919; in particular he presided over one of the Sub-Committees of the Conference.

M. Weiss was elected a judge of the Permanent Court of International Justice on September 14th, 1921, and from the outset was chosen to perform the duties of Vice-President of that Tribunal. At the end of 1924 he was re-elected Vice-President and again at the end of 1927 he was once more called upon to exercise the function of Vice-President for a third term of three years. M. Weiss has taken part in all the sessions of the Court.

M. Weiss was elected a member of the Institute of France in 1914. From 1920 onwards he was a member of the Permanent Court of Arbitration at The Hague. In 1922 he was President of the Institute of International Law, and he was also President and founder of the International Academy of Comparative Law, founded in 1923. M. Weiss was a member of several academies and institutes in various countries, and was President of numerous societies in France.

His works on international law, and especially his *Traité de droit international privé* in six volumes are recognised as authoritative.

6. — ELECTION OF A NEW DEPUTY-REGISTRAR

The Court noted the resignation of the first Deputy-Registrar of the Court, Dr. Paul Ruegger, who was elected in November 1925 and who leaves the service of the Court at the end of the present year in order to re-enter the Swiss Diplomatic Service. The Court has, therefore, had to elect a new occupant of the post as from January 1st, 1929.

Under the Rules of Court, the Deputy-Registrar is elected by secret ballot from a list of candidates proposed by the Members of the Court.

The result of the election held on August 17th was the appointment of Mr. Julio Lopez Oliván (Spain), Head of the Division for Moroccan Affairs of the Department for Colonial and Moroccan Affairs of the Presidency of the Spanish Council of Ministers.

7. — RESIGNATION OF MR. JOHN BASSETT MOORE, AND ELECTION OF HIS SUCCESSOR

Twenty-six candidates have been nominated by national groups of thirty-eight countries, in accordance with Articles 4 and 6 of the Statute of the Permanent Court and in view of the eventual election at the September sessions of the Assembly and the Council of a successor to Mr. John Bassett Moore, Judge of the Permanent Court.

Mr. Moore's resignation was tendered by a letter to the Secretary-General dated April 11th, 1928. The Council decided to accept the resignation conditionally, subject to the Assembly's concurrence, and invitations to make nominations, in accordance with the Court Statute, were addressed by the Secretary-General to national groups, at the beginning of May, through the intermediary of Governments.

The Hon. Charles Evans Hughes, former Secretary of State of the United States and former Justice of the Supreme Court of the United States has been nominated by thirty national groups : (Australia, Austria, Belgium, Brazil, British Empire, Chile, China, Colombia, Cuba, Denmark, Dominican Republic, Finland, France, Germany, Greece, Hungary, Italy, Japan, Netherlands, Norway, Peru, Poland, Portugal, Kingdom of the Serbs, Croats and Slovenes, Siam, Spain, Sweden, Switzerland, United States of America, Uruguay); M. Walther Simons, President of the German Reichsgericht, has been nominated by ten national groups (British Empire, Denmark, France, Italy, Japan, Netherlands, Norway, Portugal, Sweden, Switzerland); Mr. James Brown Scott, President of the American Institute of International Law and Secretary of the Carnegie Endowment for International Peace, has been nominated by the national groups of Venezuela and Cuba; M. Alvarez, former Legal Adviser of the Ministry of Foreign Affairs of Chile, by the national groups of Nicaragua and Chile.

The other nominees are M. Zepeda (Nicaragua), nominated by the national group of Nicaragua; the Right Hon. Lyman Poore Duff, Justice of the Supreme Court of Canada and member of His Majesty's Imperial Privy Council, and Mr. Eugène Lafleur, K. C., Member of the Bar of the Province of Quebec, nominated by the national group of Canada; M. Michajlo Jovanic, former President of the Supreme Court of Justice of Belgrade, deputy judge of the Permanent Court of International Justice, and M. Vojtech Mastny (Czechoslovak), Doctor of Law, Envoy Extraordinary and Minister Plenipotentiary of the Czechoslovak Republic, nominated by the national group of Czechoslovakia; M. Pedro Miguel Reyes (Venezuelan), nominated by the national group of Venezuela; Baron Rolin Jaequemyns (Belgian), Member and former President of the Institute of International Law, former Minister of the Interior, nominated by the national group of Belgium; M. Géza de Magyary, Professor in the Faculty of Law at the University of Budapest, nominated by the national group of Hungary; M. Benjamin Fernandez y Medina (Uruguayan), Jurist, nominated by the national group of Spain; M. Démètre Negulesco, Professor of the Faculty of Law of Bucarest and Deputy Judge of the Permanent Court of International Justice, nominated by the national group of Roumania; Sir Abdur Rahim, K. C. S. I., Barrister-at-Law (India), formerly Judge of the High Court of Judicature, Madras, nominated by the national group of India; M. Elihu Root (American), nominated by the national group of Peru; M. Rost-

worowski (Polish), nominated by the Polish national group; M. Walther Schücking, Doctor of Law, Professor at the University of Kiel, nominated by the national group of Germany; M. Karl Stekman-Otavski (Czechoslovak), Professor at the University of Prague, nominated by the national group of the Kingdom of the Serbs, Croats and Slovenes; M. Georges Streit (Greek), nominated by the national group of Greece; M. José Pedro Varela (Uruguayan), nominated by the national group of Uruguay; M. Gustave Walker, Doctor of Law, Professor at the University of Vienna, nominated by the national group of Austria; Justice Sir Wilhelmus Wessels (South African), nominated by the national group of South Africa; Don Juan Zorrilla de San Martín (Uruguayan), nominated by the national group of the Dominican Republic; M. Auguste Bonamy, former Secretary of State and Minister Plenipotentiary, former professor at the *École Nationale de Droit* (Haïtian) and M. Edmund de Lespinnasse, former Secretary of State and former Director of the *École Nationale de Droit* (Haïtian), nominated by the national group of Haiti.

III. — Arbitration, Security and Reduction of Armaments.

1. — COMMUNICATION FROM THE BRITISH GOVERNMENT

The Secretary-General has circulated to the Council and Members of the League the following letter dated August 4th, 1928, from the British Government, together with the text of two notes addressed to the United States Ambassador and the United States Chargé d'Affaires in London on May 19th and July 18th, replying to the United States proposals for a treaty of renunciation of war as an instrument of national policy.

"Sir,

"I am directed by Secretary Sir Austen Chamberlain to transmit to you herewith copies of two notes addressed to the United States Ambassador and the United States Chargé d'Affaires in London on May 19th and July 18th last replying to the United States proposals for a treaty for the renunciation of war as an instrument of national policy.

"2. In considering these proposals his Majesty's Government in Great Britain have been at great pains, in view of the provisions of Article 20 of the Covenant of the League of Nations, to assure themselves that their acceptance would not involve any inconsistency with the obligations resulting from the Covenant. As appears from the enclosed notes, they are satisfied that signature of the proposed treaty will not involve any conflict with the obligations resulting from membership of the League. As the matter is evidently one of general interest to all the Members of the League, I am to request that copies of the enclosed notes may be circulated to them."

Note addressed to the United States Ambassador.

"Your Excellency,

"Your note of the 13th April, containing the text of a draft treaty for the renunciation of war, together with copies of the correspondence between the United States and French Governments on the subject of this treaty, has been receiving sympathetic consideration at the hands of His Majesty's Government in Great Britain. A note has also been received from the French Government, containing certain suggestions for discussion in connection with the proposed treaty, and the German Government were good enough to send me a copy of the reply which has been made by them to the proposals of the United States Government.

"2. The suggestion for the conclusion of a treaty for the renunciation of war as an instrument of national policy has evoked widespread interest in this country, and His Majesty's Government will support the movement to the utmost of their power.

"3. After making a careful study of the text contained in your Excellency's note and of the amended text suggested in the French note, His Majesty's Government feel convinced that there is no serious divergence between the effect of these two drafts. This impression is confirmed by a study of the text of the speech by the Secretary of State of the United States to which your Excellency drew my attention, and which he delivered before the American Society of International Law on the 28th April. The aim of the United States Government, as I understand it, is to embody in a treaty a broad statement of principle, to proclaim without restriction or qualification that war shall not be used as an instrument of policy. With this aim His Majesty's Government are wholly in accord. The French proposals, equally imbued with the same purpose, have merely added an indication of certain exceptional circumstances in which the violation of that principle by one party may oblige the others to take action seeming at first sight to be inconsistent with the terms of the proposed pact. His Majesty's Government appreciate the scruples which have prompted these suggestions by the French Government. The exact fulfilment of treaty engagements is a matter which affects the national honour; precision as to the scope of such engagements is, therefore, of importance. * Each of the suggestions made by the French Government has been carefully considered from this point of view.

"4. After studying the wording of article 1 of the United States draft, His Majesty's Government do not think that its terms exclude action which a State may be forced to take in self-defence. Mr. Kellogg has made it clear in the speech to which I have referred above that he regards the right of self-defence as inalienable, and His Majesty's Government are disposed to think that on this question no addition to the text is necessary.

"5. As regards the text of article 2, no appreciable difference is found between the American and the French proposals. His Majesty's Government are, therefore, content to accept the former if, as they understand to be the case, a dispute "among the high contracting parties" is a phrase wide enough to cover a dispute between any two of them.

"6. The French note suggests the addition of an article providing that violation of the treaty by one of the parties should release the remainder from their obligations under the treaty towards that party. His Majesty's Government are not satisfied that, if the treaty stood alone, the addition of some such provision would not be necessary. Mr. Kellogg's speech however, shows that he put forward for acceptance the text of the proposed treaty upon the understanding that violation of the undertaking by one party would free the remaining parties from the obligation to observe its terms in respect of the treaty breaking State.

"7. If it is agreed that this is the principle which will apply in the case of this particular treaty, His Majesty's Government are satisfied and will not ask for the insertion of any amendment. Means can no doubt be found without difficulty of placing this understanding on record in some appropriate manner so that it may have equal value with the terms of the treaty itself.

"8. The point is one of importance because of its bearing on the treaty engagements by which His Majesty's Government are already bound. The preservation of peace has been the chief concern of His Majesty's Government and the prime object of all their endeavours. It is the reason why they have given ungrudging support to the League of Nations and why they have undertaken the burden of the guarantee embodied in the Locarno Treaty. The sole object of all these engagements is the elimination of war as an instrument of national policy, just as it is the purpose of the peace pact now proposed. It is because the object of both is the same that there is no real antagonism between the treaty engagements which His Majesty's Government have already accepted and the pact which is now proposed. The machinery of the Covenant and of the Treaty of Locarno, however, go somewhat further than a renunciation of war as a policy, in that they provide certain sanctions for a breach of their obligations. A clash might thus conceivably arise between the existing treaties and the proposed pact unless it is understood that the obligations of the new engagement will cease to operate in respect of a party which breaks its pledges and adopts hostile measures against one of its co-contractants.

"9. For the Government of this country respect for the obligations arising out of the Covenant of the League of Nations and out of the Locarno treaties is fundamental. Our position in this regard is identical with that of the German

Government as indicated in their note of the 27th April. His Majesty's Government could not agree to any new treaty which would weaken or undermine these engagements on which the peace of Europe rests. Indeed, public interest in this country in the scrupulous fulfilment of these engagements is so great that His Majesty's Government would for their part prefer to see some such provision as article 4 of the French draft embodied in the text of the treaty. To this we understand there will be no objection. Mr. Kellogg has made it clear in the speech to which I have drawn attention that he had no intention by the terms of the new treaty of preventing the parties to the Covenant of the League or to the Locarno Treaty from fulfilling their obligations.

"10. The language of article 1, as to the renunciation of was as an instrument of national policy, renders it desirable that I should remind your Excellency that there are certain regions of the world the welfare and integrity of which constitute a special and vital interest for our peace and safety. His Majesty's Government have been at pains to make it clear in the past that interference with these regions cannot be suffered. Their protection against attack is to the British Empire a measure of self-defence. It must be clearly understood that His Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect. The Government of the United States have comparable interests any disregard of which by a foreign Power they have declared that they would regard as an unfriendly act. His Majesty's Government believe, therefore, that in defining their position they are expressing the intention and meaning of the United States Government.

"11. As regards the measure of participation in the new treaty before it would come into force, His Majesty's Government agree that it is not necessary to wait until all the nations of the world have signified their willingness to become parties. On the other hand, it would be embarrassing if certain States in Europe with whom the proposed participants are already in close treaty relations were not included among the parties. His Majesty's Government see no reason, however, to doubt that these States will gladly accept its terms. Universality would, in any case, be difficult of attainment, and might even be inconvenient, for there are some States whose Governments have not yet been universally recognised, and some which are scarcely in a position to ensure the maintenance of good order and security within their territories. The conditions for the inclusion of such States among the parties to the new treaty is a question to which further attention may perhaps devoted with advantage. It is, however, a minor question as compared with the attainment of the more important purpose in view.

"12. After this examination of the terms of the proposed treaty and of the points to which it gives rise, your Excellency will realise that His Majesty's Government find nothing in their existing commitments which prevents their hearty co-operation in this new movement for strengthening the foundations of peace. They will gladly cooperate in the conclusion of such a pact as is proposed and are ready to engage with the interested Governments in the negotiations which are necessary for the purpose.

"13. Your Excellency will observe that the detailed arguments in the foregoing paragraphs are expressed on behalf of His Majesty's Government in Great Britain. It will, however, be appreciated that the proposed treaty, from its very nature, is not one which concerns His Majesty's Government in Great Britain alone, but is one in which they could not undertake to participate otherwise than jointly and simultaneously with His Majesty's Governments in the Dominions and the Government of India. They have, therefore, been in communication with those Governments, and I am happy to be able to inform your Excellency that, as a result of the communications which have passed, it has been ascertained that they are all in cordial agreement with the general principle of the proposed treaty. I feel confident, therefore, that, on receipt of an invitation to participate in the conclusion of such a treaty, they, no less than His Majesty's Government in Great Britain, will be prepared to accept the invitation.

"AUSTEN CHAMBERLAIN."

Note addressed to the United States Chargé d'Affaires.

"Sir,

"I am happy to be able to inform you that after carefully studying the note which you left with me on the 23rd June, transmitting the revised text

of the draft of the proposed treaty for the renunciation of war, His Majesty's Government in Great Britain accept the proposed treaty in the form transmitted by you and will be glad to sign it at such time and place as may be indicated for the purpose by the Government of the United States.

"My Government have read with interest the explanations contained in your note as to the meaning of the draft treaty, and also the comments which it contains upon the considerations advanced by other Powers in the previous diplomatic correspondence.

"You will remember that in my previous communication of the 19th May, I explained how important it was to my Government that the principle should be recognised that if one of the parties to this proposed treaty resorted to war in violation of its terms, the other parties should be released automatically from their obligations towards that party under the treaty. I also pointed out that respect for the obligations arising out of the Covenant of the League of Nations and of the Locarno treaties was the foundation of the policy of the Government of this country, and that they could not agree to any new treaty which would weaken or undermine these engagements.

"The stipulation now inserted in the preamble under which any signatory Power hereafter seeking to promote its national interests by resort to war against another signatory is to be denied the benefits furnished by the treaty is satisfactory to my Government, and is sufficient to meet the first point mentioned in the preceding paragraph.

"His Majesty's Government in Great Britain do not consider, after mature reflection, that the fulfilment of the obligations which they have undertaken in the Covenant of the League of Nations and in the Treaty of Locarno is precluded by their acceptance of the proposed treaty. They concur in the view enunciated by the German Government in their note of the 27th April that those obligations do not contain anything which could conflict with the treaty proposed by the United States Government.

"My Government have noted with peculiar satisfaction that all the parties to the Locarno Treaty are now invited to become original signatories of the new treaty, and that it is clearly the wish of the United States Government that all members of the League should become parties either by signature or accession. In order that as many States as possible may participate in the new movement, I trust that a general invitation will be extended to them to do so.

"As regards the passage in my note of the 19th May relating to certain regions of which the welfare and integrity constitute a special and vital interest for our peace and safety, I need only repeat that His Majesty's Government in Great Britain accept the new treaty upon the understanding that it does not prejudice their freedom of action in this respect.

"I am entirely in accord with the views expressed by Mr. Kellogg in his speech of the 28th April that the proposed treaty does not restrict or impair in any way the right of self-defence, as also with his opinion that each State alone is competent to decide when circumstances necessitate recourse to war for that purpose.

"In the light of the foregoing explanations, His Majesty's Government in Great Britain are glad to join with the United States and with all other Governments similarly disposed in signing a definite treaty for the renunciation of war in the form transmitted in your note of the 23rd June. They rejoice to be associated with the Government of the United States of America and the other parties to the proposed treaty in a further and signal advance in the outlawry of war.

"I have the honour to be,

with high consideration,

Sir,

Your obedient Servant,

(Signed) "AUSTEN CHAMBERLAIN."

2. — SUPERVISION OF THE PRIVATE MANUFACTURE AND PUBLICITY FOR THE MANUFACTURE OF ARMS, AMMUNITION AND IMPLEMENTS OF WAR

The Special Commission appointed by the Council in December, 1926, to prepare a final draft as basis for the work of an international conference on the manufacture of arms and ammunition and of implements of war held its second session

at Geneva from August 27th to 30th, 1928. The object of this session was to draft a single text which, as provided in the Assembly resolution of September 24th, 1927 ⁽¹⁾, should enable the Council to convene an international conference as speedily as possible.

As the starting point of its work the Commission took the draft convention prepared at its first session in March and April, 1927. After attempting to reconcile the different points of view, it could do no more than place on record the continued existence of fundamental divergencies, and the impossibility of laying before the Council the single final text which the Assembly desired. In the draft submitted by the Commission the divergent opinions are set down at the close of each article, and the Commission is of opinion that this document contains all the information required for an appreciation of the stage at which the work has now arrived.

IV. — Legal and Constitutional Questions.

1. — RELATIONS BETWEEN COSTA RICA AND THE LEAGUE

The Costa-Rican Government has replied to the communication which the President of the Council addressed to it in March 1928 ⁽²⁾.

The text of this communication, together with the answer of the President of the Council, is given below.

Communication dated July 19th from the Costa-Rican Government.

Sir,

I have great pleasure in acknowledging the receipt of your important communication dated March 15th last, in which you cordially informed me that, not only the Council over which you so ably preside, but the whole League would feel great satisfaction if the Government of Costa Rica would reconsider its decision and consent to participate again in the work of that institution. You were also kind enough to send me, with your above-mentioned note, an extract from the minutes of the meeting of the Council on the 9th of that month, containing the words (which we have read with the deepest gratitude) spoken by various members of the Council and by yourself when it was decided to transmit the proposal to us. We appreciate the friendly feelings expressed by all the members of the Council.

Before going into the substance of the question, I should like to convey to you my Government's apologies for the delay in its reply.

Your Note reached this Department in the middle of April last, just before the expiry of the previous Government's term of office. In deference to the views which the new Government might hold in regard to the advisability of a return to the League, the old Government thought it right to leave the settlement of this important matter to its successor, and therefore did not itself reply to your note. The new Government, duly constituted, has given the question its most careful consideration, being not insensible to the cordial and favourable references to Costa Rica made by M. Briand (France), M. Villegas (Chile), M. Céspedes (Cuba) and by yourself as President, at the memorable meeting of the Council at which those distinguished members and yourself invited our country to return to the great family of the League of Nations. This invitation has been most highly appreciated by the people and Government of Costa Rica.

My Government has the deepest devotion to the lofty ideals by which the League is inspired, and to which it owes its existence. It regards the noble

(1) See *Monthly Summary*, October 1927, p. 310.

(2) See *Monthly Summary*, April 1928, p. 83.

aims pursued as worthy of support and would feel honoured to co-operate with you in carrying out all your humanitarian and constructive work, but before doing so it feels obliged to raise a fundamental question which recently formed the subject of impassioned debates throughout the American Continent, and on a certain occasion led the Salvador Chancellery to take a decisive step. The League Covenant, which forms part of the Peace Treaty signed at Versailles on June 28th, 1919, at a time when the world was filled with the highest hopes, gave concrete form to the most noble principles of international law, advocated by the most advanced publicists, which had been forgotten during those terrible years when the last great hecatomb threatened to destroy the very foundations of civilisation.

Under Article 21 of the Covenant, the international legal scope of the Monroe Doctrine was extended. It has since been converted, for all the nations signatory to the treaty of Versailles, into a constituent part of American Public Law. This situation would involve no risk to the independence of small nations and could even on the contrary be regarded as the most effective weapon for their defence if, whenever their political horizon were obscured by the slightest shadow of a threat on the part of another nation and there were occasion to apply the Monroe Doctrine, an appeal could be made to an international organ of the importance of the League of Nations for an express and authorised declaration with regard to the actual scope and correct interpretation of the above-mentioned doctrine. It cannot be argued as a reason for a refusal to give this definition that, as stated in Article 21 mentioned above, this doctrine is a regional understanding, since the inclusion of various American nations in the League and the fact that this doctrine is mentioned in the Statute by which it was created, fully justify its definition by the League. It may here be pointed out that the doctrine in question constitutes a unilateral declaration.

The Government and the people of Costa Rica gladly recognise the undeniable benefits which, in memorable epochs of the political life of the Western Hemisphere, have resulted from the declaration made by President James Monroe in his famous message of December 2nd, 1823. Nevertheless, owing to various historical events, which it would be inopportune to mention here, and also to the lack of general agreement as to the scope of that declaration, both public opinion and publicists have differed widely as to its correct interpretation. It is not unusual even to find men with the responsibilities of high office expressing opinions such as that held by the former Secretary of the United States, Mr. Elihu Root, who went so far as to regard the Monroe Doctrine as a declaration based on the North American people's right to self-protection, and thought that it could not be made to cover all the American nations or even a limited number of them.

Before acceding to the Treaty at the plenary session of the Versailles Congress, the Chancellery of the sister Republic of Salvador—considering that in virtue of the unqualified acceptance by the various nations of the Monroe doctrine, the latter would have to be converted into a principle of universal public law, *juris de jure*—requested the United States Government, in an eloquent message to His Excellency the Secretary of State, to make an authoritative statement on the doctrine. The Government furnished the interpretation requested by Salvador, and stated in the reply signed by Mr. Secretary Frank L. Polk that its opinion on this doctrine was to be found in the speech made by the President of the United States of America at the second Pan-American Scientific Congress. The speech in question had been made by the distinguished statesman, Dr. Woodrow Wilson, to the delegates of the Congress which met from December 27th, 1915, to January 8th, 1916.

In view of the foregoing, the Government of Costa Rica desires, before deciding to accept the invitation contained in your communication, to know the interpretation placed by the League of Nations on the Monroe doctrine, and the scope given to that doctrine when it was included in Article 21 of the Covenant of the League, of which you are the president.

In taking this step my Government begs to inform you that the attitude adopted by it in this matter is inspired by an earnest desire to ensure that the League of Nations will confer those benefits which are so eloquently described, and fulfil the mission which it has to accomplish in the world as the firm support of international peace and harmony.

(Signed) R. CASTRO,

Secretary of State for Foreign Affairs.

Telegram dated September 1st, 1928, from the President of the Council to the Secretary of State for Foreign Affairs of Costa Rica.

I have the honour to inform you that your reply of July 18th to the letter addressed to you by His Excellency Monsieur Urrutia, the then President of the Council of the League of Nations, has been examined with the greatest care by the Members of the Council.

The Council understands perfectly the reasons which have prevented the Costa Rican Government from giving an earlier reply to its President's communication, and it greatly appreciates the spirit in which your Government has examined the suggestion that it should resume membership of the League of Nations. In making that suggestion, the Council was mindful of Costa Rica's attachment to the principles of international cooperation and peace which inspire the work of the League of Nations, and it read with great satisfaction the declaration in your reply in which you confirmed your Government's attachment to these principles.

The Council has given its full attention to the part of Your Excellency's Note in which you outline your Government's preoccupations in connection with Article 21 of the Covenant.

Article 20 stipulates that "the Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof..." Article 21 gives the States parties to international engagements the guarantee that the validity of such of these engagements as secure the maintenance of peace would not be affected by accession to the Covenant of the League of Nations. In declaring that such engagements are not deemed incompatible with any of the provisions of the Covenant, the Article refers only to the relations of the Covenant with such engagements; it neither weakens nor limits any of the safeguards provided in the Covenant.

In this connection it may be recalled that, as appears from contemporary documents, Article 21, which had originally been proposed for insertion in another part of the Covenant, was subsequently placed after Article 20, to which it appeared preferable to attach it, first as an additional paragraph and then as a separate Article.

In regard to the scope of the engagements to which the Article relates, it is clear that it cannot have the effect of giving them a sanction or validity which they did not previously possess. It confines itself to referring to these engagements, such as they may exist, without attempting to define them: an attempt at definition being, in fact, liable to have the effect of restricting or enlarging their sphere of application. Such a task was not one for the authors of the Covenant; it only concerns the States having accepted *inter se* engagements of this kind.

The Government of Salvador, as you yourself pointed out, had preoccupations similar to those of your Government, and they had given rise to correspondence between San Salvador and Washington, as a result of which the Government of Salvador decided, in view of the reply made by the Department of State of the United States to its request for an interpretation of the Monroe Doctrine, to accede to the Covenant of the League of Nations.

There is another point to which the Council ventures to draw your Government's attention, The Covenant of the League forms a whole; the Articles of which it is composed confer upon all the Members of the League equal obligations and equal rights, in order, as the Preamble says, to promote international cooperation and to achieve international peace and security. It is further incumbent upon all the Members to work on this basis in the spirit of mutual goodwill and collaboration towards progressively increasing the effectiveness of the League's action. It was in this spirit that the Members of the Council, desirous of promoting the interest entrusted to their charge, requested your Government to reconsider the question of Costa Rica's membership of the League of Nations.

Such are the explanations which the Council is able to give you in reply to your Government's doubts. I venture to hope that your Government will give these explanations the same sympathetic consideration which it accorded to the previous communication of my distinguished predecessor, the representative of the Republic of Colombia.

PROCOPE,

Minister of Foreign Affairs of Finland
Acting President of the Council of the League of Nations.

2. — ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL

The British, French and German Governments addressed to the Secretary-General telegrams requesting that the following item be inserted on the agenda of the Assembly : "Maintenance in force, as an exceptional measure, for the 1928 elections to the Council, of the temporary provisions (Article 4, paragraph 2) attached to the rules adopted by the Assembly on September 15th, 1926, for the election of a non-permanent member of the Council".

According to the rules in question, 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 two-thirds majority previously decide that such member is re-eligible.

Nevertheless, to meet a special contingency anticipated by the Assembly, the following temporary provision was adopted (Article 4, paragraph 2) :

"Of the nine members thus elected in 1926, a maximum of three may be immediately declared re-eligible by a decision of the Assembly taken by a special vote by secret ballot, a separate ballot being held for each member adopted by a majority of two-thirds of the number of votes cast."

The British and French Governments followed up their telegrams by letters giving the reasons for this step. They recalled that it had not been possible for the special provisions to become operative in the way that had been expected, and added that in their opinion an opportunity had now arisen for realising the full intention of the Assembly of 1926. In these circumstances they considered that it would be desirable that the exceptional rules drawn up for the 1926 elections should be applicable to the 1928 elections and that the Assembly should be empowered to declare a non-permanent member re-eligible immediately after election.

3. — INTERNATIONAL ENGAGEMENTS

Registration.

Among the treaties and international agreements registered in August figure :

A treaty of conciliation between Spain and the Netherlands, concluded at The Hague on May 21st, 1927.

A treaty of conciliation, judicial settlement and arbitration between Belgium and Sweden, signed at Brussels on July 19th, 1927.

A treaty of friendship, commerce and consular rights between the United States and Latvia, signed at Riga on April 21st, 1928.

A series, presented by the British Government, of treaties, notes and agreements between Great Britain and Northern Ireland and the Serb-Croat-Slovene Kingdom, Portugal, Salvador, Switzerland, Austria and Iceland; between Great Britain, and France, Irak and Palestine, Egypt and Palestine. These instruments concern commerce and navigation, postal arrangements, frontier questions, trade marks, taxation etc.

A series, deposited by the German Government, of conventions, notes and arrangements between Germany and France, Italy, Spain, Mexico, United States, Switzerland, Chile, and Austria concerning commerce, air navigation, the drug traffic, unemployment questions etc.

The Baltic Geodesical Convention (Helsingfors, December 31st, 1925) concluded by Germany, Denmark, Danzig, Estonia, Finland, Latvia, Lithuania, Poland and Sweden.

A convention between France and Mexico (Mexico, September 25th, 1924)

concerning the settlement of claims in respect of damages and losses incurred by French nationals or persons under French protection as a result of revolutionary events in Mexico during the period November 20th, 1910 and May 31st, 1920.

An exchange of notes between Belgium and Czechoslovakia (Brussels, June 26th, 1928) concerning the abolition of the passport visa between the two countries.

An exchange of notes between Egypt and Hungary (Cairo, February 16th, 1927) constituting a provisional commercial arrangement.

A convention between Austria and Hungary (Vienna, March 11th 1927) for the acceptance of the draft agreements drawn up by the Austro-Hungarian Delimitation Commission.

A convention between Finland and the Union of Socialist Soviet Republics (Helsingfors, March 17th, 1928) modifying Article 7 of the convention of June 5th, 1923, concerning the passage of Finnish merchant ships on the Neva between Lake Ladoga and the Gulf of Finland.

V. — The Technical Organisations.

1. — THE HEALTH ORGANISATION

a) *Meeting of the Smallpox and Vaccination Commission.*

The Smallpox and Vaccination Commission of the Health Committee met in special session from August 22nd to 25th to consider the problem of the occasional occurrence of encephalitis after vaccination and certain questions connected with the preparation and conservation of vaccine lymph, the characteristics of different kinds of lymph, etc.

The question of post-vaccinal encephalitis is one of capital importance, both from the epidemiological and prophylactic points of view. It interests several countries where cases have been reported, more especially England and the Netherlands. In the latter country, the application of the law concerning compulsory vaccination at school-age was suspended for a year in view of this serious, though rare, complication. The report of an English Commission has been published, and investigations by a Netherlands Commission are in progress.

The chief points of the agenda were as follows :

- 1) The problem of post-vaccinal encephalitis, considered internationally, in the light of recent publications;
- 2) Consideration of the possibility of undertaking coordinated field enquiries in selected areas of certain countries on the incidence and epidemiology of post-vaccinal encephalitis;
- 3) Consideration of the report on the replies received from health administrations to the questionnaire on the preparation and conservation of vaccine lymph;
- 4) Consideration of the feasibility and utility of coordinated researches with diluted and killed vaccine lymph.

The Commission drew up a certain number of conclusions, the foremost being :

“(a) The rarity of cases of post-vaccinal encephalitis even in the countries specially affected by contrast with the number of vaccinations. The proportion is, indeed, minute.

“(b) Apparently the matter is not one in which mere coincidence between vaccination and encephalitis can be invoked; in other words, we are not dealing with a merely fortuitous occurrence.

“(c) In our present state of knowledge, we must conclude that post-vaccinal encephalitis is a different disease from encephalitis lethargica. The conditions

under which post-vaccinal encephalitis has manifested itself in Holland and in Great Britain tend to show that children between 3 and 13 years of age are particularly susceptible, whilst infancy and adult ages are almost wholly exempt. All observations point to the conclusion that the appearance of encephalitis is not connected either with particular strains of lymph or with particular accidents of lymph preparation.

"(d) Passing to the etiological-pathological side of the problem, it would appear in our present state of knowledge that the virus of vaccinia of itself cannot be considered responsible for the supervention of encephalitis. Rather it has to be supposed that some unknown factor exists—perhaps bacterial or a filterpassing virus, or a latent virus—which by means of a reciprocal reaction determines the occurrence of the accidents in question.

"None of the facts considered in this report lead the Commission to the conclusion that there is reason for discontinuing the use of vaccination, which remains the most powerful weapon against smallpox which we possess.

"In view of the circumstances associated with the occurrence of nervous complications, which are in any case of extreme rarity, the Commission draws attention to the advantage which may result from practising primary vaccination during early infancy rather than at later ages of childhood."

This session was attended by the following members and experts : Professor Ricardo Jorge (Chairman), Sir George Buchanan, Dr. Blaxall, Dr. Gordon, Dr. Jitta, Dr. Aldershoff, Dr. Carriere, Dr. Sobernheim, Professor Gins, Professor Camus and Professor Groth. The report of the Commission, from which the above extract is quoted, will be published as soon as it has been communicated to the members of the plenary Health Committee.

b) *Epidemic in Greece.*

As the result of an exchange of telegrams with the Greek Health Service concerning an outbreak of dengue or break-bone fever, Dr. M. D. MacKensie, of the Health Section of the League Secretariat, has been placed by the Secretary-General at the disposal of the Greek Government and has left for Athens.

On August 9th a telegram was received from the Greek Health Service stating that there were 10,000 cases of dengue in Athens and the Piraeus, while a further telegram on the 20th stated that almost the entire population of these districts was infected and that mortality among old people and invalids had increased as a result of the disease.

Dengue is a tropical fever spread by mosquitos and rare in Europe. There has been no important epidemic in Europe since 1889, when it also occurred in Greece.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

Meeting of the Financial Committee.

The thirty-second session of the Financial Committee opened at Geneva on August 30th; M. de Chalendar presided.

The agenda included questions concerning the settlement of Greek and Bulgarian refugees; the Bulgarian stabilisation loan, the Danzig loan, the Estonian loan and the balance of the Austrian and Hungarian loans; the draft convention on financial assistance in the event of war or a threat of war, and certain questions referred to the Financial Committee by the Consultative Economic Committee, in particular the purchasing power of gold and economic tendencies capable of affecting world peace.

The session was attended by : M. Dubois (Switzerland), M. Janssen (Belgium), M. Melchior (Germany), M. Ter Meulen (Netherlands), Sir O. Niemeyer (England), M. Pospisil (Czechoslovakia), Mr. Jeremiah Smith (United States of America),

Sir H. Strakosch (South Africa), M. Suvich (Italy), M. Tsushima (Japan), and M. Wallenberg (Sweden).

An account of the proceedings will be published in the next number of the *Monthly Summary*.

3. — INTELLECTUAL COOPERATION

Tenth Session of the Committee.

The tenth session of the International Committee on Intellectual Cooperation was held from July 25th to 31st and was preceded by meetings of sub-committees on university relations, intellectual rights, arts and letters, science and bibliography.

After a tribute to the memory of its late Chairman, Professor Lorentz, the famous Dutch physicist, who died on February 4th, 1928, the Committee elected as its new Chairman Professor Gilbert Murray (British), and as Vice-Chairmen Mme. Curie-Skodowska (Polish) and M. Jules Destrée (Belgian).

At this session the Committee and its sub-committees reviewed the whole body of the work done during the past year in the field of intellectual cooperation, including that of the Institute in Paris.

The budget and administrative reports of the Institute were examined by the Committee, sitting as the Governing Body of that organisation under the chairmanship of M. Paul Painlevé (French).

I. — UNIVERSITY RELATIONS.

The following questions were discussed by the Committee after examination by the Sub-Committee on University Relations :

(a) *Co-ordination of Higher International Studies.* — The results of a meeting of representatives of scientific institutes for international and political studies were thoroughly discussed. This meeting was held in Berlin in March, 1928, for the purpose of concluding an agreement between the institutes concerned.

On the recommendation of these experts, the Institute of Intellectual Cooperation was instructed to prepare certain material with a view to facilitating the future work of the institutes. Whilst reservations were made with regard to certain recommendations, more particularly those concerning the conferring of doctors' degrees, the preparation of a general programme of cooperation was considered as extremely important, and it was decided that the experts should meet shortly in London to continue their work.

(b) *National University Offices.* — The Sub-Committee and the plenary Committee examined the results of the meetings of the directors of national university offices in Paris in 1928. They took note of the resolutions passed at these meetings, which recommend, *inter alia*, that foreign savants should be admitted to museums, libraries, records, etc., and that the possibility should be studied of regular cooperation between university information centres.

(c) *International Students' Organisations.* — A report was submitted on the annual meeting of representatives of international students' organisations, held in Paris in 1928. The questions considered at this meeting mainly concerned the creation of an international university sanatorium at Leysin, the distribution of international students' identity cards and the distribution of a travelling card for certain classes of intellectual workers—professors, members of important university societies, etc.—which would afford its holder certain facilities for study.

(d) *Exchange of Teachers and Students.* — The Sub-Committee and the plenary Committee noted the work of the Institute in this field. Thanks to a grant from the American National Council of Education, it has been possible to publish a general repertory of all organisations promoting university exchanges in European countries. The publication of a second edition is contemplated.

It is also proposed that international agreements should be concluded for the encouragement and systematic preparation of exchanges of teachers. Here the national committees on intellectual cooperation can usefully act as liaison offices, especially for the organisation of longer teaching courses.

(e) *Post-graduate scholarships.* — Noting that the Institute now possesses abundant material on the subject of national and international post-graduate scholarships, the Sub-Committee and plenary Committee recommended that a special Committee of experts should be instructed to study the problem as a whole with a view to its application not only to scientific laboratories but also to institutes for the study of humanities and sociology.

(f) *Holiday Courses.* — The Sub-Committee and plenary Committee examined with great interest the volume published by the Institute giving the list of higher holiday courses in Europe. This list will henceforth be published every year.

(g) *International School Correspondence.* — It was decided that the Institute should arrange for meetings of experts to study this question.

(h) *International University Guide.* — The Institute was instructed to study, in collaboration with delegates of international students' organisations and specially qualified experts, a scheme for the publication of an international guide for students going abroad.

II. — INTELLECTUAL RIGHTS.

The plenary Committee dealt with the following questions which had previously been examined by the Sub-Committee on Intellectual Rights.

(a) *Scientific Property.* — The Committee approved a new preliminary draft convention framed by a special committee of experts with the object of securing for scientists an adequate share in profits from the commercial exploitation of their discoveries.

It decided to ask the Council to forward this draft convention to Governments for their opinion and to accompany it by an explanatory note setting forth certain methods for its application which, without diminishing its scope, would tend to prevent it from constituting an obstacle to the work of economic circles exploiting scientific discoveries.

The methods recommended include a system for the optional transfer to mutual societies or insurance companies of the obligations devolving upon firms exploiting scientific discoveries.

These special methods have been devised to meet the observations submitted by the League Economic Committee.

(b) *Authors' Rights.* — An examination of the results of the conference recently held in Rome for the revision of the Berne Convention on Authors' Rights showed that several amendments had been adopted in accordance with recommendations previously framed by the Committee on Intellectual Cooperation. These recommendations concern in particular the moral right of the artist to oppose modification of his work without his consent.

(c) *Legal Status of International Associations and Foundations.* — The enquiry conducted by the Institute among non-profit-making international associations

will be continued in collaboration with the Committee of Experts for the Progressive Codification of International Law. When the time is ripe for such action, it is proposed to seek the assistance of the International Institute for the Unification of Private Law.

(d) *Intellectual Statistics*. — An international statistical congress recently held in Cairo had passed resolutions emphasising the practical utility of coordinating intellectual statistics with a view to facilitating international relations and providing tables of the intellectual resources of each country.

The Committee requested the Council to invite Governments to take the necessary administrative measures to comply with the desiderata of the congress, which are based on recommendations of the International Statistical Institute.

(e) *Obstacles to the International Circulation of Books*. — A resolution was voted that customs barriers and postal rates should no longer constitute an obstacle to the circulation of books—the indispensable vehicle for the propagation of science, lettres and arts.

The Institute was instructed to study a scheme for an amendment of customs nomenclature by which scientific works, more particularly those destined for libraries or scientific institutes, should be exempted from customs duty. The Committee further decided to forward to the Committee of Experts on Customs Nomenclature certain suggestions submitted by a group of publishers.

III. — ARTS AND LETTERS.

The Sub-Committee on Arts and Letters and the plenary Committee examined the following questions :

(a) *International Museum Office*. — After an exchange of views on the organisation of this office certain rules were adopted pending the final establishment of its statute.

Considerable importance was attached to the publication of the review “Mou-seion”, as well as to the continuation of the work in connection with the official chalcographical institutes. This year international exhibitions of proofs have been organised in Geneva, Brussels, Liège, London, Birmingham and Buenos Aires on the same lines as those held last year in Madrid, Paris and Rome.

The Committee examined an international agreement between cast workshops similar to that concluded by the chalcographical institutes. It was of opinion that international cast exhibitions might be supplemented by exhibitions of medals and coins.

Finally, after discussing the results of the enquiries which are being conducted with regard to the unification of museum catalogues and the educational role of museums, it was decided that they should be continued by the International Museum Office.

(b) *Popular Arts Congress*. — The preparation of the International Popular Arts Congress, which is to take place in Prague in October, augurs favourably for its success. Various measures were recommended by the Sub-Committee and endorsed by the plenary Committee.

(c) *Cinematograph*. — Several reports were submitted on the cinematograph. The Institute was instructed to prepare a report on the cinematograph as a special form of art.

It was decided to draw the attention of the Assembly to the danger of films conceived in a spirit contrary to that of the League of Nations.

(d) *Musical Questions*. — As regards the question of pitch, it was decided to appoint a small committee of experts to consider means of completely maintaining the pitch recommended by the conference of 1858, at which time attention had already been drawn to the disadvantages and drawbacks of varying pitch for artists and the works they perform.

A further recommendation concerned the periodical publication of certain information of interest to musical circles.

(e) *Translations*. — At a meeting of the Sub-Committee on Arts and Letters Mr. John Galsworthy announced that the Federation of P. E. N. Clubs would be willing to conclude an agreement with the Institute in order to facilitate the translation of literary works.

The P. E. N. Clubs would be able to give information as to the works which it would be desirable to translate and also with regard to available translators. This, it was stated, would furnish a guarantee both for the feasibility and the value of the translations. The plenary Committee, while expressing its appreciation of this offer, thought that it would be necessary to associate the national committees with this work. According to the plan contemplated, the Institute would communicate a list of books recommended for translation to the publishers and press of various countries.

IV. — SCIENCE AND BIBLIOGRAPHY.

The following questions were discussed by the Sub-Committee on Science and Bibliography, before being submitted to the plenary Committee.

(a) *Coordination of Libraries*. — It was decided to forward to Governments the resolutions adopted by a committee of experts on library questions concerning the coordination of libraries. This Committee will meet again next year.

(b) *Preservation of Written and Printed Matter*. — On the recommendation of a special committee of experts, the Committee decided to recommend various measures for the preservation of documents required by historians and research workers.

(c) *Coordination of Bibliography*. — The Sub-Committee and the Committee noted the progress of the work undertaken with a view to the coordination of the analytical bibliography of various branches of science (physics, bibliography, history, sociology, economics and languages) and gave the necessary instructions for the pursuance of these studies.

(d) *Scientific Works in Little-known Languages*. — A report was submitted on the enquiry undertaken by the Institute concerning works published or summarised in little known languages. This enquiry will be continued. Even now the Committee was able to note that in certain countries measures were taken with a view to the translation into one or more generally spoken languages of scientific works published in little known languages, so as to enable all those interested to read them. Recommendations are contemplated with a view to rendering this method more general.

(e) *Scientific Research Centres*. — The Institute was recommended to encourage the development or the constitution of research centres from which foreign savants might obtain scientific information by correspondence, thanks to collaboration between libraries and universities.

(f) *Publication of Critical Works*. — The Institute was instructed to lend its assistance in the enquiry undertaken by the International Academic Union con-

cerning the unification of methods for the publication of critical works. It was understood that the Institute would secure the cooperation of countries which are not represented in the Academic Union.

(g) *Unification of Linguistic Terms.* — The Institute will continue the enquiry it has undertaken on the unification of linguistic terms. A meeting of experts will be summoned to deal with this problem and to eliminate the drawbacks which result from the fact that certain grammatical terms have different meanings in different languages.

(h) *Index bibliographicus.* — There were exchanges of views on the desirability of publishing a second edition of the *Index bibliographicus* (bibliography of current bibliographies). The Academic Union having undertaken similar work in regard to history and sociology, the Committee instructed the experts on library questions to examine whether a second edition should be published and if so in what form.

(i) *International Philological Index Cards.* — On the recommendation of the International Congress of Philologists, which met recently at The Hague, the Institute was instructed to make an enquiry among linguists as to the desirability of a system of international philological index-cards.

The results of this enquiry will be submitted to the Standing Committee of the Congress of Philologists.

(j) *Micro-photographic publications.* — A Scheme for the publication by the Institute of micro-photographic publications was examined and referred to the committee of experts on library questions.

(k) *Annual List of Remarkable Works.* — The Sub-Committee and the plenary Committee examined the list of remarkable works published by the Institute in accordance with the decision of the Committee.

(l) *International Mining Institute.* — Observations of the League Economic Committee on the scheme for the creation of an international mining institute were examined by the Sub-Committee and the plenary Committee which considered that it was not necessary to take a decision on this subject before the meeting of the geological congress of 1928.

V. — EDUCATION OF THE YOUNG IN THE AIMS OF THE LEAGUE.

The Committee considered the work of the information offices organised at the League Secretariat and the Institute of Intellectual Cooperation in accordance with the recommendations of the Committee of Experts on the education of young people in the aims of the League. After noting the progress made in various countries it expressed the desire that certain of the recommendations of the Committee of Experts might be applied more definitely by certain States.

The Committee considered that a fresh effort should be made with a view to the regular transmission to teachers reviews and educationists of a periodical summary of the work of the League of Nations. It approved the bi-annual publication of a volume containing all information concerning the education of young people in the aims of the League as well as articles by authorities on education.

VI. — INTERNATIONAL INSTITUTE ON INTELLECTUAL COOPERATION

The Committee examined and discussed a report of the Director of the Institute, M. Luchaire on the work of that organisation during the past year.

The Committee came to the conclusion that care should be taken not to give the Institute more work than it can do with the resources at its disposal. For this purpose it was decided that for the next session the Institute should prepare a complete statement of the resolutions adopted up to the present by the Committee. This statement would mention the progress of the work in connection with each of its resolutions and at the same time indicate what remained to be done. The resolutions might then be studied and revised with a view to the coordination and centralisation of the work of the Institute.

It was decided that certain of the publications of the Institute should be combined. The Committee noted that the Institute had undertaken fresh work in the form of the publication of translations of Latin-American classics. The first volumes of this series will appear shortly.

In addition to the general report of the director, reports were submitted to the Sub-Committees on the work of the different sections of the Institute. Generally speaking, the Sub-Committees and the plenary Committee expressed their satisfaction with this work and drew up a programme for the coming year.

A bureau was set up to supervise the work of the International Museum Office. The Bureau is composed of M. Destrée (Belgian), M. Graul (German), M. Guiffrey (French), M. Attilio Rossi (Italian) and Sir Cecil Harcourt Smith (British).

The Committee sat as Governing Body of the Institute for the examination of its budget and administrative reports. It was noted that in addition to the grant of the French Government the Institute is now receiving subsidies from the twelve following countries : Austria, Belgium, Egypt, Ecuador, Hungary, Italy, Luxemburg, Monaco, Poland, Portugal, Switzerland and Czechoslovakia.

In accordance with the Statute of the Institute, the Governing Body was presided over by the French member of the Committee, M. Paul Painlevé, member of the French Institute.

VII. — THE INTERNATIONAL EDUCATIONAL CINEMATOGRAPHIC INSTITUTE

As a result of the acceptance by the Council and the Assembly in 1927 of the offer of the Italian Government to found and maintain an International Educational Cinematographic Institute in Rome under the direction of the Council, the Committee had to examine a draft statute for this new organisation. The statute had been framed by representatives of the Italian Government and of the Secretary-General, assisted by the Director of the Institute of Intellectual Cooperation, and was approved with some slight modifications. It defines the object of the new Institute as being to promote the production, dissemination and exchange of instructive films on education, art, industry, agriculture, commerce, public health social questions, etc.

VIII. — MEETING OF REPRESENTATIVES OF NATIONAL COMMITTEES.

The Committee decided to summon in 1929 a meeting of representatives of the national committees on intellectual cooperation, which at present exist in thirty-four countries.

The national committees will thus be enabled to establish closer relations with one another, to exchange information as to their organisation and methods of work, to make known their views on the work of the International Committee and to submit to the latter suggestions as to the questions which it might usefully study.

IX. — REPORT TO THE COUNCIL.

The Committee appointed M. de Reynold as its Rapporteur to the Council. In his report M. de Reynold analyses the results of the work of the recent

session, laying special stress upon the fact that the Committee had considered that the time had come to take stock of its work :

It therefore decided to review at its next session all schemes submitted to it, and all work in hand. It desires to do only a few things but to do them thoroughly, to avoid the scattering of its energies which sometimes seems to threaten it, and to concentrate effort on essential tasks. The Committee wishes to work, and to have those associated with it and under its direction working, in a truly intellectual spirit, by reducing to a minimum the administrative or even bureaucratic element in the manner of conducting enquiries and proposing solutions.

The organisation of intellectual cooperation has in fact developed until it has become somewhat complicated and even unwieldy. It must be improved by a single guiding spirit which will ensure the smooth working of all its parts.

M. de Reynold also observes that the Committee had endeavoured to define the objects of its work :

Intellectual cooperation has two aspects—a limited one, and a broad one. In the limited sense intellectual cooperation aims at the joint study and practical achievement of means of coordinating and promoting intellectual life, as regards alike science, letters and arts. Taken in this sense intellectual cooperation has as its object the improvement or creation of instruments of work, exactly what the Committee and its different organs have aimed at since 1922. The International Museum Office, the coordination of libraries, the agreement reached with regard to the economic sciences, scientific property, and also the various bulletins and annuals are, in fact, merely instruments of work. These demonstrate the value—the necessity—of intellectual cooperation far better than grandiose schemes or high-flown ideologies, but intellectual cooperation has also a wider and more lofty meaning. What is its real purpose? To inspire writers, artists, scientists and intellectuals of the whole world with the conviction that their interests and duties are everywhere identical and to inform them with that spirit of universality without which, as history teaches us, there can be no great civilisation. For no re-constitution of an economic, political or social character will be solid or permanent unless it is based on spiritual and intellectual harmony.

It is, therefore, not fair to judge of intellectual cooperation by the practical and tangible results which it has obtained : account must be taken of imponderabilia. The most important and the most essential outcome of intellectual cooperation consists in the multitude of relationships that are constantly being established and extended between divers persons, institutions and groups, which would otherwise perhaps never have had the opportunity of entering into contact much less of collaborating with, one another. If it were in this way only, intellectual cooperation would have justified its existence.

VI. Administratives Questions

1 — THIRTY-FOURTH REPORT OF THE GOVERNING COMMISSION OF THE SAAR TERRITORY

The Chairman of the Governing Commission of the Saar Territory has addressed to the Secretary-General his thirty-fourth report, which deals with the work of the Commission and the situation in the territory during the second quarter of 1928 (April, May and June).

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Dr. Ehrnroth (Finnish), who succeeded M. Lambert (Belgian) as Member of the Commission, on April 1st took over the Departments of Public Works, Railways, Post, Telegraphs and Telephones.

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Economic and Social Situation. — The report gives information on the procedure for the allotment of quota as provided for in the Franco-German Arrangement of February 23rd, 1928. The Chairman draws attention to the fact the facilities offered by this procedure have, in many cases, been rendered nugatory owing to the entry into force on April 15th of the most-favoured-nation clause, in application of the Franco-German Treaty of Commerce of August 1927, whose provisions extend to the Saar territory.

Figures are quoted with a view to giving an exact idea of the economic situation of the territory. In April the production of crude iron was 155,000 tons, steel 161,000 tons, coal 994,000 tons, coke 19,000 tons. The cost of living index rose by two points in May.

Political Situation. — In its plenary meetings of May 3rd and June 12th the newly elected Advisory Council took decisions on three draft decrees, of which one concerned the reduction of indirect taxation. Five further decrees are awaiting decision.

The Technical Committee held two meetings, at which it also dealt with a certain number of these decrees.

The Chairman reports that in the summer and autumn of 1927 the attention of the Commission was drawn to the fact that considerable sums of money were being distributed by Trade Unions, not only to their members, but also to non-syndicated workers. It was suggested by newspapers and speakers at public meetings that these funds had been placed at the disposal of the syndicates by the German Government.

As the way in which the sums were distributed did not satisfy all concerned, explanations were given in August, 1927, by a secretary of one of the syndicates. According to press accounts, he appeared to attribute to these payments a significance inadmissible in a plebiscite area such as the Saar territory, and the Commission observes that in any case it could not overlook the distribution of such considerable sums without its knowledge in a territory which it was called upon to govern, more especially as it was rumoured that the distribution had taken place with its consent.

The Commission has communicated to the Council the note which it addressed to the German Government on October 13th, 1927 and the reply received on May 4th, 1928 (1).

The Commission considers that the payments in question are abnormal and do not appear to be justified by the circumstances adduced by the German Government. It lays special stress upon a statement contained in the reply that the allegations of the secretaries of the syndicates were entirely at variance with the intentions of the German Government.

The Saar Member of the Commission, M. Kossmann, stated that he could not consider anything in this relief action as inconsistent with the situation created in the territory by the Peace Treaty. In his opinion, the whole relief action of the German Government was of a purely philanthropic character, as was shown by the circumstances which gave rise to it. "Owing to reductions in wages and unemployment days the position of the working classes became precarious and it was necessary to come to their aid. The German Government has merely acceded to numerous requests made to it by the inhabitants of the Saar territory, and has granted relief to that part of the German population which was suffering from privation."

Administration. — The housing control was suppressed in ten communes and

(1) These texts are published in an annex to the report.

maintained in eighty-four during the quarter under review. The control is now definitely abolished in 206 communes.

The report gives details concerning the building of small dwellings in Saarbrück, the administration of the mines, roads, government buildings, shipping, the engagement of unemployed by the Department of Public Works, the readjustment of allowances to Government workers on railways, the development of the railway traffic subsequent to a special customs agreement for the export of Saar wares to Germany, etc.

The Department of Education has created a certain number of scholarships to enable teachers to attend the summer holiday courses at Geneva. The applications received show the constantly increasing interest in these questions, in particular that of instruction in the aims of the League.

Labour conditions continued as a result of the revival of the building industry. The number of unemployed sank to 2,805 from 4,125 in April.

Annexes to the report. — The report is accompanied by two annexes : (1) Copy of the note of October 13th, 1927, in which the Chairman of the Governing Commission approached the German Government on the subject of the subsidies to the syndicates; (2) Copy of the German Government's reply of May 4th, 1928. The latter document states that the German Government was obliged, when the French franc fell, to come to the assistance of so-called "Saargaenger" (people working in the Saar territory and residing in the German frontier districts). These measures were to have been discontinued at the beginning of 1927, but at that moment the Saar syndicates submitted through German organisations a request that the German Government should also come to the assistance of Saar workers. To solve these difficulties the German Government decided to grant Saar workers one single subsidy at the end of May 1927 and no longer to assist the "Saargaenger".

According to this reply, the statements in the budget committee of the German Parliament have been reported inaccurately by the press. The measures in question, which the German Government regards as a purely charitable action, have not been carried out entirely as contemplated and have, moreover, been interpreted in a manner which is absolutely contrary to the intentions of that Government.

2. — THIRTEENTH SESSION OF THE PERMANENT MANDATES COMMISSION

The Permanent Mandates Commission addressed to the Council the report on its thirteenth session, held in Geneva from June 12th, to 29th, 1928.

1. — GENERAL QUESTIONS.

The Commission's recommendations concerning the general questions on its agenda included the following :

As regards the liquor traffic, the Commission expressed the wish that the Mandatory Powers concerned should make known to which parts of the mandated territories on the continent of Africa Article 4, paragraph 2 of the St. Germain Convention concerning the liquor traffic in Africa had been applied.

Without going into the substance of the question of the purchase of supplies by administrations of mandated territories, the Commission decided for purposes of information to ask the powers entrusted with the administration of territories under A and B mandates to give information on the regulations adopted or generally followed in this respect.

The Commission dealt also with the question of the treatment extended in countries members of the League to persons belonging to mandated territories and to wares from these territories, in connection more especially with the communica-

tion by the French Government of an exchange of notes concerning the situation of Syrians and Lebanese resident in the hinterland of Liberia.

Recalling the Council resolution of September 15th, 1925, concerning the extension of special international conventions to mandated territories and the Assembly resolution of September 22nd of the same year on the same subject, the Commission drew the attention of the Council to the situation above described and expressed the hope that it would be possible to arrive at a satisfactory solution without prejudice to the principle of economic equality stipulated in the mandate.

II. — OBSERVATIONS ON REPORTS EXAMINED BY THE COMMISSION

Territories under A Mandate. — Palestine and Transjordan. — The Commission gave its full attention to the difficulties encountered by the mandatory in its efforts to make the Jewish settlement in Palestine economically self-supporting. These difficulties have led to a restriction of Jewish immigration in order to make it proportionate to the economic capacity of the territory.

As regards Transjordan, the Commission noted an agreement between the United Kingdom and Transjordan, signed on February 20th, 1928, which recognises the existence of an independent Government in Transjordan and defines and limits its powers. It also noted the opinion of the accredited representative that the mandate would still remain in force after the agreement came into effect, and expressed its conviction that the Council would examine whether its formal assent was necessary for putting into force the agreement in question.

At the same time it called attention to certain passages in the agreement which appeared at first sight to be inconsistent with the terms of the mandate.

Syria and the Lebanon. — The Commission noted the difficulties which had arisen in regard to the final determination of the frontier between the mandated territories and Turkey. It expressed the hope that it might soon be possible to reach a satisfactory conclusion and one which would be in accordance with the treaties.

It learned with satisfaction that calm prevailed in Syria and the Lebanon. While recognising that the country must be prepared for that emancipation which is the aim of the mandate, by a policy that would gradually accustom it to self-government, the Commission hoped that, until that moment had arrived, the mandatory power would retain such a measure or authority as would fully enable it to continue to lead and superintend this evolution and fulfil all its obligations to the League.

To obtain a clear idea of the manner in which the principle of economic equality is applied in Syria and the Lebanon, the Commission asked the mandatory for information on the following points : the principles followed in respect of all transactions connected with public works; the conditions under which concessions dating from the Ottoman regime had been renewed or modified; the coasting trade; and the principles followed in drawing up the final lists of prices used for assessing values for *ad valorem* duties.

Territories under B Mandate. — French Togoland and the Cameroons. — The Commission noted the information given by the accredited representative concerning grants made by the mandated territories to institutions in the home country and certain international organisations. It expressed its conviction that, in fixing the amount and the objects for which such grants were made, the mandatory would always see that the charges under this head were in fair proportion to the direct and indirect benefits to be derived by these territories from the said institutions.

Tanganyika. — The Commission noted that the mandatory power would

resist any attempt to increase the proportion of military expenditure of the British dependencies in East Africa at present borne by the mandated territory (1).

As regards the experiments with native grown cotton, the Commission was glad to be assured that the administration, while encouraging the natives to grow food crops, would be cautious in its recommendations with regard to crops for export when it was uncertain that they would continue to command reasonable prices.

Territories under C Mandate. — Nauru. — The Commission noted a statement of the accredited representative to the effect that the question of the application of general international conventions to Nauru was receiving the serious consideration of the Australian Government.

New Guinea. — The Commission asked for further information as to the programme of the administration for introducing the system of free labour in place of the present practice of employing all labourers, including domestic servants, under contracts comprising penal sanctions for breach.

It noted with satisfaction that the compulsory cultivation of land except for the food supply of the natives concerned had been abolished.

Western Samoa. — The Commission made a detailed study of the report of the Royal Commission of Enquiry into the events which occurred in the Samoan Islands in 1926/27 and of the documents forwarded by the mandatory with this report. It also noted a certain number of petitions and heard additional explanations given by the accredited representative of the mandatory and the former administrator of Western Samoa.

The Commission expressed the opinion that none of the charges made against the administration in various petitions were substantiated and that none contained any evidence of policy or action contrary to the mandate.

On the contrary, it recorded its impression that the local administration seemed to have made every effort to improve the conditions of life of the native population, notably in regard to public health and education as well as in regard to agricultural production and commerce.

The Commission strongly condemned the action of a certain number of whites (Mr. Nelson and those associated with him) who appeared to have been inspired less by desire for public welfare than by personal ambition and interests. It was satisfied that the administrator had acted with great patience—if not perhaps always with sufficient psychological insight—and had shown a forbearance and confidence in the people, which might have been misunderstood and so, to some extent, might have undermined his authority.

The Commission noted with satisfaction the action taken by the mandatory. It was assured that adequate means for the maintenance of law and order were now at the disposal of the administrator, and it expressed the hope that the Samoans, when they realised that they had been misled, would resume their former attitude of confidence in the administration and that the mandatory would soon be able to re-establish peace, and prosperity in Western Samoa by a policy both firm and liberal.

III. — OBSERVATIONS ON PETITIONS.

Palestine. — The Commission took note of a letter from the Zionist Organisation and a memorandum on the development of the Jewish National Home in Palestine, together with the observations of the mandatory power.

(1) The accredited representative for the Tanganyika territory emphasised, in a commentary for submission to the Council with the report of the Commission, that the statement noted by the Commission had been made not on behalf of the mandatory, but on behalf of the administration of the Tanganyika territory.

While considering, generally speaking, that these observations were satisfactory, the Commission repeated the recommendation made at its ninth session that every effort should be made to hasten the survey, the completion of which it considered as being of the utmost importance for the general development of Palestine and, in particular, for the establishment of the Jewish National Home.

Syria and Lebanon. — The Commission examined petitions from the Lebanese Committee in Paris and inhabitants of the territory. Generally speaking, it was of opinion that the observations of the mandatory were entirely satisfactory.

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The Commission also considered petitions concerning French Togoland and the Tanganyika territory, none of which seemed to it to demand special observations.

As regards the petitions concerning Western Samoa, the Commission, in view of the fact that it had proceeded to a special examination of the recent disturbances and the complaints against the local administration, did not think it necessary to submit any special conclusions.

VII. — Political Questions.

POLISH-LITHUANIAN RELATIONS

The Secretary-General has circulated for the information of the Council the following letter, addressed by the Acting Secretary-General on August 6th to M. Voldemaras, Prime Minister and Minister for Foreign Affairs of Lithuania, pursuant to M. Voldemaras' letter of July 23rd and the Polish Government's communication of July 25th :

With reference to my letter of July 28th last, I have the honour to inform you that I have just received the replies of the Acting President of the Council, M. Aguero y Bethancourt, and of the Rapporteur, Jonkheer Beelaerts von Blokland, whom I consulted as a result of your letter of July 23rd with regard to press reports concerning military manœuvres.

I am authorised by these replies to inform you that, in view of the formal declarations of the Polish Government, which were communicated to you and to the Council there seems no occasion in the present case to apply the provisions laid down in paragraph 7 of the Resolution of the Council of the League of Nations dated December 10th, 1927, concerning the danger of frontier incidents.

VIII. — Forthcoming Events.

September 20th : Special Committee for the jurisdiction of the European Commission of the Danube, Geneva.

September 27th : Committee on Competition between Railways and Waterways, Geneva.

October 1 st : Meeting of Experts on Customs Nomenclature, Geneva.

October 13th : Committee of Guaranteeing States of Austrian Loan, Geneva.

October 15th : Meeting of Experts for the study of B. C. C. antituberculosis vaccination, Paris.

October 22nd : Conference on Double Taxation and Tax Evasion, Geneva.

October 23rd : Economic Committee, Geneva.

October 26th : Permanent Mandates Commission, Geneva.

IX. — New Publications

FOURTH ANNUAL REPORT OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

June 15th, 1927—June 15th, 1928 ⁽¹⁾.

Amongst the matters dealt with in this Fourth Annual Report—550 pages in octavo—may be mentioned as being of special interest, the speech made by President Huber at the conclusion of his period of office as President; the speech made by M. Anzilotti upon taking up his duties as the new President of the Court; the settlement of the question of the diplomatic privileges and immunities of judges and officials of the Registry, and the admission of national judges in advisory proceedings.

Chapters IV and V, with the accompanying analytical index, in themselves occupy more than 100 pages of the Report; they give summaries of the five Judgments and two Advisory Opinions given, and also, of the chief Orders made by the Court during the period 1927-1928. In the first category should be mentioned the Judgment given by the Court in the case of the collision between the French mail steamer *Lotus* and the Turkish collier *Boz-Kourt*; and in the second category the important Opinion given in the question of the jurisdiction of the European Commission of the Danube.

The Bibliography (Chapter IX) supplements and continues those contained in previous Reports; it includes more than 400 new titles of works, articles and essays concerning the Court.

In the last place, Chapter X of the Report completes the third edition of the "Collection of Texts governing the jurisdiction of the Court" and the first addendum published in the Third Annual Report. It contains in particular new international agreements concluded or published since June 15th, 1927. These instruments number 47, a figure which, by itself, will suffice to indicate the recent expansion of the idea of international arbitration of which the Permanent Court itself is so far the most striking manifestation.

(1) (Publications of the Court, Series E., No. 4). — A. W. Sijthoff's Publishing Company Ltd., Leyden, Netherlands.

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LEAGUE OF NATIONS

GENEVA

MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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I. — Summary of the Month.

SEPTEMBER 1928

The principal meetings in September were the ninth ordinary session of the Assembly, and the fifty-first and fifty-second sessions of the Council.

* * *

The Assembly sat from September 3rd to September 26th. Delegates were accredited by the fifty following States : Abyssinia, Albania, Australia, Austria, Belgium, British Empire, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Esthonia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, the Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Persia, Poland, Portugal, Roumania, Salvador, Kingdom of the Serbs, Croats and Slovenes, Siam, South Africa, Spain, Sweden, Switzerland, Uruguay and Venezuela. The Argentine Republic sent an observer; Bolivia, Honduras and Peru were not represented.

The heads of the delegations included the German and Austrian Chancellors, the Prime Ministers of Canada, Lithuania, Luxemburg, and Norway, the Foreign Ministers of sixteen States (Belgium, Great Britain, Cuba, Czechoslovakia, Denmark, Esthonia, Finland, France, Greece, Hungary, Latvia, the Netherlands, Poland, Portugal, the Kingdom of the Serbs, Croats and Slovenes, and Sweden) and the head of the Swiss Federal Political Department.

In his opening speech, the Acting President of the Council, M. Procope (Finland) welcomed Spain's decision to continue as a member of the League, expressed the hope that this example would be followed by Costa Rica, and laid especial stress upon the part played in the League's work during the year by several non-members, such as the United States, the Union of Soviet Socialist Republics, Turkey and Mexico. Reviewing the work of the past year he described as its outstanding features "the efforts made in the sphere of economics to establish cordial understanding and cooperation between nations; and the endeavour to create, by measures of an international political nature, that feeling of security without which the League's ideal cannot be attained".

Election of the President. — M. Herluf Zahle (Denmark) was elected President of the ninth Assembly, obtaining forty-four votes out of a total of fifty cast. M. Zahle, taking the Chair, said that he interpreted this act as an honour done to his country, which had always been loyally and confidently attached to the high principles of international peace and justice by which the League had been continuously inspired. He proposed that telegrams should be addressed to Sir Austen Chamberlain and Dr. Stresemann, voicing the Assembly's regret at their absence and its wishes for their prompt recovery.

Distribution of Work. — The Assembly adopted its agenda and divided its work among the six following Committees, to which each of the States represented was entitled to send one delegate :

First Committee : Legal and Constitutional Questions. — (Arbitration and Security, Progressive Codification of International Law, Questions concerning the Permanent Court of International Justice); Chairman : M. Scialoja (Italy); Vice-Chairman : M. Erich (Finland).

Second Committee : Technical Organisations. — (Alcoholism, relations between the League and bodies set up under its authority, work of the Economic and Financial Organisation and of the Transit and Health Organisations); Chairman : M. Motta (Switzerland); Vice-Chairman : M. Veverka (Czechoslovakia).

Third Committee : Reduction of Armaments. — (Arbitration, security and the reduction of armaments; establishment of a League Wireless Station; private manufacture and publicity for the manufacture of arms); Chairman : M. Carton de Wiart (Belgium); Vice-Chairman : M. Unden (Sweden).

Fourth Committee : Budget and Financial Questions. — (Allocation of expenses, audited accounts, budget, staff questions, reports of the Supervisory Commission); Chairman : M. de Vasconcellos (Portugal); Vice-Chairman : M. de Modzelewski (Poland).

Fifth Committee : Social and General Questions. — (Traffic in opium and other dangerous drugs, protection and welfare of children and young people); Chairman : M. Matos (Guatemala); Vice-Chairmen : M. Fotitch (Kingdom of the Serbs, Croats and Slovenes); Mlle. Forchhammer (Denmark).

Sixth Committee : Political Questions. — (Slavery, Intellectual Co-operation, Mandates); Chairman : M. Marinkovitch (Kingdom of the Serbs, Croats and Slovenes); Vice-Chairman : M. Valdes-Mendeville (Chile).

General Committee. — The Chairman of the Assembly Committees are *ipso facto* Vice-Presidents of the Assembly. The Assembly elected six further Vice-Presidents who, with the Chairmen of the six Committees and the Chairman of the Agenda Committee, constituted its General Committee. The Vice-Presidents elected by the Assembly were : M. Adatci (Japan), M. Briand (France), M. Muller (Germany), Lord Cushendun (Great Britain), Mr. Mackenzie King (Canada), Mgr. Seipel (Austria).

As in preceding years, the Assembly appointed an Agenda Committee to determine the procedure for the inclusion of new questions on the agenda; it was composed of M. Ramon Caballero (Paraguay), Chairman; Sir William Harrison Moore (Australia), M. Emilio de Palacios y Fau (Spain), Count Lagarde, Duke d'Entotto (Abyssinia), Count Bonin-Longare (Italy), Jonkeer Van Eysinga (Netherlands), Dr. Veverka (Czechoslovakia).

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The Assembly held nineteen plenary meetings, eight of which were devoted to the general debate on the work of the Council and the Secretariat and the measures taken to execute the Assembly's decisions. Thirty speakers took part in the discussion, the principal subjects dealt with being the work of the Arbitration and Security Committee, the reduction of armaments, economic questions and the protection of minorities.

The Pact for the renunciation of war as an instrument of national policy, signed in Paris the week before the opening of the Assembly, in several cases by the same delegates as represented their countries at Geneva, was welcomed by many speakers in the general debate as an important contribution to peace; it was also referred to in Committees, e.g. in the First Committee in the course of the debate on the Codification of International Law and the extension of methods of peaceful settlement, and in the Third Committee in the debate on disarmament.

The Assembly elected Spain, Persia and Venezuela to succeed China, the Netherlands and Cuba as non-permanent members of the Council, taking decisions on two requests for re-eligibility. Voting simultaneously with the Council, it elected

Mr. Charles Evans Hughes to succeed Mr. John Bassett Moore as judge of the Permanent Court of International Justice.

The relations between the League and Latin America were dwelt upon by several speakers, who expressed the hope that the Argentine Republic and Costa Rica might shortly resume membership of the League.

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As in preceding years, the Assembly reviewed the whole body of work done by the League organisations and drew up the programme for the coming year. The more important decisions bore on the League's technical activities, in particular, the work of the Economic Organisation, and also on the question of the limitation and reduction of armaments in connection with arbitration and security. On both subjects there were protracted committee and plenary debates leading up to resolutions which defined the work still to be done, as well as the methods and means of action of the competent League organisations.

Interesting discussions took place on legal and constitutional questions, such as a possible revision of the Court Statute, the conditions of the Council and Assembly vote on requests for advisory opinions, and the codification of international law. During the session, Spain and Hungary signed the optional clause relating to the compulsory jurisdiction of the Court.

In the social and humanitarian field must be mentioned the decision of the Assembly to set up a commission of three members to enquire into the consumption of prepared opium in the Far East, the inclusion in the League programme of the question of alcoholism, which was referred to the Health and Economic Committees; the reorganisation of the refugee services, and the decision that the settlement of Armenian refugees in the Republic of Erivan should be carried out under the auspices of the League.

The Assembly ratified the choice of the Ariana Park as the site for the new Assembly, Secretariat and Library buildings, and approved the budget for 1929.

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The Council held its fifty-first and fifty-second sessions from August 30th to September 8th, and from September 12th to September 26th respectively — both under the presidency of M. Procope (Finland).

These sessions were mainly devoted to preparing the Assembly discussions or measures to give effect to its decisions.

In the political field must be mentioned the Council's decision to give a fresh stimulus to the direct negotiations previously recommended with a view to the settlement of the Polish-Lithuanian question and the problem of the Hungarian optants.

II. — The Permanent Court of International Justice ⁽¹⁾.

1. — DEATH OF M. WEISS, VICE-PRESIDENT ⁽²⁾

The burial of M. Weiss, whose death was announced in the last Monthly Summary, took place on Wednesday, September 5th, at Montmorency, Seine et-Oise (France). The Members of the Court were represented by M. Loder (former Presi-

(1) This chapter, with the exception of No. 7, is based on information furnished by the Registry of the Court.
(2) See *Monthly Summary*, Vol. VIII, No. 8, page 217.

dent), and the Registry by M. Garnier-Coignet, Secretary to the Presidency. The League Secretariat was represented by M. Buero and M. Haas.

On September 13th, on the occasion of the first public sitting held after the death of M. Weiss, the Court paid a tribute to his memory.

2. — ELECTION OF VICE-PRESIDENT AND MEMBERS OF CHAMBERS

At a meeting held on September 12th, 1928, the Court elected as Vice-President, in the place of M. Weiss, M. Max Huber, Former President of the Court.

The vacancies in the Court's Chambers resulting from the death of M. Weiss and from the resignation of Mr. John Bassett Moore were filled as follows :

Chamber for Communications and Transit Cases :

M. Loder and M. Altamira.

M. Loder was elected President of the Chamber.

Chamber for Labour Cases :

M. Oda was appointed to succeed Mr. Moore as substitute Member of the Chamber.

The mandates thus conferred will expire at the end of 1930.

Chamber for Summary Procedure for the year 1929 :

This Chamber will be composed as follows :

M. Anzilotti, President;

M. Huber;

M. Loder.

Substitute Members :

Lord Finlay;

M. Altamira.

3. — AFFAIR OF THE CHORZOW FACTORY (INDEMNITY MERITS)

On September 13th, 1928, the Court delivered judgment in this affair. An Order of the Court bearing the same date was also issued on the subject. This case, which was brought by the German Government against the Polish Government, has already given rise to a certain number of judgments, the summaries of which have been published ⁽¹⁾.

The facts leading up to this judgment and the Order are briefly as follows :

In 1915, the German Government concluded with the *Bayerische Stickstoffwerke* Company of Trostberg, in Upper Bavaria, a contract for, amongst other things, the construction of a nitrate factory at Chorzow (Upper Silesia). The Reich was to exercise a measure of control over the Company, which, for its part, undertook the management of the factory. On December 24th, 1919, a new company called the *Oberschlesische Stickstoffwerke* was formed to which the Chorzow factory was sold, though the management and working of the factory remained in the hands of the *Bayerische*; the *Oberschlesische* was duly entered in the land register with the *Amtsgericht* of Königshütte as owner of the landed property of the factory. On July 1st, 1922, however, the tribunal just mentioned, which had become Polish following the transfer to Poland of a part of Upper Silesia, annulled the entry in the register, declared the situation

(1) See *Monthly Summary*, (Vol. VII, No. 12, page 351; (Vol. VIII, No. 3, page 66).

existing previous to the sale of the factory by the Reich to be reestablished and transferred the rights of ownership to the name of the Polish Government in the register : it based its action, first, on Article 256 of the Treaty of Versailles and, secondly, on the Polish law of July 14th, 1920. Shortly afterwards, the Polish Government caused the factory to be taken over and assumed the management of it. The *Oberschlesische* Company then took proceedings before the German-Polish Mixed Arbitral Tribunal at Paris and before the Polish Courts. In May, 1925, while these actions were still pending, the German Government took the matter up and instituted proceedings against the Polish Government before the Court.

The Court ruled that it had jurisdiction in the case by its Judgment No. 6 (August 25th, 1925) and, by Judgment No. 7 (May 25th, 1926), decided that the attitude of the Polish Government in respect of the *Oberschlesische* and *Bayerische* Companies had not been in conformity with the terms of the German-Polish Convention of Geneva.

Following this latter judgment, direct negotiations took place between the two Governments concerned. These negotiations, however, failed, and the German Government brought a fresh suit before the Court. The Respondent thereupon filed a preliminary objection which the Court overruled by its Judgment No. 8 on July 26th, 1927.

This suit was then heard on its merits and forms the subject of the judgment and Order of September 13th. The judgment contains the decision of the Court upon the submissions of the Parties and, in particular, establishes in principle that the Respondent must pay compensation to the Applicant; the object of the Order is to fix a procedure whereby the Court may be enabled to obtain the data necessary for the determination of the amount of this compensation.

In its judgment the Court first of all determines what actually are the points which it is asked to decide. The final submission of the Applicant as formulated in the course of the written and oral proceedings asks for judgment to the effect that, by reason of its attitude in respect of the *Oberschlesische* and *Bayerische* Companies—which attitude, as has already been seen, had been declared by the Court not to have been in conformity with the Geneva Convention—the Polish Government is bound to make reparation to the said Companies as a result of this attitude; the Court is also asked to adjudge that this reparation must take the form of compensation and to fix the amount of this compensation and the method of payment.

The main submissions of the Polish Government, on the other hand, are to the effect that the claims of the Applicant Government should be dismissed. In the next place, the judgment briefly sets out the facts of the case from the time of the creation of the Chorzow factory in 1915 until the date of submission of the last Application received by it in the case. Lastly, in the section of the judgment dealing with the law, the Court considers the contentions of the Parties and gives its decisions on them.

The Court, in the first place, arrives at the conclusions that by reason of the attitude adopted by the Polish Government in respect of the *Oberschlesische* and *Bayerische* Companies, that Government is under an obligation to pay to the German Government, as reparation, compensation corresponding to the injury sustained by the two Companies; this compensation is to consist not of two separate sums payable to each of these Companies, but of a lump sum. In the next place, the Court overrules the Polish Government's submissions based on the judgment given by its municipal tribunals in regard to the *Oberschlesische's* right of ownership, and on Article 256 of the Treaty of Versailles, the aim of which objections and submissions was to establish that in the calculation of the compensation an amount corresponding to all or a part of the injury sustained by that Company should be left out of account.

The Polish Government also prayed the Court to order the handing over to it by the German Government of all the shares of the *Oberschlesische*, which shares were in the hands of the German Government under a contract concluded with that Company; in the alternative the Polish Government prayed that judgment should be suspended. The Court dismisses both these claims.

Again, the German Government besought the Court to prohibit until June 30th, 1931, any exportation of nitrated lime or nitrate of ammonia to Germany, the United States of America, France or Italy, and, in the alternative, to adjudge that the Polish Government should be obliged to cease the exploitation of the Chorzow factory. The Court dismisses these claims, which have no bearing

on the injury already sustained, but only on that which might be suffered by the *Bayerische* in the future.

The Applicant Government also prayed the Court not to authorise the Respondent to set off against the compensation for the injury caused to the two Companies certain claims which the Respondent might have against Germany. The object of this submission, according to the Applicant, was to ensure that in the present case reparation should be really effective. The Court however declines to give a decision on this point, pointing out, first, that its jurisdiction is limited to cases specially provided for in treaties and conventions in force, and, secondly, that it is not called upon to contemplate the contingency of an attempt by one party to avoid compliance with its judgment.

As has already been seen, the Court, having decided in principle that compensation is to be paid, does not fix the amount. The fixing of the amount and of the method of payment is reserved by it for a future judgment to be given when it is in possession of the data necessary for the decision of these points. With a view to obtaining such data, it has made an Order referring certain questions to experts who are called upon in their replies to indicate definite figures.

The Committee will consist of three experts appointed by the President; with these experts will sit two assessors, each of the parties being entitled to appoint one of them. The enquiry will bear upon the three following questions: 1) the value of the Chorzow factory at the date of dispossession, 2) the financial results which would probably have been given by the undertaking if it had remained in the hands of the *Oberschlesische* and *Bayerische*, and, 3) the probable value thereof at the present time on the same hypothesis. The report of the experts will contain the reasoned opinion of each of them in regard to each question. It will be communicated to the Agents of the Parties and discussed by them at a public sitting of the Court, should they so desire. Afterwards the Court will determine the sum due by the Polish Government to the German Government.

The Court's judgment is given by nine votes to three. Lord Finlay and M. Nyholm, judges, and M. Rabel and M. Ehrlich, judges *ad hoc*, have appended to the judgment their separate opinions or observations.

4. — END OF THE FOURTEENTH (ORDINARY) SESSION

On September 13th, 1928, the President declared the Fourteenth (Ordinary) Session of the Court to be closed.

5. — SIGNATURE OF THE OPTIONAL CLAUSE BY HUNGARY

On September 14th, 1928, the Hungarian Minister for Foreign Affairs signed at Geneva the Optional Clause recognising the compulsory jurisdiction of the Permanent Court of International Justice, and made the following declaration:

On behalf of the Royal Hungarian Government, and subject to ratification, I declare that I recognise as compulsory, *ipso facto* and without special agreement, in relation to any other Member or State accepting the same obligation, that is to say, on condition of reciprocity, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of the Statute of the Court for a period of five years to be reckoned as from the deposit or the instrument of ratification.

Geneva, September 14th, 1928.

(Signed) Louis WALKO.

6. — SIGNATURE OF THE OPTIONAL CLAUSE BY SPAIN

M. Quinones de León, Ambassador of Spain at Paris, signed on September 21st, 1928, the following Declaration regarding the Optional Clause of the Statute of the Permanent Court of International Justice:

On behalf of the Government of His Majesty the King of Spain, I recognise as compulsory *ipso facto* and without special agreement, in relation to any other

Member or State accepting the same obligation, that is to say, on condition of reciprocity, the jurisdiction of the Court for a period of ten years, in any disputes arising after the signature of the present declaration with regard to situations or facts subsequent to this signature, except in cases where the parties have agreed or shall agree to have recourse to another method of pacific settlement.
Geneva, September 21st, 1928.

(signed) QUINONES DE LEÓN.

7. — ELECTION OF A SUCCESSOR TO MR. JOHN BASSETT MOORE

The Hon. Charles Evans Hughes (United States) was elected by the Assembly and the Council, voting simultaneously, to succeed Mr. John Bassett Moore as Judge of the Permanent Court of International Justice.

As enjoined in the Statute of the Court, the Assembly and the Council proceeded independently to the election.

The voting in the Assembly took place by secret ballot, the number of votes cast being 48, the absolute majority 25 and the number received by Mr. Hughes 41. The Council, sitting privately, named him unanimously.

A few days later the President of the Assembly read a telegram of acceptance and appreciation from Mr. Hughes.

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* *

The Hon. Charles Evans Hughes was successively Governor of New York State, Justice of the Supreme Court of the United States, Republican candidate for the Presidency, Secretary of State, head of the American Delegation to the Conference on the Limitation of Naval Armaments in Washington in 1921, and President of the sixth Pan-American Conference at Havana.

III. — Arbitration, Security and the Reduction of Armaments (1).

The Assembly reviewed the work of the Arbitration and Security Committee and that of the Preparatory Commission for the Desarmament Conference, which has been described in various numbers of the Monthly Summary during the past year.

The debates and resolutions of the Assembly are analysed below on the basis of the reports submitted.

1. — ARBITRATION AND SECURITY

After prolonged debates the Assembly inserted in the model conventions and treaties prepared by the Arbitration and Security Committee such alterations as it considered desirable, finally adopting resolutions concerning the submission and recommendation of these drafts and regarding the good offices of the Council.

The Assembly also passed resolutions regarding the proposals of the Committee on the compulsory jurisdiction of the Permanent Court of International Justice and the model treaty for strengthening means of preventing war.

The Arbitration and Security Committee had prepared six model conventions for the pacific settlement of international disputes, namely three model general conventions (A, B and C) and three model bilateral conventions (a), (b) and (c).

(1) See Assembly Resolutions, page 283 and Annexes, page 298.

In order to establish between the general conventions A, B and C the connection which seemed to be lacking, the Assembly combined them into a single General Act which, without impairing the structure of the three conventions, increases their value as regards the simplicity of the system and the elasticity of the undertakings. This General Act consists of four chapters. The first chapter provides for the solution of all disputes and corresponds to model convention C; the second contemplates judicial settlement or arbitration for disputes of a legal character and corresponds to model convention B; the third, which contemplates arbitration for non-legal disputes, corresponds to model convention A; the fourth chapter of the General Act contains the general provisions of these three conventions (reservations, protocol clauses etc.) These provisions give States the possibility of acceding to the General Act as a whole or of limiting their engagements, if desired, to chapters 1 and 2 and 4, or even to chapters 1 and 4. "The Contracting Parties may benefit by the accessions of other parties only in so far as they have themselves assumed the same obligations" (Article 38).

This General Act further preserves the essential character which the Committee on Arbitration and Security had finally given to the three conventions. Like the latter, it is not a draft which requires to be negotiated upon or to receive signatures in order to become an effective instrument. It is a document which can be converted into a convention as soon as it is accepted, in its entirety, or in part, by two States. It will remain open indefinitely for the accession of all other States.

The Assembly invited all States, whether Members of the League or not, and in so far as their existing agreements do not already achieve this end, to accept procedure for pacific settlement either by becoming parties to the General Act, or by concluding draft conventions in accordance with the model bilateral conventions or in such terms as might be deemed appropriate.

It, moreover, requested the Council.

To inform all States Members of the League that, should States feel the need of reinforcing the general security conferred by the Covenant and of contracting for this purpose undertakings concerning the pacific settlement of any disputes which may arise between them, and should negotiations in connection therewith meet with difficulties, the Council would, if requested to do so by one of the parties — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices, which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue.

As regards the question of non-aggression and mutual assistance, the Committee has drawn up three model treaties, namely a model collective treaty of mutual assistance, a model collective treaty of non-aggression, and a model bilateral treaty of non-aggression.

The Assembly recommended these treaties for consideration by States Members or non-Members of the League, and expressed the hope that they might serve as a basis for States desiring to conclude treaties of this sort. It voted a resolution concerning the good offices of the Council similar to that passed in connection with the General Act.

When the resolution on the treaties of mutual assistance and non-aggression was adopted by the Assembly, the Hungarian delegate stated that he was obliged to abstain from voting this resolution because it presupposed a state of mutual confidence which did not seem to him to exist in that part of Europe in which Hungary was situated.

The Assembly further adopted :

(1) A resolution drawn up by the Arbitration and Security Committee with a view to facilitating the accession of States to the clause of the Court Statute concerning the Court's compulsory jurisdiction.

(2) A resolution on the work of the Arbitration and Security Committee concerning Articles 10, 11 and 16 of the Covenant, by which the Assembly recommends to the Council the studies in question "as a useful piece of work..... which provides valuable indications as to the possibilities offered by the different articles of the Covenant and as to the way in which they may be applied..."

(3) A resolution concerning the model treaty to strengthen the means of preventing war prepared in accordance with a proposal of the German delegation. The Assembly recommended this treaty for consideration by Governments, expressing its conviction that the adoption of this resolution by a large number of States would serve to increase the guarantees of security.

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The League Secretariat having, in accordance with a Council resolution of December 12th, 1925, published a "Systematic Survey of Arbitration and Treaties of Mutual Security deposited with the League of Nations", the Assembly, recognising the importance of this documentation and of the maps and graphs which the Secretariat proposed to establish, passed a special resolution inviting the Governments to cooperate with a view to facilitating this work.

Resolutions of the Council. — Immediately after the close of the Assembly the Council, on September 26th, took the necessary steps to give effect to these resolutions.

It instructed the Secretary-General :

(1) To communicate the General Act and the three model bilateral conventions on conciliation, arbitration and judicial settlement to all the States Members of the League and to Afghanistan, Brazil, Costa Rica, The United States, Egypt, Ecuador, Mexico, the U. S. S. R. and Turkey;

(2) to inform all States Members of the League that the Council is prepared to place at the disposal of the States concerned the good offices which they may be willing to accept voluntarily under the conditions set forth by the Assembly;

(3) to communicate the Assembly resolution concerning the compulsory jurisdiction of the Court to States which have not yet acceded to this clause, requesting them to intimate their intentions in the matter and to communicate at the same time the questions of international law the elucidation of which would, in their opinion, facilitate their accession to this clause;

(4) to communicate to States, Members or non-Members of the League, the model treaties of non-aggression and mutual assistance and the introductory note prepared by the Arbitration and Security Committee, together with the report of the Third Assembly Committee and the resolution adopted by the Assembly on the proposal of that Committee;

(5) to inform all States Members that the Council is prepared to place at the disposal of the States concerned the good offices which they may be willing to accept voluntarily in the conditions set forth by the Assembly.

The Council further took note of the Assembly resolution concerning the work of the Arbitration and Security Committee on Articles 10, 11 and 16 of the Covenant and adopted the studies in questions as a useful piece of work providing

valuable indications as to the possibilities offered by the different articles of the Covenant and the way in which they may be applied.

The Council referred to the Preparatory Commission for the Disarmament Conference the Assembly's recommendation concerning the study of the other articles of the Covenant.

2. — REDUCTION OF ARMAMENTS

After noting the work of the Preparatory Commission for the Disarmament Conference during the past year the Assembly passed a resolution emphasising the necessity of accomplishing the first step towards the reduction and limitation of armaments with as little delay as possible.

It noted the efforts of certain Governments to prepare the ground for the future work of the Commission, and expressed the hope that Governments, among which differences of opinion still subsisted, would without delay, seek solutions which would enable that work to be brought to a successful issue. Finally, it proposed that the Chairman should keep in contact with the Governments concerned so that he might be apprised of the progress of their negotiations and be able to convene the Commission at the end of the present year or, in any case, at the beginning of 1929.

This resolution marks the culmination of a thorough study of the many aspects of the problem and of a long and difficult discussion. The Third Committee had before it two draft resolutions, one submitted by the French delegation, the other by the German delegation. In the report submitted to the Assembly these resolutions are analysed as follows :

Both drafts referred to the close connection existing between international security and the reduction and limitation of armaments, and both stated that the present conditions of security were such as to allow of a first step being taken towards disarmament. In the French Delegation's proposal, however, it was considered essential that the efforts of the Governments concerned to remove the technical differences which have hitherto hampered the work of the Preparatory Commission should be pursued and completed before the Commission was summoned, so as to enable the latter to meet with the best prospects of final success. Accordingly, the Council was requested in this draft to make an earnest appeal to the Governments to seek agreed solutions which would enable the work of the Preparatory Commission to be speedily resumed and brought to a successful issue. The draft concluded by proposing that the Assembly should express the hope that these solutions might be arrived at in sufficient time to enable the Commission to meet at the end of the present year or, should this not be feasible, at the beginning of 1929.

On the other hand, the German delegation's proposal, while recognising the importance and desirability of direct negotiations between the Governments concerned, expressed the opinion that, in the event of the failure of such negotiations, the Conference for the Limitation and Reduction of Armaments should itself decide any questions which had still to be settled. According to this draft, the Assembly was therefore to request the Council to fix a date in 1929 for the meeting of the Conference, while leaving it to the President of the Preparatory Commission to convene the Commission at such time as would enable the programme of the Conference to be drawn up.

The Third Committee succeeded in reconciling the different points of view to a considerable extent. It recognised that the present situation was such as to allow of definite results being obtained in connection with the first step towards the reduction and limitation of armaments; it considered that the general political situation was continually improving and that the various difficulties which had hitherto held up the work of the Preparatory Commission were beginning to diminish. Both the Committee and the Assembly, however, did not think that a definite date should be given for the next meeting of the Prepara-

tory Commission, but they unanimously recommended that a meeting should take place at the end of this year, or in any case at the beginning of 1929.

With regard to the convening of the Conference for the Limitation and Reduction of Armaments, the general impression was that the Preparatory Commission, at the close of its next session, would certainly think it desirable to make a general report to the Council on the possibilities of the first general conference and the date on which it might be held.

The Third Committee, finally, clearly emphasised that the work of the Preparatory Commission and of the Arbitration and Security Committee would have to be systematically pursued so as to render possible at later stages the gradual limitation and reduction of armaments in proportion to the growth of security.

The German and Hungarian delegations abstained from voting on this resolution, explaining their reasons in statements to the full Assembly. The Hungarian delegate, General Tanczos, said that the resolution contained no allusion as to the convening of the first conference for the reduction and limitation of armaments and, in these circumstances, the present position of Hungary as a country unilaterally disarmed ran the risk of being indefinitely prolonged.

Count Bernstorff (Germany) also protected against the failure to fix a date for the first conference for the reduction and limitation of armaments, despite the fact that, in his opinion, the present political situation made this immediately possible. He added that the German Delegation was prepared to continue to cooperate loyally in the work of the Preparatory Commission.

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In execution of the Assembly resolution, the Council on September 26th instructed the Chairman of the Preparatory Commission to keep in contact with the Governments concerned so as to be apprised of the progress of their negotiations and to be able to convene the Commission at the end of the present year or, in any case, at the beginning of 1929.

Supervision of the Private Manufacture and Publicity for the Manufacture of Arms, Ammunition and Implements of War. — At the August session of the Special Commission studying this question all its members succeeded in reaching agreement as to the principle of the extension of publicity to government manufacture. Differences of opinion, nevertheless, remained as regards the extent of such publicity.

The Assembly accordingly invited the Council to make an appeal to the Governments represented on the Special Commission to examine carefully the differences of view revealed during the last session of the Commission in order that the work might be completed as soon as possible.

The Council on September 26th appealed as requested to the Governments concerned and instructed the Chairman of the Commission to convene the Commission before the December session of the Council.

Composition of the Preparatory Commission and of the Special Commission on the Private Manufacture of Arms. — Following the elections of September 10th, the Council made certain arrangements regarding the composition of these two bodies.

It invited two of its newly elected members, Persia and Venezuela, to send representatives to the Preparatory Commission; it invited two of its retiring members, China and Colombia, to continue to take part in its work. No special decision was necessary as regards Spain and the Netherlands, who have been represented on the Preparatory Commission since the beginning.

The Council decided that its three retiring members—China, Colombia and the Netherlands—should continue to sit on the Special Commission for the Supervision of the Private Manufacture of Arms. It invited its three new members—Spain, Persia and Venezuela—to be represented on the Special Commission.

3. — FINANCIAL ASSISTANCE TO STATES VICTIMS OF AGGRESSION

The work of the Joint Committee on Financial Assistance to States Victims of Aggression had left pending certain questions of a political nature, in regard to which the Assembly gave definite instructions for future work. Thus the Assembly decided that the scheme for financial assistance should be drawn up in the juridical form of a special convention, it being understood that the future agreement would come within the framework of the League's general programme for the limitation and reduction of armaments.

Apart from certain reservations made concerning the possible exclusion of the case of a mere threat of war, the Assembly agreed that, in the text of the convention to be prepared by the Committee, financial assistance should be provided for, not only in the case of war in violation of the provisions of the Covenant as mentioned in Article 16, but also in the case of war or threat of war referred to in Article II.

The Assembly finally agreed with the Financial Committee that the question of intervention should be decided solely by the Council without the collaboration of the other signatories of the Convention not represented on the Council. As for the right under Article 4, paragraph 5, of the Covenant, of every Member of the League not represented on the Council to "send a representative to sit as a Member in meetings of the Council during the consideration of matters specially affecting that Member of the League", the Assembly thought that there would be no objection to drafting the proposed convention in such a manner that the signatories would, by the mere fact of their accession, or even explicitly, renounce this right.

The Financial Committee will be invited to continue the preparation of this scheme in the form of a draft convention for submission to next year's Assembly.

4. — PRESIDENCY OF THE INVESTIGATION COMMISSION ON HUNGARIAN ARMAMENTS

The Council appointed Major General B. R. Kirwan, C. B., C. M. G., to replace Major General Clive, C. B., C. M. G., D. S. O., as President of the Investigation Commission on Hungarian armaments.

This appointment is made for the remainder of General Clive's original term of office, i.e. until the end of 1928.

IV. — Legal and Constitutional Questions.

1. — COSTA RICA AND THE LEAGUE ⁽¹⁾

In reply to the communication addressed to it by the Council on September 1st, the Costa Rican Government forwarded the thanks of its Council of Ministers and informed the Council that it had decided to submit to its constitutional Congress the invitation to resume membership of the League, requesting that body to vote the necessary funds for the payment of Costa Rica's contribution.

(1) See *Monthly Summary*, Vol. VIII, No. 8, p. 223.

This reply was communicated to the Council on September 8th. The President, M. Procope (Finland), speaking in the name of the Council, expressed his satisfaction at news which enabled the Council to hope that Costa Rica would, in the near future, resume her place among the Members of the League.

2. — ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL

On September 10th the Assembly elected Spain (46 votes), Persia (40), and Venezuela (35) to succeed China, Colombia and the Netherlands as non-permanent Members of the Council.

On the proposal of its General Committee the Assembly had already passed a resolution pursuant to a request of the British, French and German Governments to the effect that the temporary provisions of 1926 should, exceptionally, remain in force this year, thus authorising a State Member to make a request for re-eligibility immediately after being elected to the Council.

The Swedish and Norwegian delegates voted against this proposal and made statements to the effect that, for reasons of principle, their Governments could not support the request of the British, French and German Governments.

The proposal was adopted, receiving 44 out of the 49 votes cast. Following this decision, Spain, on September 10th, submitted immediately after her election to the Council a preliminary request for re-eligibility. This request secured 37 votes, *i.e.*, more than two-thirds of the 47 votes cast. Spain, accordingly, is authorised to stand for election in 1931, at the end of her present term of office.

A request for re-eligibility presented by China, whose mandate has expired, secured 27 votes, *i.e.* fewer than two-thirds (34) of the total cast. Under the rules adopted in 1926 for the election of non-permanent members, a decision in favour of the immediate re-eligibility of a retiring member must be taken by a two-thirds majority.

3. — REDUCTION OF THE NUMBER OF COUNCIL SESSIONS

On September 21st, the Council, after an exchange of views between its members and the Secretary-General, decided to postpone this question till December.

4. — PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW⁽¹⁾

The Assembly took certain decisions regarding the preparation of the First Codification Conference, the work of the Committee of Experts for the progressive codification of international law and the establishment of a general plan of codification.

The Assembly once more called attention to the fundamental importance, for the satisfactory operation of arbitral and judicial procedure, of the codification of international law, and emphasised the urgency which attached to the work to be done in this field in view of the remarkable extension which had been assured by a very large number of international conventions on pacific methods for settling disputes.

For reasons of economy, the Assembly decided that the First Codification Conference should not meet before the beginning of 1930, unless the Disarmament Conference was not held in 1929. In the latter case, the Codification Conference would meet in 1929. The choice of The Hague as meeting place was confirmed, the Netherlands Government having offered, subject to approval by Parliament to bear a part of the expenses not exceeding 128,500 francs.

(1) See Assembly Resolution, page 289.

As the question of nationality, which is on the agenda of the Conference, is of special interest to women, the Assembly expressed the hope that the Members of the League, when invited to the Conference, would consider the desirability of including women in their delegations.

The Assembly decided to reserve, with a view to subsequent conferences, two new questions which appeared to the Committee of Experts to be sufficiently ripe for international regulation, namely the legal position and functions of consuls and the competence of the Courts in regard to foreign States.

It recommended that the Committee of Experts should, when it next met, examine whether it would be possible and desirable to endeavour by the procedure of codification to formulate a declaration of the fundamental rights and duties of States.

The Assembly recognised that there would be advantages in indicating the full extent of the subjects which, without prejudging the order to be followed, it was proposed to cover by the work of codification. It accordingly requested the Council that the establishment of a systematic survey might be entrusted to a committee of three jurists to be chosen preferably from the members of the Committee of Experts.

It suggested that it would be desirable at the same time to distinguish, if possible, the subjects which should be reserved for the League technical organisations or international conferences already initiated by certain Governments, and the subjects which appeared capable of being dealt with by conferences of jurists.

The Assembly, moreover, emphasised the great immediate practical value of assembling together in the form of a code according to a methodical classification the various international conventions *i.e.*, those which are open to acceptance by States in general. It accordingly asked the Council to cause a study to be made by the above-mentioned committee of three jurists of the question of publishing as an accompaniment to the Treaty Series and in the form of a code—of which new editions would from time to time be produced—those general conventions which had the above-mentioned character.

5. — RATIFICATION OF AGREEMENTS CONCLUDED UNDER THE AUSPICES OF THE LEAGUE

The half-yearly report of the Secretary-General on the position as regards the ratification of agreements and conventions concluded under the auspices of the League was noted by the Council on September 1st.

A new feature of this report is that it now indicates the reservations made by the contracting parties when signing the agreements in question.

V. — The Technical Organisations.

1. — THE HEALTH ORGANISATION ⁽¹⁾

During the past year the Health Organisation arranged numerous conferences, sessions of commissions, study tours, courses and enquiries. In addition to the meetings of the Health Committee there was a serological conference at Frankfurt on the Main, a conference of health experts on infant welfare in London, a general conference on the prevention of malaria in Geneva, a laboratory conference on the sero diagnosis of syphilis, and meetings of the Cancer Commission, the Smallpox and Vaccination Commission, the Malaria Commission, and many others. These meetings were by no means instances of isolated activity; they represented successive

(1) See Assembly Resolution, page 290.

stages in the solution of international health problems the preliminary steps in connection with which had been taken earlier.

The collaboration with Latin-American countries was actively pursued, an important investigation on infant mortality carried on in seven European countries being conducted on similar lines by experts nominated by the health administrations in the Argentine, Brazil, Chile and Uruguay. The investigation in Europe is now completed and in a year or so the results of the enquiry in the Latin-American countries will be available. It will then be possible to utilise the experience acquired and compare the results of the measures employed to cope with infant mortality in various rural and urban districts in two widely separated parts of the world.

The work of the Eastern Bureau at Singapore developed satisfactorily, thanks to the support received from health administrations of Governments in that area.

In recent years the Health Organisation has extended its efforts and investigations to questions of social and rural hygiene. Groups of public health officers have studied hygiene and preventive medicine in Belgium, France, Germany, Hungary, India, the Netherlands and the Kingdom of the Serbs, Croats and Slovenes. An interchange will shortly take place in Italy. Two important results are attained by these interchanges : first the promotion of collaboration between the various health administrations themselves, as well as between them and the Health Organisation and, second, the dissemination of information concerning public health principles and practice.

This year was organised the first interchange on rural hygiene. Typical rural areas in six countries of Central and Western Europe were visited by a group of twenty-two health officers and sanitary engineers from different countries. In each area a complete study was made of the system of public health organisation and administration and, in addition, opportunity was given to examine the work of all other organisations, whether governmental or private, which exerted any influence on public health. Questions of public instruction were studied in the public schools, the activities of cooperative organisations were reviewed, schools of agriculture were visited, problems of medical education and assistance discussed, so that every participant was afforded an opportunity of studying rural hygiene as a whole. A detailed and comparative study was made of rural housing, water and milk supplies, sewage and its disposal etc. At the final conference held in Geneva nearly all the participants declared their intention of applying in their own districts some of the practices or methods studied in other countries.

The Assembly noted the reports on the work of the Health Organisation, expressed its appreciation to the health administrations of the various Governments who had collaborated with the Organisation in the different branches of its work and congratulated the Organisation on the development of its activity in non-European countries.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *Work of the Economic Organisation* ⁽¹⁾.

The League Economic Organisation, as reorganised by the Council according to the suggestions made by the Assembly in 1927, endeavoured during the past year to give effect to the recommendations of the Economic Conference (commercial agreements, customs tariffs, industrial agreements, coal and sugar industries, abolition of export and import prohibitions and restrictions etc.); at the same time it continued its enquiries concerning the treatment of foreign nationals and enterprises, the unification of legislation on bills of exchange, promissory notes, and cheques, the execution of foreign arbitral awards, etc.

(1) See Assembly Resolution, page 290

The Assembly expressed its confidence that the Economic Organisation would successfully carry out the important tasks still assigned to it, dealing with them if necessary in an order corresponding to their respective importance and urgency and the possibility of reaching practical results, with due regard to the manifold and occasionally divergent interests involved.

The Assembly then set forth the points upon which the Economic Organisation should bring its main efforts to bear. It recommended that the Economic Committee should pursue its work with a view to framing a doctrine in regard to commercial policy and preparing collective agreements to facilitate by a milder customs regime the movement of certain products which are of special importance or which lend themselves more particularly to treatment of this kind.

It also recommended that the investigations undertaken in regard to veterinary measures should be continued. In the opinion of the Assembly, the completion of these studies is essential in order to enable regulations to be cleared from a suspicion of veiled protectionism, and to promote the greater freedom of trade advocated by the Economic Conference.

The Assembly expressed the hope that the preparatory work for the establishment of a simplified uniform customs nomenclature would soon be successfully concluded, in order to facilitate tariff agreements and increase the efficacy of the most-favoured-nation clause.

In regard to the problem of coal and sugar, which figure on the agenda of the Economic Committee, the Assembly expressed the hope that this work would be carried through with all desirable energy, while not neglecting any of the interests involved, whether of producers or consumers — countries or persons — or workers.

The Assembly confirmed its interest in certain aspects of the problem of international industrial understandings, in particular the status of such understandings, their juridical forms, the legislation controlling them and the publicity concerning them.

The Assembly finally stated its opinion that the successful attainment of the objects contemplated by the Economic Conference would generally depend upon the measure in which it would prove possible to harmonise the interests of agriculture and industry, account being taken *inter alia* of the particular position of countries which are mainly agricultural or in the early stages of industrial development.

b) *Work of the Financial Committee* ⁽¹⁾.

The work of the Financial Committee was considered by the Council and the Assembly.

Three of the principal financial questions on which the League has been active, namely refugee settlement and stabilisation in Greece and Bulgaria, and financial assistance in case of war or threat of war are dealt with in special chapters. Other questions, which are developing regularly or are still in the initial stage, include that of the settlement of financial obligations arising from Greco-Bulgarian emigration, the Austrian and Hungarian loan balances, an enquiry into the problem of the undue fluctuations in the purchasing power of gold, the currency and banking reform in Estonia, and the Danzig Municipal Loans.

c) *Bulgarian Refugee Settlement and Stabilisation Loan* ⁽²⁾.

Questions connected with the Bulgarian stabilisation scheme and the refugee settlement work were considered by the Financial Committee, the Council and the Assembly, which expressed the hope that the issue of the loan of £5,000,000 sterling necessary for the execution of the scheme might meet with success.

(1) See Assembly Resolution, page 292.

(2) See Assembly Resolution, page 292.

The Bulgarian refugee settlement scheme has now been in operation for two years. The initial difficulties in procuring land for refugees are gradually being overcome and, in the opinion of the League Commissioner in Sofia, approximately 30,000 refugee families will have been furnished with land by the end of the year. The remaining three to four thousand families—the original settlement plan specified 33,000 as the total number—will be established on land reclaimed for cultivation by marsh drainage and flood protection works.

More than two thousand houses have been built and large quantities of equipment and draft animals have been distributed.

Considerable progress has been made in eradicating malaria. The League Health Organisation and the Rockefeller Institution have given valuable assistance and certain villages are fighting the scourge at their own expense.

It is interesting to note that in the case of Bulgaria, as in the case of Greece, the Government, having sought the help of a League organisation in attacking a special problem such as that of refugees, has gone on from this to seek further collaboration for a wider scheme of financial reconstruction and currency stabilisation. This has resulted in the preparation of the Bulgarian stabilisation scheme, in connection with which a loan of £5,000,000 sterling will shortly be issued.

The Assembly expressed its satisfaction at the progress of the refugee work and congratulated the Financial Committee and the Bulgarian Government for having made a further valuable contribution to the economic and financial stabilisation of Europe.

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The Council appointed M. René Charron, League Commissioner for refugees, as technical adviser to the Bulgarian National Bank.

d) *Greek Refugee Settlement and Greek Stabilisation Loan* ⁽¹⁾.

The progress of the Greek refugee settlement work and the general financial position of Greece were examined by the Financial Committee, the Council and the Assembly, all these organisations expressing their satisfaction at the results obtained.

The regular quarterly reports of the Greek Minister of Finance and the Chairman of the Settlement Commission, were supplemented by a general survey prepared by the latter giving the results achieved by the Commission from the beginning up to the present time.

On agricultural and urban settlement, the Commission has spent altogether £9,000,000 sterling — nearly £8,000,000 on agricultural settlement and rather more than £1,000,000 on urban settlement. It has settled more than 143,000 families on the land and 28,000 in urban districts. Over 8,000,000 stremmas of land have been apportioned, 76,000 houses have been built and 7,000 are under construction. Special emphasis is laid on the impetus which this work has given to the general prosperity of Greece. Since 1923 the area under cultivation has been almost doubled; the total wheat crop rose from 600,000 tons in 1922/1924 to over 900,000 tons in the last two harvests. The output of tobacco has been doubled. Half the crop is produced by refugees.

The Commission draws attention to the fact that, although the bulk of the settlement work is finished, much remains to be done for the urban and the rural population whose equipment could, in many cases, be improved.

As regards stabilisation, the Assembly expressed its great satisfaction at the results achieved, which are comparable to those in Austria, Hungary and other countries. The scheme of stabilisation was embodied in a Protocol which came before the last Assembly and provided for a loan of £9,000,000 of which one-third was

(1) See Assembly Resolution, page 299.

for refugees, one-third for budget arrears, and one-third for the new bank of issue. Actually the loan was issued for £6,500,000 as the Greek Government had concluded an arrangement with the State and Treasury Department of the United States for a loan of \$12,167,000, which comes before Congress for ratification in the December session. The League loan, however, was issued in January in London and New-York, at the very favourable rate of 91 and 6 % interest. The new bank of issue was opened in May; the drachma was stabilised at 375 to the pound; the budget balances, though at a high figure.

e) Suppression of the Offence of Counterfeiting Currency.

The opinion of the Committee for the Progressive Codification of International Law on certain recommendations of the Mixed Committee on counterfeiting currency was noted by the Council on August 30th.

The Committee's examination of these recommendations led it to declare that in the case of the suppression of counterfeiting currency there were specially strong reasons in favour of the international regulation of extradition.

The Council instructed the Secretary-General to bring this opinion to the attention of Governments.

3. — COMMUNICATIONS AND TRANSIT

a) Work of the Organisation (1).

The Assembly noted and approved the work of the Organisation for Communications and Transit during the past twelve months.

In the sphere of maritime navigation, the study of the unification of tonnage measurement and the unification of buoyage and lighting of coasts is being pursued with the help of a large number of technical experts. As regards air navigation, the Organisation is endeavouring to ensure wider coordination of international activities in order to promote the cooperation of the greatest possible number of countries throughout the world.

As regards inland navigation, the Organisation drew up a convention on the tonnage measurement of vessels used in inland navigation. In connection with the question of road traffic it dealt with the unification of road signals and international conditions of commercial motor transport.

The Committee on Communications and Transit also dealt with the more general problem of the coordination of different modes of transport and the unification of transport statistics. It drew up a procedure for the study of obstacles which might hamper freedom of transit, began its examination of the question of the reestablishment of communications when the latter are affected by grave events of a general character and studied the problems of League communications in times of emergency.

It continued its work in regard to the execution of certain resolutions adopted by the Press Experts' Conference of last year.

No review of the Transit Organisation's work during the past year would be complete without a reference to progress achieved as the result of past activities such as the question of the reform of the calendar. A proposal of the Transit Committee that national committees should be formed to study the question of the general reform of the calendar, independently of the fixing of Easter, has been acted upon since the eighth session of the Assembly. A strong current of opinion has made itself felt in certain countries in favour of a study of this question, more particularly in commercial and industrial circles.

Touching on difficulties in connection with broadcasting, of which the Committee had been informed, the Assembly thought that it would be desirable that the

(1) See Assembly Resolution, page 292.

Committee should try to discover some means of establishing international agreements to ensure an equitable distribution of wireless wave-lengths among the various countries in order to diminish the probability of disturbances in broadcasting.

b) *Question of a League wireless station* ⁽¹⁾.

The question of a League wireless station, to be created with a view to providing the League with independent communications in times of emergency, was examined by the Assembly, which finally agreed not to take an immediate decision on the subject.

Two proposals were laid before the Assembly, one for a station belonging permanently to the League, and the other for a station consisting of a short wave-length post, able to reach non-European countries, and a medium wave-length post, to be equipped and operated in ordinary times by the Swiss administration and to be handed over to the exclusive control of the League in times of emergency.

The Assembly considered that supplementary studies might with advantage be undertaken to determine, in the case of each proposal, the cost of installing the short wave post, the amount of revenue to be anticipated, and the communications which would regularly be established with other stations.

Before taking a decision whether it was necessary for the League to have, in times of emergency, a short wave-length post at its disposal, the Assembly thought that it would be desirable to obtain more definite information as to the facilities and guarantees which Governments might offer for the re-transmission of communications emitted by a minimum wave-length post.

The Assembly noted that, pending a final settlement of the question, the Swiss Government proposed to establish near Geneva the medium wave-length post, contemplated in its offer.

The Swiss Government did not, however, see its way to applying to its medium wave-length post, which it intended to set up in any case, the terms of its offer relating both to the medium length post and the short length post, the costs and profits of which were to be taken over by the League.

The Swiss delegation to the Assembly nevertheless declared that it would recommend the Federal Council to conclude with the League a *modus vivendi* which would effectively ensure the full freedom of the League's communications both in peace and in war.

c) *Communication from the International Air Navigation Commission.*

On the report of M. Zaleski (Poland), the Council took note of international regulations concerning the employment of symbols and terms used in aeronautical technology communicated to it by the International Air Navigation Commission.

This body, which is under the authority of the League, had, when forwarding these regulations to the Council, requested the latter, in the interests of uniformity, to recommend them to the States Members of the League.

The Council accordingly drew the attention of States Members to the work, accomplished by the International Commission with a view to the unification of these terms and symbols.

d) *Applications submitted under Articles 320 of the Treaty of Saint Germain and 304 of the Treaty of Trianon.*

Applications from railway companies whose lines as a result of the Peace Treaties are situated in the territory of several States, were examined by the Council on September 8th and 26th.

(1) See Assembly Resolution, page 292

Sopron-Kőszeg Railway Company. — The first application dealt with was from the Sopron-Kőszeg Railway Company, whose lines are situated in Austrian and Hungarian territory.

This Company had been unable to reach an agreement with the Austrian Government on the administrative and technical reorganisation of the line and it accordingly asked the Council to appoint arbitrators, in accordance with Article 320 of the Treaty of St. Germain ⁽¹⁾.

The Transit Committee, to which the question was referred by the Council, expressed the opinion that the parties should be given time to come to terms. No friendly agreement having been reached, the Committee informed the Council that the aforesaid Treaty provisions applied to the case in point and that the Council should proceed to appoint the arbitrators requested by the Company.

At the Council meeting, the Austrian representative, M. Pflügl, said that, while maintaining its legal point of view, his Government associated itself with the request of the Company.

The Council, accordingly, at a later meeting, on September 26th, appointed M. Guerrero (Salvador), M. Kalff (Netherlands) and M. Mayer (France) to settle the dispute which stood in the way of agreement between the Company and the States concerned.

Boldva Valley Railway Company. — The second request was from the Boldva Valley Local Railway Company, whose lines are in Czechoslovak and Hungarian territory. This Company also asked the Council to appoint arbitrators as it had not been possible to reach an agreement concerning the reorganisation of the line.

From information forwarded to the Council by the Transit Committee, it nevertheless appeared that negotiations were proceeding between the Czechoslovak Government and the Company. The Council, therefore, in order to give the parties a further opportunity of reaching a friendly agreement, decided to postpone the appointment of arbitrators to its next session, on the understanding that the Chairman of the Transit Committee would give the parties all possible assistance in their negotiations.

4. — INTELLECTUAL COOPERATION ⁽²⁾

a) *Work of the Committee and the Institute.*

The work of the Organisation on Intellectual Cooperation during the past year was characterised by important progress in the various fields with which it deals, intellectual rights, university relations, artistic and literary relations, science and bibliography, the education of the young in the aims of the League, etc., and by the development of its local means of action through the formation of national Committees on Intellectual Cooperation in Germany, Spain and Great Britain and the almost entire reorganisation of the Italian and other Committees.

The work of the Sub-Committee on Intellectual Rights marked a considerable step forward with the recognition of the moral right of the author over his work, one of the most important results of the Rome Conference on Copyright. In this connection the Assembly requested the Council to make arrangements for investigations concerning the desirability of a general agreement with a view to the unification

(1) Article 320 of the Treaty of St. Germain contained the following provisions :

“ With the object of ensuring regular utilisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies which, as a result of the stipulations of the present Treaty, will be situated in the territory of several States, the administrative and technical reorganisation of the said lines shall be regulated in each instance by an agreement between the owning company and the States territorially concerned.

“ Any differences on which agreement is not reached, including questions relating to the interpretation of contracts concerning the expropriation of the lines, shall be submitted to arbitrators designated by the Council of the League of Nations. ”

The same provisions occur in Article 304 of the Treaty of Trianon.

(2) See Assembly Resolution, page 292.

of all laws and measures for the protection of intellectual property. The work of the Institute on Intellectual Cooperation in the matter of intellectual statistics was given a decisive impetus by the Congress of Statisticians at Cairo.

The Sub-Committee on University Relations pursued its work in connection with the organisation of holiday courses and study tours and considered the possibility of extending these advantages to secondary schools.

In the field of artistic relations, special mention must be made of the work of the International Museums Office and the contemplated extension of this work in favour of scientific museums and similar establishments. Careful preparation was made for a Popular Arts Congress to be held at Prague.

The literary work of the Organisation included a special study of the question of translations. In this respect an agreement has been brought about between the Institute and the Federation of P. E. N. Clubs.

In regard to the cinematograph, the Sub-Committee on Arts and Letters, bearing in mind the profound artistic and educational possibilities of this medium, emphasised the danger of cinematographic performances characterised by a spirit at variance with that of the League, an observation which the Assembly endorsed by a special resolution on the subject.

In the domain of science and bibliography, the Organisation is still confronted with problems which do not readily lend themselves to any immediately successful solution. Committees of Experts convened by the Paris Institute have prepared the material concerning the coordination of the work of libraries and scientific museums, preservation of prints and manuscripts, the question of dying languages and the unification of bibliographies and the various sciences. The Organisation's programme has now been extended to include the science of languages.

The work of the Committee on Intellectual Cooperation as regards the education of young people in the aims of the League is developing normally. An educational information centre has been established. The Assembly emphasised the paramount importance of the training of teachers for such teaching and also made recommendations concerning the systematic organisation of the international exchange of school children.

The Assembly expressed its satisfaction at the work of the Committee and Institute of Intellectual Cooperation. It noted that its recommendations in regard to subsidies to the budget of the Institute had been acted upon, so that the funds at the disposal of the Institute for 1929 now amount to roughly three million French francs. The French Government has increased its contribution by 500,000 French francs.

The Assembly drew the special attention of Governments to the resolutions of the Committee on Intellectual Cooperation, requesting them to give the greatest possible effect to those concerning the creation in national and central libraries of information bureaux, the preservation of prints and manuscripts, the suppression of customs duties on prints sent to libraries and recognised institutes, the adoption of measures for the preservation of primitive languages which are dying out etc.

b) *International Educational Cinematographic Institute.*

The draft statutes of the International Educational Cinematographic Institute were approved by the Council on August 30th, after having been submitted to various organisations for their observations (The Committee on Intellectual Cooperation, the Child Welfare Committee, and the International Labour Office).

On September 26th the Council appointed the Governing Body of the Institute.

Statutes. — The Institute will work under the direction of the Council advised by the Committee on Intellectual Cooperation. The Governing Body will be composed of an Italian Chairman and of fourteen members, as far as possible

of different nationalities, appointed by the Council of the League. The Secretary-General of the League, the Director of the International Institute of Intellectual Cooperation, the Director of the International Labour Office, and the President of the International Institute of Agriculture may be represented at the meetings of the Governing Body in an advisory capacity.

A Standing Executive Committee composed of the Chairman of the Governing Body and five other members of different nationalities will supervise the working of the Institute. The Director will be appointed by the Governing Body.

The statutes further contain indications regarding the work of the Institute and its financial and administrative regulations. This work will consist mainly in the constitution of an international collection of films and cinematographic material and of a general catalogue of instructive films. The financial and administrative regulations will be drawn up by the Governing Body and submitted to the Council for approval.

The conditions in which the International Labour Office would be represented on the Governing Body gave rise to an exchange of views between the Director of the International Labour Office, the French representative and the Rapporteur, M. Scialoja, following which it was agreed that the Director of the International Labour Office might take part in the meetings of the Governing Body in the same conditions as the Secretary-General of the League.

The Council appointed the following persons to sit on the Governing Body of the Institute :

Professor Alfredo Rocco (Italian), President of the Governing Body, Member of the Committee on Intellectual Cooperation.

Professor Gilbert Murray (British), Chairman of the Committee on Intellectual Cooperation.

Professor Gonzague de Reynold (Swiss), Member of the Committee on Intellectual Cooperation.

Professor Ragnar Knoph (Norwegian), Member of the Sub-Committee on Intellectual Rights.

Dr. Vernon Kellog (American), Secretary-General of the National Research Council of the United States, Member of the Sub-Committee on University Relations.

Dr. Hugo Krüss (German), Director of the Prussian State Library, Member of the Sub-Committee on Science and Bibliography.

Professor Henri Focillon (French), Member of the Sub-Committee on Arts and Letters.

Don Pedro Sangro y Ros de Olano (Spanish), Member of the Child Welfare Committee.

Professor Inaze Nitobé (Japanese), former Under-Secretary-General of the League of Nations, Member of the Japanese Imperial Academy.

Dr. R. P. Paranjpye (Indian), former Minister of Education at Bombay, Member of the Council of the Secretary of State for India in London.

Mlle. Gabriela Mistral (Chilian), former director of a secondary school for girls, writer.

M. Scialoja having pointed out that certain specialists on the educational cinematograph might usefully take part in the work of the Governing Body, the Council decided to make these appointments at a later session.

c) *Relations between the League and Bodies set up under its Authority* ⁽¹⁾.

The Assembly approved the rules adopted by the Council on June 7th for the application of the general principles to be followed in placing international bureaux

(1) See Assembly Resolution, page 294.

under the direction of the League (Article 24 of the Covenant) as well as the general rules which might in future govern the acceptance of such institutes by the League.

On the first point the Assembly endorsed the views of the Council concerning the application of Article 24 of the Covenant. It considered that, while retaining their constitutional autonomy, the international bureaux in question would function more or less as extensions of the League itself within limited specialised fields. It would be for the League to see that these organisations preserved their international character, carried on their work efficiently and did not overlap the work of other institutions. If conceived and carried through on these lines, the placing of an international bureau under the direction of the League could, the Assembly considered, do nothing but good to both parties.

As regards the second point, the Assembly also approved the general rules proposed by the Council which were based on the fundamental principle that the object of such institutes must come within the sphere of activity of the League, the institute serving as a working instrument.

The Assembly was particularly anxious that any institute thus established should be attached to an advisory technical League organisation.

The Assembly, moreover, expressed the desire that when an institute of this kind was created its financial statutes should also be examined with a view to ascertaining whether it possessed sufficient funds to allow of the effective fulfilment of its duties.

The Assembly emphasised that the nomination of members both to the governing body and the senior staff of such institutes should be made without distinction of sex and with due regard to the international character of the institute.

VI. — Administrative Questions.

1. — DANZIG

The Danzig-Polish Agreements. — The agreements concluded on August 4th between Danzig and Poland concerning the utilisation of the Westerplatte and the access to and anchorage in the port of Danzig for Polish war vessels were noted by the Council on September 8th.

The Council congratulated the parties on the conclusion of these and other agreements reported by the High Commissioner and expressed the hope that the negotiations regarding other questions still pending between Danzig and Poland would be brought to a successful conclusion.

Appointment of the League High Commissioner at Danzig. — The Council appointed Count Manfredi Gravina (Italian) League High Commissioner at Danzig. The appointment is for three years, from June 22nd, 1929.

The present High Commissioner, Dr. van Hamel, whose mandate expires on February 21st next, will continue in office until June 21st, 1929. The Council thanked Dr. van Hamel for the services he had rendered the League during his period of office.

2. — MANDATES

The work of the Permanent Mandates Commission at its thirteenth session was examined by the Council.

The Assembly reviewed the whole body of the work accomplished by the Commission during the past year.

I. RESOLUTIONS OF THE COUNCIL.

On September 1st the Council decided to transmit to the mandatory powers the suggestions and recommendations of the Mandates Commission. The statements made at the Council meeting, together with the principal resolutions on general questions arising from the application of the mandates which are being studied by the Commission, and reports examined at its thirteenth session are summarised below.

1. *General Questions.* — The Council requested the Permanent Mandates Commission to institute a general enquiry into the whole question of the treatment in countries Members of the League of persons belonging to mandated territories and of produce and goods from these territories. On this occasion the Council drew attention to its resolution of September 15th, 1925, concerning the extension to mandated territories of special international conventions. This resolution concerned a special aspect of the application of the principle of economic equality as defined in Article 22 of the Covenant.

The Rapporteur, M. Beelaerts van Blokland, furnished the following explanations on the subject :

Mandates A and B lay down the principle of economic equality for all nationals of States Members of the League and for goods coming from these countries. These nationals and goods therefore benefit *ipso facto* in A and B mandated territories by a clause which is practically equivalent to the granting of most-favoured-nation treatment.

On the other hand, the authors of the Covenant, who clearly desired to secure for mandated territories and their inhabitants, if not a privileged position, at least as favourable an economic regime as possible, did not insert in Article 22, which deals with the mandate system, any clause on behalf of these territories to the effect that States Members of the League were bound to ensure what may be termed reciprocity as regards the principle of economic equality. There can, however, be no doubt as to the intention of the Covenant in this respect.

In this connection the Council had already adopted in 1925 a resolution inviting the mandatories and all States, Members or not of the League, which had concluded special treaties or Conventions with the mandatory powers to agree to extend the benefits of such treaties or conventions to mandated territories, if circumstances rendered such extension possible and expedient, and if the provisions of these international agreements were consistent with the stipulations of the Covenant and the mandate.

One of the circumstances which led the Mandates Commission to revert to this question was a communication by the French Government of an exchange of notes between France and Liberia. In these notes the French Government, which as mandatory for Syria ensures the protection of Syrian nationals abroad, protested against a decree concerning Syrian and Lebanese merchants residing in Liberia. It requested that Syrians and Lebanese resident in Liberia should be subject to the same regime as Liberians resident in Syrian and Lebanese territories.

In these circumstances the Council renewed its recommendation of 1925 and instructed the Mandates Commission to proceed to a study of the general question involved.

The Liberian representative, Baron Lehmann, who attended this meeting of the Council, expressed the hope that the negotiations pending between his Government and the French Government, or the interpretation that might finally be given, would confirm the principle of good relations between States.

The French representative, M. Paul-Boncour, thanked the Liberian representative for this statement, adding that the resolution adopted by the Council gave full satisfaction to the aim of the French Government in addressing this communication to the Mandates Commission.

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As regards the liquor traffic, the Council decided to communicate to the mandatory powers the conclusions of the Mandates Commission. It asked the Powers to inform it to which parts of the territory under their mandate they had already applied Article 4, paragraph 2, of the St. Germain Convention on liquor traffic in Africa. The Council, finally, requested Powers entrusted with A and B mandates to furnish the information desired by the Commission on regulations adopted or generally followed as regards the purchase of material and supplies by the authorities of the mandated territories.

2. *Observations on Mandated Territories.* — The Council requested the Secretary-General to communicate the observations of the Commission to the Governments of the mandatory Powers concerned and to ask them to take the necessary action. The adoption of these observations gave rise to a discussion which may be summarised as follows :

(a) *Transjordan.* — The Commission had requested the Council to consider whether its formal assent was necessary before the recently concluded Agreement between the United Kingdom and the Emir of Transjordan could be put into force. The British representative, Lord Cushendun, made a statement to the effect that the British Government considered itself responsible to the Council for the application of the mandate in Transjordan. In these circumstances the Council stated that the Agreement was in conformity with the principles of the mandate, which remains fully in force.

(b) *Syria and Lebanon.* — The French representative, M. Paul-Boncour, made a statement replying to the recommendation of the Commission that the mandatory should continue to preserve, until the time when countries under its mandate should be capable of self-government, all the authority necessary to guide and control their development and to meet its responsibilities to the League. "We are agreed", M. Paul-Boncour said, "that the final aim was the emancipation of the peoples under administration when they have shown themselves capable of carrying out their own administration. We agree that, subject to the reservations in connection with which Lord Cushendun has just given the Council such an interesting basis for discussion, this final aim, which releases a Mandatory from the mandate it has accepted, can only be attained in full agreement with the League. Thirdly, we recognise that, until this desire, which is the aim laid down in Article 22 of the Covenant, has been realised, the mandatory power has definite responsibilities towards the League, which, like all responsibilities, imply the powers by which they are assumed."

(c) *Samoa.* — The Council endorsed the observations of the Mandates Commission with regard to the events which occurred in Western Samoa in 1926 and 1927 and instructed the Secretary-General to forward them to the mandatory power concerned.

On behalf of Sir James Parr, High Commissioner for New Zealand, who was unable to arrive in time for the Council meeting, the British representative thanked the Rapporteur for the passages of his report regarding Samoa, adding that the New Zealand Government would, doubtless, give them the widest possible publicity.

3. *Petitions.* — The Council requested the Secretary-General to bring the

conclusions of the Mandates Commission to the notice of the mandatory powers and of the petitioner concerned in each case.

II. RESOLUTIONS OF THE ASSEMBLY ⁽¹⁾

The Assembly paid a tribute to the work of the mandatory powers, the Council, and the Mandates Commission during the past year. It noted that, thanks to the judgment of the Mandates Commission and the wisdom of the Council, many of the difficulties presented by the application of the mandate system had been removed. It expressed its appreciation of the spirit of co-operation which inspired the activities of the various agents of the mandate system.

The Assembly laid special stress on the application of the principle of economic equality in mandated territories and of Article 4, paragraph 2 of St. Germain Convention on liquor traffic in Africa. As regards the systematic and scientific organisation of the work of the Mandates Commission, it noted that great progress had already been achieved, and recommended that the Commission should pursue its efforts in this direction.

VII. — Protection of Minorities.

In the course of the general Assembly debate on the work of the Council, several delegates dwelt upon the minorities question—in particular, the procedure followed by the League in dealing with such matters—the Netherlands delegate suggesting that a permanent minorities commission might be constituted. As, however, no formal proposal was submitted, the matter was not referred to an Assembly Committee for discussion.

The Council dealt with a series of questions concerning minorities in Upper Silesia on September 6th and 8th. It postponed others, to give the Polish Government time to present its observations.

On this occasion, the Council defined certain points of the procedure relating to the application of the provisions of the Upper Silesian Convention. It took note of the opinion of the Committee of Jurists appointed last June to examine questions of procedure raised by the Lithuanian representative with regard to the receivability of minority petitions. It also dealt with the question of the treatment of persons of Lithuanian race or language in the Vilna district.

These questions and the resolutions adopted by the Council may be summarised as follows :

Minorities in Upper Silesia. — On September 8th, the Council adopted rules specifying the conditions and, above all, the time-limit in which appeals may be forwarded, or petitions addressed to it direct, under certain provisions of the Upper Silesian Convention. Both for appeals and petitions, a period of two months, which may be extended by not more than one month, will henceforth be allowed for the submission of observations.

As regards the conditions of public security in Polish Upper Silesia dealt with in a petition from the *Deutscher Volksbund* of May 10th, 1928, concerning the situation of members of the German minority, the Council, on September 8th, took note of the Polish Government's observations, expressing its confidence that suitable measures would be taken against the guilty persons, should the enquiries now proceeding show such measures to be necessary.

The German representative, Dr. von Schubert, said that he firmly believed that the hope expressed by the Council would be fulfilled in such a way as to afford the minority a greater feeling of security.

(1) See Assembly Resolution, page 294.

As regards a petition concerning the closing of certain minority schools, the Council decided, after a protracted discussion in which the principal speakers were the rapporteur, M. Adatci, and the Polish and German representatives, to adjourn this question to its next session, so as to enable the rapporteur to make a thorough study of the matter, with the assistance of two or three jurists.

The Council further expressed the desire that the President of the Upper Silesian Mixed Commission should proceed as soon as possible to examine petitions on the same subject which had been deposited at the Polish Minorities Office.

Receivability of Minorities Petitions. — On September 8th, the Council noted the opinion of a Committee of Jurists which it had consulted on certain points of procedure raised last June by the Lithuanian representative as regards the receivability of petitions.

The opinion of the jurists reads as follows :

In judging of the receivability of a petition which requests the League of Nations for protection against the Government of a State bound by the special obligations of a minorities treaty, it is not the truth or falsehood of the allegations contained in the petitions which should be examined, but only the manner of their presentation and their pertinence in the light of the conditions laid down in the resolution of September 5th, 1923.

In the case of the petition which was the subject of the Council's decision of June 6th and 9th, 1928, it does not appear that, from the point of view of receivability, the objections raised by the Lithuanian Government, including those concerning the truth of the allegations, were such as to require that this petition should not be received.

Treatment of Persons of Lithuanian Race or Language in the Vilna District. — The Council took note on September 8th of the final report of the Committee of Three (the Chinese, Colombian and Netherlands representatives) appointed to study this question. Since the report had been drawn up, the Lithuanian Government had forwarded observations replying to those made by Poland. The Committee, after examining the reply, had not felt called upon to make any amendment in its report.

The Chairman of the Committee, M. Wang-King-Ky (China), added nevertheless that " if the observations made by the Polish Government could be interpreted to mean that the application of the principle of reciprocity in the equitable treatment of minorities by the Governments concerned might constitute an important moral factor, and might sometimes appear as one of the indispensable elements for a just appreciation of minorities questions, the Committee would desire to express the view that the object of the system of minorities protection and of the regulations established with that object by the treaties and by the Council in its resolutions ought to exclude any tendency to deal with concrete cases coming within the scope of the treaties by taking into consideration the mutual position of minorities in two interested States."

After an exchange of views in which M. Voldemaras and M. Zaleski took part, the Council noted the report of its Committee together with the statement of the Chinese representative.

Interpretation of the Greco-Turkish Agreement on the Exchange of Greek and Turkish Populations. — On the report of the Japanese representative the Council, including representatives of Greece and Turkey, took note of the advisory opinion of the Permanent Court of International Justice as to the interpretation of Article 4 of the final Protocol of the Greco-Turkish Agreement of December 1st, 1926, on the exchange of Greek and Turkish populations ⁽¹⁾.

(1) See *Monthly Summary*, Vol. VIII, No. 8, page 214.

The text of the opinion will be officially communicated to the President of the Mixed Commission for the Exchange of Greek and Turkish populations.

VIII. -- Political Questions.

1. — STATE OF THE NEGOTIATIONS BETWEEN POLAND AND LITHUANIA

The position as regards the negotiations between Poland and Lithuania was examined by the Council at two meetings — on September 6th and September 8th. It heard representatives of the parties and unanimously adopted a report submitted by the Netherlands representative, M. Beelaerts van Blokland.

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The first meeting was devoted to statements by the rapporteur and the representatives of the parties.

In his report the Netherlands representative gave a brief summary, based on the documents distributed to the Council, of the work accomplished by the Polish-Lithuanian Committees set up at the Conference of Königsberg. He noted that the date and place of meeting of the plenary Conference had not yet been fixed, and expressed his disappointment "that the negotiations had not led to such results as might reasonably have been hoped for".

The representatives of the parties were then invited to amplify these statements by any information that might give the Council a clear idea not merely of the action so far taken by the parties, but also of the future prospects of the negotiations.

The Polish representative merely stated that his Government had done all in its power to carry out the recommendations of the Council of December 10th, 1927.

The Lithuanian representative recognised that the results hitherto obtained could not be considered as very satisfactory; but he nevertheless drew the attention of the Council to the fact that the negotiations were not terminated, since the plenary session of the Conference had not yet met. He then gave a summary of the negotiations, emphasising the difficulties met with and rejecting responsibility for the slowness of the proceedings. His Government, he said, was ready to make concessions and had always considered that account should be taken not only of its national interests, but also of international interests. To conclude, he expressed the opinion that, although agreement had not so far been reached, negotiations had nevertheless cleared the ground for further progress.

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Following this statement, M. Beelaerts van Blokland submitted a further report on September 8th.

In it he recalled that, in December, 1927, the parties had formally undertaken to establish by direct negotiations and, if necessary, through the good offices of the League, a *modus vivendi* compatible with a state of peace.

Up to the present they had not succeeded in concluding any agreement that the Council might consider as a proof that good understanding had been effectively restored between them. The Rapporteur then gave the following explanations with regard to the final paragraph of the Council resolution of December 10th, 1927 :

One of the obstacles frequently invoked is the interpretation to be placed on the last paragraph of the resolution of December 10th, 1927. The Council

will remember that at the end of a report which I had the honour to submit to it on June 6th last, I observed that, when the Council was careful to state in December 1927 that "the present resolution in no way affects questions on which the two Governments had differences of opinion," its intention was obviously not to complicate these negotiations which were already sufficiently delicate, but rather to ensure their ultimate success. It had foreseen to a certain extent that the inclusion of questions on which the two Governments held different views would prove an impediment to negotiations and, with the object of setting the two parties at ease it declared that these views would not be affected by the direct negotiations on such practical matters as local traffic, transit, postal communications, etc.

He invited the Council to give a fresh impetus to the negotiations which were still proceeding :

It should be borne in mind that the object of the resolution of December 10th, 1927, was to re-establish relations of good understanding between the two countries, and also to safeguard the general interests which peace should ensure.... As guardian of the general interest, however, the Council can hardly be content passively to await the issue of events. If these negotiations make no appreciable progress, the Council would be failing in one of its essential duties if it allowed to continue indefinitely an abnormal state of affairs which might react most unfavourably, not only on the interests of the parties concerned, but also, and above all, on those of third parties.

In such a case, the Council might order a very careful enquiry to be made into the difficulties which, in consequence of the Polish-Lithuanian dispute, injure the rights of third parties. This enquiry would be entrusted to experts, who would endeavour, if necessary by making investigations on the spot, and duly observant of the international agreements in force, to discover what practical steps could be taken within the bounds of present circumstances.

These experts would submit their report to the Council, which would communicate it immediately to the parties concerned.

The Polish representative raised no objection to the report.

The Lithuanian representative stated that, whilst agreeing in principle to the investigations proposed, he did not consider them opportune so long as direct negotiations were proceeding. He made, moreover, a formal reservation as regards the recognition, expressly mentioned in the report, of the Council's right to safeguard the interests of third parties — a right which, in M. Voldemaras' opinion, was not conferred upon the Council by the Covenant.

In reply to these observations, M. Beelaerts van Blokland said that his report merely contemplated the possibility of expert investigation, should the negotiations fail, and that it would then be for the Council to take the necessary decisions. He considered that the right of the Council to safeguard the interests of third parties was indisputable. He need only refer to Article 4, paragraph 4, of the Covenant — under which the Council might deal with any matter within the sphere of action of the League or affecting the peace of the world — or Article 23, which declared that, subject to and in accordance with the provisions of international conventions existing or hereafter to be concluded, the Members of the League would make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League, the special needs of the regions devastated during the war of 1914-1918 being borne in mind.

The French representative, M. Briand, noted that M. Voldemaras had not submitted any fundamental objection to the report. M. Voldemaras had himself at an earlier meeting stated that the direct negotiations had served to clear the ground. The report of M. Beelaerts von Blokland encouraged the parties to continue these negotiations, but the Council — which represented the general interests of all Members of the League — was bound to contemplate the possibility of the parties failing to reach an agreement and of placing at their disposal technical means of overcoming their difficulties. He appealed to M. Voldemaras' spirit of cooperation.

On the proposal of the President, the Council unanimously agreed to take note of the report. The mandate of the Netherlands as a non-permanent Member of the Council having expired, the Council, on September 12th, appointed M. Quinones de León (Spain), to succeed M. Beelaerts van Blokland as rapporteur on this question.

2. — THE HUNGARIAN OPTANTS ⁽¹⁾

On August 25th the Hungarian Government sent the Council a request based on Article 239 of the Treaty of Trianon and on Article 13, paragraph 4, and Article 14 of the Covenant, accompanied by an application to place the matter on the agenda and to deal with it at one of the first meetings of its fifty-first session.

The Hungarian Government asked, among other things, that the Council should appoint two deputy judges to the Mixed Roumanian and Hungarian Arbitral Tribunal, and that it should, if necessary, take steps with a view to arbitration by the Permanent Court of International Justice on the question whether the Tribunal had exceeded its powers, and that, should the Council hold that it was not bound under Article 239 of the Treaty of Trianon to provide for the future functioning of the Tribunal, it should seek the advisory opinion of the Court on this subject.

The Hungarian Government also asked that certain questions should be examined by the Financial Committee.

The Council decided on September 1st to place the question on its agenda and to examine it at its fifty-second session, which was to open on September 11th.

It subsequently received the notes exchanged by the Roumanian and Hungarian Governments between the 29th August and the 10th September. As these documents showed that there was some possibility of arriving at an amicable settlement and, in the first place, of concluding an agreement in regard to the preliminary conditions for the opening of negotiations, the Council once more decided to make efforts in this direction.

On the proposal of its President, it adopted, on September 21st, the following resolution :

The Council,

Recommends that the two Governments, while reserving their points of view in regard to the principles involved and the legal situation—which points of view have already been stated before the Council—should take steps to enable their plenipotentiaries to meet as soon as possible, and to be furnished with the necessary powers to come to a practical settlement of the question,

Trusts that the negotiations which it recommends will lead to a satisfactory and final settlement, and

Decides to adjourn the question, in the stage it has now reached before the Council, to its next session.

IX. — Social and Humanitarian Questions.

1. — TRAFFIC IN OPIUM ⁽²⁾

Questions relating to the work of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs were considered by the Assembly and the Council.

An important new feature in the anti-drug campaign is the coming into force on September 25th of the Geneva Opium Convention of 1925, which has now been ratified by twenty-nine states. The Assembly thought that this Convention, if strictly applied, should prove a useful instrument in the suppression of the traffic.

(1) See *Monthly Summary*, Vol. VIII, No. 6, p. 184.

(2) See Assembly Resolution, page 294.

One of its immediate results is to render possible the appointment of the Permanent Central Opium Board mentioned in Article 19 of the Convention ⁽¹⁾, the procedure for which was laid down by the Council as follows : The States Members of the Council, the signatories of the Convention and the United States will each be invited to submit to the Secretary-General the names of not more than two persons. These nominations should reach the Secretary-General before the fifty-third session of the Council beginning December 10th. From the list thus submitted a Sub-Committee of the Council composed of the Rapporteur, representatives of two other Members of the Council and a representative of the United States—should such a representative be appointed—will select sixteen names. Once this has been done, the Council, assisted by the representative of the United States, in the event of such a person being appointed, will appoint the eight members of the Permanent Central Board.

Another feature of the work of the Advisory Committee in 1927/1928 was the drawing up of a model Code for the administrative control of the drug traffic. This Code was based on the work of a Sub-Committee, which was instructed by the Advisory Committee to make a general investigation of the question of the administrative control of drugs, and to select from the proposals incorporated in a memorandum by M. Cavazzoni, and from the regulations already enforced by certain countries which have a good system of control, those provisions which are regarded as genuinely valuable, in order to establish a Code which could be submitted to Governments for their opinions.

As regards the limitation of manufacture, the Assembly was informed that Spain had passed a law constituting a drug monopoly, and that a further scheme for the limitation of drug manufacture had been communicated by the United States through the Netherlands Government. The general position, nevertheless, remains serious. The Assembly noted that the manufacture of pernicious drugs continued to be greatly in excess of medicinal requirements, and that new methods of manufacture, consisting mainly in the substitution for pure morphine of combinations of morphine with an organic acid, rendered supervision increasingly difficult. It expressed the conviction that the efforts of some of the signatories to the Geneva Convention were wanting in vigour, intermittent and not sufficiently drastic to meet the present situation. It accordingly urged the delegates to impress upon their Governments the necessity for dealing with the situation immediately.

Opium Smoking in the Far East. — The Assembly and the Council considered a proposal of the British Government that the League should send a small commission to the Far East to study the problem of the control of the practice of opium smoking under the conditions existent at the present time. The proposal was put forward in view of the provision of the Geneva Opium Agreement of 1925 for a further conference of the powers concerned in the Agreement, to take place not

(1) Article 19 reads :

The Central Board shall consist of eight persons who, by their technical competence, impartiality and disinterestedness, will command general confidence.

The members of the Central Board shall be appointed by the Council of the League of Nations.

The United States of America and Germany shall be invited each to nominate one person to participate in these appointments.

In making the appointments, consideration shall be given to the importance of including on the Central Board, in equitable proportion, persons possessing a knowledge of the drug situation, both in the producing and manufacturing countries on the one hand and in the consuming countries on the other hand, and connected with such countries.

The members of the Central Board shall not hold any office which puts them in a position of direct dependence on their Governments.

The members shall be appointed for a term of five years, and they will be eligible for re-appointment.

later than 1929, and has arisen out of the difficulties with which the British Government finds itself confronted in the attempt to apply the measures contemplated in the Hague Opium Convention for the gradual and effective suppression of the use of prepared opium. These difficulties already existed in 1924-1925, when the Geneva Conference was held. Since that Conference they have not diminished, but have actually increased. They exist principally in Hongkong and Malaya, and it would appear that other Governments experience similar difficulties. In view of the many controversies in the past which have surrounded this subject, the British Government suggested that it was most desirable that an unbiassed statement of the position by an independent League Commission should be laid before the world. The British Government's request had reference, primarily, to the situation in British possessions, but the principle of such an enquiry has been accepted by other Governments which are parties to the Hague Convention and the Geneva Agreement of 1925.

A suggestion was made in the course of the discussion that the enquiry should be extended to the opium situation in China, but this proposal was only assented to by the Chinese representative on the condition that the enquiry should embrace all countries manufacturing dangerous drugs or producing the raw material for such manufacture.

The Assembly Committee studying the question felt that it would be impossible to propose such an extension of the enquiry, in the first place, on account of the necessity of making arrangements of a different character from those originally contemplated, and, in the second, in view of the coming into force of the Geneva Opium Convention. It seemed desirable to await the results of these new provisions before pursuing further the question of an extension of the enquiry. The Assembly, accordingly, recommended the Council to appoint a commission of three to enquire into the situation in Far Eastern countries as regards the use of opium prepared for smoking. The enquiry will also bear on the measures taken by Governments to give effect to the Hague Convention of 1912 and the Geneva Agreement of 1925, the nature and extent of the illicit traffic in the Far East, the difficulties which it causes in the fulfilment of international obligations and possible remedies. The Assembly expressed the hope that the American Government would permit the Commission to visit the Philippines and inform itself of the results of the system of prohibition in operation there.

The expenses of the enquiry were estimated at 250,000 francs. It was decided that 100,000 francs should be included in the League budget, and that the British Government should negotiate with the other Governments concerned as to further arrangements and prepare a report for submission to the Council at its fifty-third session.

2. — TRAFFIC IN WOMEN AND CHILDREN (1)

The Assembly took note of the report of the Traffic in Women and Children Committee on its seventh session and of the second part of the report of the Special Body of Experts enquiring into the traffic.

Expressing its appreciation of the work of the experts, the Assembly endorsed the view of the Committee that their investigations should be extended to countries where no enquiry had hitherto been made. It drew the attention of Governments to the advisability of an investigation of the system of licensed houses in the light of the experts' report, and to the great importance of the employment of women police as a preventive measure.

(1) See Assembly Resolution, page 294.

3. — CHILD WELFARE ⁽¹⁾

The work of the Child Welfare Committee was considered by the Assembly, which requested that it should proceed on the lines indicated in the latest report.

Special importance was attached to the preparation of draft conventions for the repatriation and relief of minors and for the execution of judgments relating to the maintenance of children by persons responsible for them and living abroad, as also to the enquiry into the relation of the cinematograph and child welfare. The Assembly invited the Committee to keep in contact with the Educational Cinematographic Institute in Rome.

Other questions dealt with by the Committee during the past twelve months include family allowances, alcoholism and feeble minded children. A report on legislation in connection with illegitimate children is now being prepared.

Enquiry into the Problem of Children whose Environment exposes them to Moral and Social Dangers. — On the recommendation of the Child Welfare Committee and on the proposal of the Canadian representative, the Council appointed Mlle. Chaptal (French), of the Central Public Relief Council, to conduct a preliminary enquiry into the problem of the child whose environment exposes it to moral and social dangers.

It was suggested that, if funds permitted, the enquiry might take place in Canada, Czechoslovakia, Denmark, France, Germany, Great Britain, Italy and the United States of America. The gift of £5,000 which the American Social Hygiene Association placed at the disposal of the Child Welfare Committee in 1925 will be used for this study.

Representation of the International Federation of Catholic Womens' Associations. — An application from the International Federation of Catholic Women's Associations to be represented by an assessor on the Traffic in Women and Children and Child Welfare Committees was postponed by the Council to its December session.

4. — TRAFFIC IN OBSCENE PUBLICATIONS

In accordance with the request of the British Government, the Council instructed the Secretary-General to communicate to the Iraq Government the Convention for the Suppression of the Traffic in Obscene Publications (Geneva, September 12th, 1923), with a view to that Government's accession.

5. — SLAVERY ⁽²⁾

The Assembly took note of the information communicated to the League during the year by the British, Indian, Italian and Sudan Governments on the gradual abolition of slavery and analogous conditions in territories governed by these countries. This information was forwarded in response to the Assembly resolution of September 25th, 1926.

In the course of the discussion in the Assembly Committee dealing with the subject, the Abyssinian delegation deposited with the Secretariat a list of persons freed from slavery and of persons convicted under the slavery laws of Abyssinia.

Apart from the communication of laws and regulations enacted to cope with slavery and similar conditions, the transmission of information to the League is not obligatory for the signatories of the 1926 Convention. The Assembly, never-

(1) See Assembly Resolution, page 295.

(2) See Assembly Resolution, page 295.

theless, considered that Governments should spare no effort to furnish on this subject such general information as would enable other States to benefit by their experience.

Since last year twelve States—Belgium, Canada, San Domingo, Ecuador, Egypt, Finland, Italy, Monaco, the Netherlands, Norway, Sweden and Nicaragua have ratified or acceded to the Convention.

The total number of ratifications or accessions is now twenty-six.

The Assembly expressed the hope that all countries affected by this question would ratify or accede to the Convention in the immediate future.

6. — QUESTION OF ALCOHOLISM ⁽¹⁾

The Assembly decided to include certain aspects of the question of alcoholism in the League's programme.

A proposal to this effect from the Finnish, Polish and Swedish delegations was laid before the Assembly of 1926. The complexity of the problem led the Assembly to postpone to the following year consideration of this proposal. In 1927 it was again adjourned as a detailed proposal then submitted was not accepted in its entirety by all Governments. This year unanimous agreement was reached as a result of negotiations between the delegations most directly concerned in the question—negotiations in which all aspects of the problem and the moral and material interests involved were thoroughly examined.

Following this agreement the Assembly asked the Council to request the Health Organisation to collect full statistical information on the subject, giving prominence to the deleterious effects of the bad qualities of the alcohols consumed. While considering that it was for Governments to take measures as regards contraband trade, the Assembly thought that it might be useful to examine the terms in which conventions or agreements might be drawn up for the prevention of smuggling in general, and that of alcohol in particular. It was decided to entrust this investigation to the Economic Committee.

It was decided that the investigation should not extend to wine, beer or cider.

On September 26th the Council instructed the Health Committee and the Economic Committee to take the necessary action on this resolution.

7. — REFUGEES ⁽²⁾

The reports on the refugee question submitted this year to the Assembly did not, as in the past, concern Russian and Armenian refugees alone; they also referred to other categories (Turkish, Assyrian, Assyro-Chaldean and refugees assimilated to them) to which the Council had decided to extend measures previously adopted on behalf of Russians and Armenians.

The League's refugee work falls into two main divisions : the settlement of refugees and arrangements for the unification of their legal status.

The most important feature in the settlement work is the decision of the Assembly that the establishment of Armenian refugees in the Republic of Erivan shall be carried on under the auspices of the League.

The general position as regards the prospects of this scheme was examined both by the Assembly and the Council in the light of the replies made by Governments to the appeal sent out by the Council in October 1927.

Seventeen Governments have so far replied to this appeal. Of these the German, Greek, Norwegian and Roumanian Governments have made definite offers to contribute funds to the realisation of the plan. The German Government is prepared to grant a long-term credit for the purchase in Germany of tools and machinery for the use of refugees, up to an amount of one million Reichsmark (£50,000),

(1) See Assembly Resolution, p. 296.

(2) See Assembly Resolution, p. 295 and 296.

provided four other Governments take part in the work, and that the work be carried out under the direction of the League. The Greek Government is prepared to contribute part of the cost of transporting refugees from Greece to the Caucasus. The Norwegian Government has offered a credit of £2,000 for the purchase in Norway of merchandise and materials, and the Roumanian Government is prepared to offer £1,000. The Luxembourg and Netherlands Governments may also make some contribution. Armenian organisations in Europe have contributed £100,000.

The Assembly requested the Council to continue negotiations with the Governments in order that the conditions attached to the German Government's offer might be fulfilled, and set aside 50,000 Swiss francs for administrative expenses.

Another urgent problem in 1929 will be the evacuation of some two thousand refugees from Constantinople, which must take place before February 6th, 1929. Thanks to a subsidy of 100,000 dollars from American philanthropic organisations, it has been possible to begin the evacuation, and an appeal has been made to Governments to authorise their Consuls in Constantinople to issue immigration visas without requiring refugees to prove that they can obtain immediate employment.

The settlement of Armenian refugees in Syria is proceeding satisfactorily. 7,660 refugees were moved from the Aleppo, Beyrouth and Alexandretta camps and settled elsewhere. The work still remaining to be done is considerable, since at least 33,000 refugees have yet to be settled. The plan of the High Commissioner, Dr. Nansen, includes the establishment in certain countries of re-adaptation centres and agricultural colonies to facilitate the assimilation of refugees, who cannot find employment in their own trade or profession. The execution of this plan would affect 63,000 refugees and depends on the funds at the disposal of the High Commissioner.

* * *

In the administrative and legal sphere, the progress achieved during the year consisted in a wider adoption of existing passport rules and the establishment of new rules for the unification of the legal status of refugees. In this connection the Assembly expressed the view that the final solution to which all efforts should be directed would be the return of the refugees to their country of origin or naturalisation in their adopted countries. Nevertheless, the opinion was expressed that, without losing sight of this final solution, which must continue to be the League's ultimate goal, it would be necessary to maintain the present system for some time to come.

The Assembly, recognising the progress achieved in the course of the year, invited Governments to provide refugees with every facility for acquiring the nationality of the countries in which they were residing. Considering, nevertheless, that international action would still be necessary, it requested the Council to take immediate steps to appoint an advisory commission to be attached to the High Commissioner. This commission will be entrusted with the preparation of a general report on the possibility of reaching a final solution of the refugee problem and on the means by which this object may be attained.

X. — Other Questions.

1. — THE NEW LEAGUE BUILDINGS (1)

The question of the construction of an Assembly Hall, of Secretariat Offices and of a Library was considered by the Assembly, which finally decided to choose a new site for these buildings, in the Ariana park.

(1) See Assembly Resolution, p. 297.

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Last year the Assembly instructed a Committee of Five to study the nine designs awarded prizes in the architects' competition and to establish the main line of the final plan. This Committee met nine times during the last twelve months.

In accordance with the desire expressed by the Assembly, the Committee consulted the Swiss Cantonal and Federal authorities. Having chosen as a basis the design prepared by Messrs. Nenot and Flegenhaimer, it invited these architects to make certain changes, in collaboration with three other prize-winning architects. Messrs. Broggi, Lefebvre and Vago.

Meanwhile, the gift of Mr. John D. Rockefeller Jr., of \$2,000,000 for the construction and endowment of a Library, made it necessary to seek more land. The Committee then contemplated the possibility of purchasing a neighbouring site. This plan having encountered difficulties, the Committee, after consulting the Federal Council and the Genevese Cantonal authorities, concluded an arrangement with the City of Geneva according to which a portion of the Ariana park of about 250,000 square metres would be given to the League in exchange for the three lake-side properties it had already purchased.

This solution was submitted to the Fourth Committee and the Assembly, by which it was finally approved. The Secretary-General was authorised to sign all the necessary legal documents concerning the exchange of rights on the properties in question, as well as to draw up and sign a contract between the architects and the League. The Committee of Five was authorised to give official approval to the revised plans adapted to the new site, as soon as the legal formalities had been completed and the necessary technical advice obtained.

2. — THE LEAGUE BUDGET ⁽¹⁾

The Assembly adopted the audited accounts of the Secretariat and autonomous organisations of the League for 1927. It also adopted the budget for 1929, which amounts to 27,026,280 Swiss francs, compared with 25,333,817 Swiss francs in 1928.

The expenditure is classified under the following heads: Secretariat and special organisations, 14,713,085 Swiss francs; International Labour Office, 8,612,640 Swiss francs; Permanent Court of International Justice 2,255,555 Swiss francs.

A sum of 1,445,000 Swiss francs was set aside for the League building fund.

SECRETARIAT AND SPECIAL ORGANISATIONS.

The examination of the budget was preceded by an important general debate in the Fourth Committee bearing on the budget strictly speaking and on the Secretariat staff, the methods for its engagement and its general international outlook.

a) *Budget.* — Several delegates having expressed concern at the increase of the budget during the past few years, the Fourth Committee emphasised the necessity of economising. It thought that it would be well to stabilise progressively the budgets of the various technical organisations of the League, but expressed doubt as to the possibility of fixing a rigid maximum for the whole budget.

On this occasion the Secretary General explained that the League's budget differed from national budgets in two essential points: 1. Before being submitted to the Assembly the Budget was considered in every detail by the Secretariat and then by the Supervisory Commission; 2. As the Assembly met only once a year the Secretary General was not, like a national Government, able, if necessary to apply

(1) See Assembly Resolution, page 297.

to Parliament in the course of the financial year for additionnal credits. The total funds voted at one session of the Assembly had to suffice for the continuation of the League's work until the following session.

The Secretary General then drew attention to the fact that the increase of the Secretariat budget for 1929 as submitted to the Assembly was entirely due to four items, namely fresh work assigned to the Economic and Transit Organisations, the convocation of the Conference on the Codification of International Law, and the creation of the Central Opium Board. He also submitted that if the total figure of the Secretariat budget were set against the multiplicity of its tasks, and if it were remembered that the League budget was the only budget in the world for the organisation of peace, the sum of 14,500,000 francs did not seem exaggerated, and people might even be surprised at its modest proportions.

The Committee congratulated the Secretary General, the Under Secretary General in charge of internal services, and the Treasurer on the satisfactory results obtained.

b) *Staff*. — Certain delegates, while declaring their absolute confidence in the Secretary General, expressed fear that there was a danger of the principles laid down in the report concerning the organisation of the Secretariat adopted by the Council in 1920 on Lord Balfour's proposal being forgotten. Whereas certain States—fewer and fewer every year, it is true—were not yet "represented" in the Secretariat, nationals of a certain group of powers filled too large a number of posts; there was a growing tendency for the higher officials to be members of the diplomatic service of their respective countries, and certain States laid a permanent claim to high posts.

In reply, the Secretary General pointed out that he himself had been largely responsible for the drafting of the report adopted on Lord Balfour's proposal, and had always kept closely to the principles enunciated therein. He had followed the rule that Secretariat officials were the servants of all States members of the League, and had taken care that this principle should always be applied. He added that he had invariably refused to ask the Council to approve the appointment of any person whose qualifications did not seem to him to be entirely satisfactory. Though it might be true that the highest posts in the Secretariat were held by nationals of certain powers, that was due to decisions of the organising committee of the League of Nations Secretariat, which met in Paris in 1919 and in one case to a decision of the Fourth Committee itself. He would be happy to accept any proposals of the Committee which would reinforce the principles of the Balfour report and his own memorandum in regard to the international character and functions of members of the Secretariat. So strongly did he feel on this point that, taking his own post as an example he would immediately resign if the British Government endeavoured in any way to influence him in the exercise of his duties (he might say that it had never done so) and that he would not remain Secretary General if he were not absolutely certain that he enjoyed the confidence of all the members of the League.

Following this debate, the Assembly adopted a resolution endorsing the principles concerning the staff of the Secretariat contained in the report adopted by the Council on May 19th, 1920. In the words of this report, the Secretary General, in making appointments to posts on the Secretariat, "had primarily to secure the best available men and women for the particular duties which had to be performed. But in doing so, it was necessary to have regard to the great importance of selecting officials from various nations. Evidently no one nation or group of nations ought to have a monopoly in providing the material for this international institution". Lord Balfour emphasised the word "international" because the members of the Secretariat, once appointed are no longer the servants of the country of which they are citizens, but become for the time being servants only of the League of Nations. Their duties are not national, but international".

The Assembly moreover, considering that the staff regulations had been drawn up shortly after the organisation of the Secretariat, and that it might be advisable for the League to avail itself of experience acquired since 1922, instructed the competent officials of the autonomous League organisations to examine what steps (in particular, amendments to staff regulations) could be taken to ensure in the future, as in the past, the best possible administrative results. The results of this enquiry will be submitted to the Supervisory Commission in order that a report may be communicated to the Assembly at its next ordinary session.

SUPERVISORY COMMISSION.

The Assembly decided to change the procedure for the election of the members of the Supervisory Commission. While reiterating its full confidence in those members, it decided that in future they should be elected by the Assembly instead of by the Council.

The Assembly requested the Council to submit proposals at its Tenth Session as to the best procedure for the election of the members.

ALLOCATION OF EXPENSES.

The Fourth Committee of the Assembly approved the report of the Committee for the allocation of the expenses of the League according to which the budgets for the financial year 1930 would be adopted as a basis for the revised scale for the allocation of expenses. The provisional scale will remain in force until 1932 inclusive.

XI. — Forthcoming Events.

- October 18th : Technical Committee for Maritime Tonnage Measurement, London.
- October 22nd : Conference on Double Taxation and Tax Evasion, Geneva.
- October 23rd : Economic Committee, Geneva.
- October 25th : Health Committee, Geneva.
- October 26th : Permanent Mandates Commission, Geneva.
- November 5th : Second International Conference on Sleeping Sickness, Paris.
- November 26th : International Conference on Economic Statistics, Geneva.
- December 4th : Financial Committee, Geneva.
- December 4th : Special Committee for the drafting of a Convention on the Manufacture of Arms, Munitions and War Material, Geneva.
- December 10th : 53rd Session of the Council, Geneva.

XII. — Assembly Resolutions.

RESOLUTIONS OF THE ASSEMBLY

I. — Arbitration, Security, Reduction of Armament.

1. *Work of the Preparatory Commission for the Disarmament Conference.*

Whereas a close connection exists between international security and the reduction and limitation of armaments;

And whereas the present conditions of security set up by the Covenant of the League of Nations, by the Treaties of Peace, and in particular by the reductions in the armaments of certain countries under these Treaties, and also by the Locarno Agreements, would allow of the conclusion at the present time of a first General Convention for the Reduction and Limitation of Armaments;

And whereas those Governments which consider that their security is not sufficiently assured are now, thanks to the work of the Committee on Arbitration and Security, in possession of fresh means for strengthening their security, of which it is to be hoped that they will make use at need, by having recourse to the good offices of the Council;

And whereas the Convention for the Reduction and Limitation of Armaments will increase international security;

And whereas it is desirable that the work of the Preparatory Commission for the Disarmament Conference and of the Committee on Arbitration and Security shall be pursued so that, by further steps, armaments may be progressively reduced as the increase of security allows;

The Assembly :

Urges the necessity of accomplishing the first step towards the reduction and limitation of armaments with as little delay as possible;

Notes with satisfaction the efforts of certain Governments to prepare the ground for the future work of the Preparatory Commission;

Earnestly hopes that Governments among which differences of opinion still subsist as to the conditions for the reduction and limitation of armaments will seek, without delay, in the most liberal spirit of conciliation and international solidarity, agreed solutions which will enable the work of the Preparatory Commission to be brought to a successful issue;

Proposes to the Council that the President of the Preparatory Commission be instructed to keep in contact with the Governments concerned so that he may be apprised of the progress of their negotiations and may be able to convene the Commission at the end of the present year, or, in any case, at the beginning of 1929.

2. Pacific Settlement of International Disputes.

a) RESOLUTION ON THE SUBMISSION AND RECOMMENDATION OF A GENERAL ACT ⁽¹⁾ AND OF THREE MODEL BILATERAL CONVENTIONS IN REGARD TO CONCILIATION, ARBITRATION AND JUDICIAL SETTLEMENT.

The Assembly :

Having considered the work of the Committee on Arbitration and Security;

(1) Firmly convinced that effective machinery for ensuring the peaceful settlement of international disputes is an essential element in the cause of security and disarmament;

(2) Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all disputes;

(3) Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals;

(4) Recognising that the rights of the several States cannot be modified except with their consent;

(5) Taking note of the fact that a great number of particular international conventions provide for obligatory conciliation, arbitration or judicial settlement;

(6) Being desirous of facilitating to the greatest possible degree the development of undertakings in regard to the said methods of procedure;

(7) Declaring that such undertakings are not to be interpreted as restricting the duty of the League of Nations to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world; nor as impeding its intervention in virtue of Articles 15 and 17 of the Covenant, where a dispute cannot be submitted to arbitral or judicial procedure or cannot be settled by such procedure or where the conciliation proceedings have failed :

(8) Invites all States whether Members of the League or not, and in so far as their existing agreements do not already achieve this end, to accept obligations in pursuance of the above purpose either by becoming parties to the annexed General Act or by concluding particular conventions with individual States in accordance with the model bilateral conventions annexed hereto or in such terms as may be deemed appropriate;

(1) See *Annex*

(9) Resolves to communicate the annexed General Act and the annexed model bilateral conventions to all Members of the League of Nations and to such States not Members of the League as may be indicated by the Council.

(10) Requests the Council to give the Secretariat of the League of Nations instructions to keep a list of the engagements contracted in accordance with the terms of the present resolution either by acceptance of the provisions of the General Act or by the conclusion of particular conventions with the same object, so as to enable Members of the League and States non-Members of the League to obtain information as soon as possible.

b) RESOLUTION CONCERNING THE GOOD OFFICES OF THE COUNCIL

The Assembly :

In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security;

Recognising that the development of procedures for the pacific settlement of any disputes which may arise between States is an essential factor in the prevention of wars :

Expresses its appreciation of the progress achieved in concluding treaties of this kind, and its desire to see the application of the principle of the pacific settlement of all disputes extended as far as possible, and

Invites the Council to inform all States Members of the League that, should States feel the need of reinforcing the general security conferred by the Covenant and of contracting for this purpose undertakings concerning the pacific settlement of any disputes which may arise between them, and should negotiations in connection therewith meet with difficulties, the Council would, if requested to do so by one of the Parties—after it has examined the political situation and taken account of the general interests of peace—be prepared to place at the disposal of the States concerned its good offices, which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue.

c) RESOLUTION ON THE SUBMISSION AND RECOMMENDATION OF MODEL TREATIES OF NON-AGGRESSION AND MUTUAL ASSISTANCE

The Assembly :

Having noted the model treaties of non-aggression and mutual assistance prepared by the Committee on Arbitration and Security, and amended as a result of the work of the First and Third Committees, together with the explanations supplied in the introductory note drawn up by the first-named Committee;

Highly appreciating the value of these model treaties;

And convinced that their adoption by the States concerned would contribute towards strengthening the guarantees of security :

Recommends them for consideration by States Members or non-members of the League of Nations; and

Hopes that they may serve as a basis for States desiring to conclude treaties of this sort.

d) RESOLUTION CONCERNING THE GOOD OFFICES OF THE COUNCIL

In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security,

The Assembly,

Convinced that the conclusion between States in the same geographical area of treaties of non-aggression and mutual assistance providing for conciliation, arbitration and mutual guarantees against aggression by any one of them constitutes one of the most practical means that can now be recommended to States anxious to secure more effective guarantees of security :

Being of opinion that the good offices of the Council if freely accepted by all the parties concerned might facilitate the conclusion of such treaties;

Invites the Council to inform all the States Members of the League of Nations that, should States feel the need of reinforcing the general security conferred by the Covenant and of concluding a treaty of non-aggression and mutual assistance or a treaty of non-aggression for this purpose, and should the negotiations relating thereto meet with diffi-

culties, the Council would, if requested by one of the Parties—after it has examined the political situation and taken account of the general interests of peace—be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted, would be calculated to bring the negotiations to a happy issue.

e) RESOLUTION REGARDING THE OPTIONAL CLAUSE OF ARTICLE 36 OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

The Assembly :

Referring to the resolution of October 2nd, 1924, in which the Assembly, considering that the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice are sufficiently wide to permit States to adhere to the special Protocol opened for signature in virtue of that article, with the reservations which they regard as indispensable, and convinced that it is in the interest of the progress of international justice that the greatest possible number of States should, to the widest possible extent, accept as compulsory the jurisdiction of the Court, recommends States to accede to the said Protocol at the earliest possible date;

Noting that this recommendation has not so far produced all the effect that is to be desired;

Being of opinion that, in order to facilitate effectively the acceptance of the clause in question, it is expedient to diminish the obstacles which prevent States from committing themselves;

Being convinced that the efforts now being made through progressive codification to diminish the uncertainties and supply the deficiencies of international law will greatly facilitate the acceptance of the optional clause of Article 36 of the Statute of the Court, and that meanwhile attention should once more be drawn to the possibility offered by the terms of that clause to States which do not see their way to accede to it without qualification to do so subject to appropriate reservations limiting the extent of their commitments, both as regards duration and as regards scope;

Noting in this latter connection that the reservations conceivable may relate, either generally to certain aspects of any kind of dispute, or specifically to certain classes or lists of disputes, and that these different kinds of reservation can be legitimately combined :

Recommends that States which have not yet acceded to the optional clause of Article 36 of the Statute of the Permanent Court of International Justice should, failing accession pure and simple, consider, with due regard to their interests, whether they can accede on the conditions above indicated;

Requests the Council to communicate the text of this resolution to those States as soon as possible, desiring them to notify it of their intentions in the matter indicating at the same time the questions of international law the elucidation of which would in their opinion facilitate their accession to the optional clause of Article 36 of the Statute of the Court; and

Asks the Council to inform them at the next session of the Assembly of the replies it has by then received.

f) RESOLUTION WITH REGARD TO THE REVISION OF THE SYSTEMATIC SURVEY OF ARBITRATION CONVENTIONS AND TREATIES OF MUTUAL SECURITY DEPOSITED WITH THE LEAGUE OF NATIONS, PREPARED BY THE LEGAL SECTION OF THE SECRETARIAT

The Assembly :

Recognising the importance of the documentation which the Secretariat of the League of Nations has begun to collect concerning treaties of judicial settlement, arbitration and conciliation, and of the maps and graphs which it contemplates establishing :

Requests the Secretary-General to be so good as to invite the Governments of States Members or non-Members of the League of Nations to communicate to the Secretariat the text :

(1) Of those treaties for the pacific settlement of disputes which are now in force and which were concluded prior to the establishment of the League of Nations and which have not been registered;

(2) Of such arbitral awards affecting them as may be rendered in the future, with the exception of judgments of the Permanent Court of International Justice and of the Permanent Arbitration Court and of special tribunals such as the Mixed Arbitral Tribunals.

3. *Articles 10, 11 and 16 of the Covenant.*

The Assembly :

Having noted the work of the Committee on Arbitration and Security in regard to Articles 10, 11 and 16 of the Covenant :

Appreciates the great importance of the work done to apply the provisions in question;

Considers that the information concerning the question of the criteria of aggression contained in the Committee's documents usefully summarises the studies made by the Assembly and the Council and the provisions of certain treaties;

Recalls in particular that the action to be taken by the Council under Article 11 and other articles of the Covenant in the case of a conflict will provide it with important elements of appreciation likely to facilitate the determination of the aggressor in the event of war breaking out in spite of every effort;

Considers that the study of Article 11 of the Covenant, which stipulates that the League "shall take any action that may be deemed wise and effectual to safeguard the peace of nations", forms the natural counterpart of the study undertaken by the Committee of the Council and approved by the Council on December 6th, 1927, on the Assembly's recommendation, and, without detracting from the value of the other articles of the Covenant, brings into prominence the fact that the League's first task is to forestall war, and that in all cases of armed conflict or of threats of armed conflict, of whatever nature, it must take action to prevent hostilities or to stop hostilities which have already begun;

Takes note of the suggestions concerning Article 16 contained in the Committee's documents relative to the study of the articles of the Covenant;

Recommends to the Council the studies in question as a useful piece of work which, without proposing a hard-and-fast procedure in time of emergency, and without adding to or detracting from the rights and duties of the Members of the League, provides valuable indications as to the possibilities offered by the different articles of the Covenant, and as to the way in which they may be applied, without prejudice to the different modes of procedure which the infinite variety of possible eventualities may render necessary in practice;

In conclusion, recommends that a study should be undertaken of the other articles of the Covenant the conscientious and full application of which offers special guarantees of security.

4. *Model Treaty to Strengthen the Means of Preventing War.*

The Assembly :

Having noted the model treaty to strengthen the means for preventing war framed by the Committee on Arbitration and Security, together with the explanations contained in the introductory note drawn up by the Committee;

Highly appreciating the value of this model treaty;

Being convinced that its adoption by a large number of States would serve to increase the guarantees of security :

Recommends it for consideration by States Members or non-members of the League of Nations;

And hopes that it may serve as a basis for States desiring to conclude a treaty of this kind.

5. *Financial Assistance to States Victims of Aggression.*

The Assembly :

(1) Expresses its satisfaction with the work of the Committee on Arbitration and Security and the Financial Committee in connection with the scheme for financial assistance;

(2) Requests the Council to invite the Financial Committee to continue the preparation of this scheme in the form of a draft Convention, bearing in mind the directions given in the report submitted to the Assembly at its ninth ordinary session on behalf of its Third Committee;

(3) Expresses the hope that a full draft Convention, complete in all its details, may be submitted to the Assembly at its tenth ordinary session;

(4) Invites the Secretary-General to submit the draft Convention as soon as it is prepared to the Governments in order that they may give instructions to their delegates at the tenth ordinary session of the Assembly.

6. *Supervision of the Private Manufacture and Publicity of the Manufacture of Arms and Ammunition and of Implements of War.*

The Assembly :

Having taken note of the report and preliminary draft convention drawn up by the Special Commission appointed to prepare a draft convention on the supervision of the private manufacture and publicity of the manufacture of arms and ammunition and of implements of war;

Observing that the Commission has not yet found it possible to submit a single final text as desired by the Assembly, although the Commission agreed that the principle of publicity should extend to Government manufactures;

Affirming the urgent necessity for drawing up a convention which, while placing non-producing and producing countries on an equal footing, would facilitate the ratification of the Convention on the International Trade in Arms and Ammunition and in Implements of War signed at Geneva on June 17th, 1925;

Referring to its successive resolutions passed at each of its previous ordinary sessions, beginning with the first session in 1920, in which resolutions it has constantly urged the importance of the problem of the manufacture of arms and the necessity for convening a conference as speedily as possible;

Confirming the fact that a connection exists between the general question of the reduction and limitation of armaments and the question of the international trade in arms and also of that of the manufacture of arms and ammunition and of implements of war :

Requests the Council to make an appeal, at its present session, to the Governments represented on the Special Commission to examine carefully the differences of view revealed during the last session of the Commission, and to consider calling another meeting of the Commission before the next Council session, in order that the work of the Commission may be completed as soon as possible and submitted to a special conference, which would meet either at the same time as the General Conference for the Reduction and Limitation of Armaments or at an earlier date.

II. — Legal and Constitutional Questions.

1. *Election of the Non-Permanent Members of the Council.*

The Assembly :

Having in mind the discussions which took place at the session of 1926 resulting in the unanimous adoption of the rules of procedure for the election of non-permanent Members of the Council, decides, in virtue of its powers under Article 4, paragraph 2 *bis*, of the Covenant, that the temporary provisions for the elections of 1926, contained in Article 4, paragraph 2, of the resolution of the Assembly of September 15th, 1926, shall also apply to the elections of 1928.

In application of Article 14, paragraph 2, of the Rules of Procedure of the Assembly, this resolution is adopted without reference to a Committee.

2. *Question of the Revision of the Statute of the Permanent Court of International Justice.*

The Assembly :

Considering the ever-growing number of matters referred to the Permanent Court of International Justice;

Deeming it advisable that, before the renewal of the terms of office of the members of the Court in 1930, the present provisions of the Statute of the Court should be examined with a view to the introduction of any amendments which experience may show to be necessary :

Draws the Council's attention to the advisability of proceeding, before the renewal of the terms of office of the members of the Permanent Court of International Justice, to the examination of the Statute of the Court with a view to the introduction of such amendments as may be judged desirable, and to submitting the necessary proposals to the next ordinary session of the Assembly.

3. *Advisory Opinions of the Permanent Court of International Justice.*

The Assembly,

Noting the divergencies of opinion which exist as regards the requirements for voting in the Council or Assembly a resolution requesting an advisory opinion from the Permanent Court of International Justice :

Expresses the desire that, when circumstances permit, the Council may have a study made of the question whether the Council or the Assembly may, by a simple majority, ask for an advisory opinion within the meaning of Article 14 of the Covenant of the League of Nations.

4. *Progressive Codification of International Law.*

I. THE FIRST CODIFICATION CONFERENCE.

1. The Assembly expresses its high appreciation of the work already accomplished by the Preparatory Committee of the Conference.

2. It congratulates itself also upon the valuable assistance for the study of the questions to be dealt with by the Conference which is already being afforded by the various international scientific societies and by the study groups which have been formed, more particularly in the United States of America and in Japan.

3. It once more calls attention to the fundamental importance, for the satisfactory operation of arbitral and judicial procedure, of codification of international law, and emphasises the urgency which attaches to the work to be done in this field in presence of the remarkable extension which has been assured, by a very large number of international conventions, to pacific methods for settling international disputes.

4. The Assembly accordingly expresses to the Council its desire that the Conference should as far as possible be convened in the course of 1929, so that the first practical results may be secured from an undertaking which has for four years been the subject of methodical preparation.

5. The Assembly requests the delegations to communicate these views to the Governments, if necessary by telegraph, and to recall to their attention the importance which the Preparatory Committee attaches to receiving, before October 31st, 1928, their replies to the questionnaires sent to them.

6. It asks that on this occasion it may be pointed out to the Governments that the detailed questionnaires drawn up by the Preparatory Committee, in obedience to the instructions given to it, have been prepared with the sole object of rendering it more easy for the various Governments to send the information for which they are asked, and do not prevent them, if they so wish, from reserving their opinion upon points which have not arisen in their own experience or upon which they would at present prefer not to pronounce.

7. The Assembly, considering that the question of nationality which is on the agenda of the Conference is of special interest to women, and that Article 7 of the Covenant embodies the principle that all positions under or in connection with the League shall be open equally to men and women, expresses the hope that the Members of the League, when invited to the forthcoming Conference, will consider the desirability of taking these considerations into account in composing their delegations.

II. PREPARATORY WORK FOR FURTHER CONFERENCES.

1. The Assembly,

Having considered the report addressed to the Council of the League of Nations in June 1928 by the Committee of Experts for the Progressive Codification of International Law, thanks the jurists who, under the enlightened guidance of their President, have made this new contribution to the work of codification.

It notes the conclusions of the Committee, according to which two new questions appear to be sufficiently ripe for international regulation, namely :

- (1) Legal position and functions of Consuls;
- (2) Competence of the courts in regard to foreign States.

It decides to reserve these questions with a view to subsequent conferences.

2. The Assembly notes that a new questionnaire dealing with the question of Domicile has been drawn up by the Committee of Experts and transmitted to the Governments by the Secretary-General.

It adjourns to its session of 1929 the question whether it is necessary to convene the Committee of Experts again for the purpose of examining the replies from the Governments received in the interval by the Secretary-General of the League of Nations, and, eventually, of studying other questions which may arise in connection with codification of international law.

The Assembly recommends that the Committee of Experts should, when it next meets, examine whether it would be possible and desirable to endeavour, by the procedure of codification, to formulate a declaration of the fundamental rights and duties of States.

III. ESTABLISHMENT OF A GENERAL PLAN OF CODIFICATION.

The Assembly,

Having considered the opinion expressed by the Committee of Experts regarding the proposal of the delegation of Paraguay :

Confirms its decisions to make no change at present in the method of codification adopted by it in 1924;

Recognises, however, that there would be advantages in indicating the full extent of the subjects which, without prejudging the order to be followed, the Assembly proposes to cover by the work of codification;

And, in view of the character of the contemplated task, addresses to the Council the request that the establishment of a systematic survey may be entrusted to a committee of three jurists, to be chosen preferably from the members of the Committee of Experts, and that the survey may be communicated to the Members of the League as soon as possible.

It suggests that it would be desirable at the same time to distinguish, if possible, the subjects which should be reserved for the technical organisations of the League, or the international conferences which have already been initiated by particular Governments, and the subjects which appear capable of being dealt with by conferences of jurists.

The Assembly emphasises the great immediate practical value in this connection of assembling together in the form of a code, according to a methodical classification, the various general international conventions, *i.e.*, those which are open to acceptance by States in general.

It accordingly asks the Council to submit to examination by the above-mentioned committee of three jurists the question of publishing, as an accompaniment to the *Treaty Series* and in the form of a code, of which new editions would from time to time be produced, those general convention which have the above-mentioned character, and to report to the Assembly on the matter at its next session.

III. — Technical Organisations.

1. *The Health Organisation.*

The Assembly,

Having taken note of the reports dealing with the work of the Health Organisation of the League during the past year :

Is gratified at these evidences of its increasing utility as an agency for the promotion of international collaboration in matters affecting the public health;

Expresses its appreciation to all the health administrations of the various Governments which have generously collaborated with the Health Organisation in the different branches of its work;

Records its gratitude for the services rendered by the members and experts of all the commissions and conferences of the Health Organisation, as well as the specialists and experts who have carried out individual missions;

Approves the work accomplished by the Health Organisation since the eighth ordinary session of the Assembly, and congratulates it on the increasing success of its far-sighted policy of practical collaboration with extra-European countries.

2. *The Economic and Financial Organisation.*

a) THE ECONOMIC ORGANISATION

The Assembly :

(1) Having noted the work of the Economic Organisation of the League of Nations during the past year, observes with satisfaction the progress achieved, particularly in regard

to the undertakings resulting from the resolutions of the World Economic Conference which were recommended to the favourable attention of all Governments by the Assembly at its eighth ordinary session :

Is confident that the Economic Organisation will successfully carry through the important tasks still assigned to it, and that it will, if necessary, deal with them in an order corresponding to their respective importance and urgency and the possibility of reaching practical results, regard being had to the manifold and occasionally divergent interests involved;

(2) Notes with satisfaction that the Convention for the Execution of Foreign Arbitral Awards, which was opened for the signature of States by the Assembly on September 26th, 1927, has been signed by eleven States, and that there have been five new ratifications of the 1923 Protocol on Arbitration Clauses;

Trusts that at least those States which signed the Protocol will accede to the Convention, and thus enable traders in these States to resort to arbitration with full security;

(3) Welcomes the conclusions of the Convention of November 8th, 1927, and the Supplementary Agreement of July 11th, 1928, for the Abolition of Import and Export Prohibitions and Restrictions, and also the two International Agreements, dated July 11th, 1928;

Earnestly hopes that the Governments of the signatory States, and especially the Governments of the States enumerated in Article C of the Supplementary Agreement of July 11th, 1928, whose abstention might jeopardise the future of the Agreements concluded, will speedily ratify these Agreements and thus contribute towards achieving real progress in the economic situation of the world.

(4) Trusts that the Diplomatic Conference on Statistics convened for November 26th next and the conferences contemplated for 1929 in regard to the treatment of foreign nationals and the partial assimilation of legislation on bills of exchange, promissory notes and cheques will lead to valuable results;

(5) Hopes that the preparatory work for the establishment of a simplified uniform Customs nomenclature, of which it recognises the high importance as facilitating tariff agreements and increasing the efficacy of the most-favoured-nation clause, will soon be successfully concluded.

(6) Considering that the Economic Committee has already arrived at interesting conclusions as to the possibility of reconciling the two tariff systems (hard-and-fast tariff and negotiable tariff) :

Requests the Economic Committee to pursue its work with a view to framing a doctrine in regard to commercial policy and preparing collective agreements to facilitate, by bringing about a milder Customs regime, the movement of certain products which are of special importance or which lend themselves more particularly to treatment of this kind;

(7) Follows with interest the investigations undertaken in regard to veterinary measures, and approves their objective character and the desire to take into account the legitimate and occasionally conflicting preoccupations of countries which export and import cattle;

Considers that their completion is essential to enable regulations to be cleared from all suspicion of veiled protectionism, and promote the greater freedom of trade advocated by the Economic Conference;

And is confident that they will be pursued as rapidly as is consistent with the complexity of their character;

(8) Expresses its confidence that the Economic Committee, to which the investigation of the problems relating to coal and sugar were submitted at the instance of the Consultative Committee, will carry through its work with all desirable energy, while not neglecting any of the interests involved, whether of producers or consumers — countries or persons — or the workers;

(9) Hopes that the Economic Organisation will be able to expedite, along the lines of the recommendations of the World Economic Conference and the Consultative Committee, the study of various aspects of the problem of international industrial understandings — in particular, the status of such understandings, their judicial forms, the legislation controlling them and the publicity concerning them;

(10) Believes that the successful attainment of the objects contemplated by the World Economic Conference will largely depend upon the measure in which it will prove possible to harmonise the interests of agriculture and industry, account being taken, *inter alia*, of the particular position of countries which are mainly agricultural or in the early stages of industrial development;

Approves the view expressed by the Economic Consultative Committee that the systematic study of the problems of agriculture will be an important factor in the encouragement of economic co-operation between peoples.

b) THE FINANCIAL COMMITTEE

The Assembly takes note of and expresses its satisfaction with the work of the Financial Committee.

c) BULGARIAN REFUGEE SETTLEMENT AND BULGARIAN STABILISATION LOAN

The Assembly :

(a) Notes with satisfaction the progress made in connection with the refugee work under the able direction of the Commissioner of the League and the Bulgarian authorities, to whom it expresses its appreciation of their work. The progress thus made confirms the Assembly's appreciation of the social and political importance of this work;

(b) Takes note of the stabilisation scheme involving the issue of a loan of £5 millions sterling to be devoted to the repayment of the State debt to the National Bank in connection with the stabilisation of the currency, to strengthening the position of the Agricultural Bank and the Central Co-operative Bank, the liquidation of budget arrears, the construction of certain roads and railways, and work in connection with the damage caused by the earthquakes which ravaged parts of Bulgaria during the spring of 1928;

(c) Congratulates the Financial Committee and the Bulgarian Government for having, in the preparation of this scheme, made one more valuable contribution to the progressive financial and economic stabilisation of Europe, and expresses the hope that the issue of the loan necessary for the execution of the scheme may meet with complete success.

d) GREEK REFUGEE SETTLEMENT AND GREEK STABILISATION LOAN

The Assembly :

Congratulates the Refugee Settlement Commission on the excellent results so far obtained, and trusts that the work which remains to be done may be carried out in the same satisfactory manner;

Expresses its satisfaction at the success of financial stabilisation in Greece and the work of the Financial Committee in this connection.

3. *Organisation for Communications and Transit.*

a) WORK OF THE ORGANISATION

The Assembly, noting the report of the Advisory and Technical Committee for Communications and Transit on the work of the Organisation between the eighth and ninth ordinary sessions of the Assembly, expresses its satisfaction with the normal progress of the Organisation's work.

b) *RADIOTELEGRAPHIC STATION TO BE CREATED WITH A VIEW TO PROVIDING THE LEAGUE OF NATIONS WITH INDEPENDENT COMMUNICATIONS IN TIMES OF EMERGENCY*

The Assembly :

With a view to enabling Members of the League of Nations to proceed to a full examination of the proposals submitted with regard to the creation of the radiotelegraphic station for the purpose of providing the League with independent communications in time of emergency, and also with a view to allowing time for the additional technical, financial and legal studies considered desirable;

Decides to place this question on the agenda of its tenth session;

And requests the Council to take all necessary measures for a further study of these questions.

4. *Intellectual Cooperation and International Bureaux.*

a) *WORK OF THE INTERNATIONAL COMMITTEE ON INTELLECTUAL COOPERATION AND THE INTERNATIONAL INSTITUTE OF INTELLECTUAL COOPERATION*

The Assembly has taken cognisance of the reports submitted by the International Committee on Intellectual Cooperation and the Governing Body of the Institute. It is

pleased with the results obtained by the Committee on Intellectual Cooperation as well as with the work of the International Institute of Intellectual Cooperation during the past year.

The Assembly notes that its recommendations in preceding years in regard to eventual contributions from other States to the budget of the International Institute of Intellectual Co-operation have been acted on, that additional countries have granted subsidies, while France itself has increased its contribution by 500,000 French francs, so that the budget of the Institute for the year 1929 now amounts to 2,896,000 French francs.

It takes note of the progress made in regard to certain important questions :

Scientific property, co-ordination of bibliography for several sciences, co-ordination of institutes of higher political and social studies;

The work of the International Museums Office and the contemplated extension of its work in favour of scientific museums and similar establishments;

The part played by the representatives of the Committee and of the Institute at the recent Rome Conference for the revision of the Berne Copyright Conventions, and especially in the discussions which culminated in the recognition of the moral rights of authors, recommended by the Committee on Intellectual Cooperation;

The action taken by several States in pursuance of the recommendations of the Sub-Committee of Experts for the Instruction of Young People in the Aims of the League, the beginning of the work of the Educational Information Centre in Geneva and Paris, and the contemplated publication of a Survey devoted to these questions.

The Assembly recognises the importance of the problem of the international circulation of books and hopes that the obstacles in the way of the circulation of scientific and technical publications may, as far as possible, be removed.

The Assembly, in view of the general identity of principles between the Convention of Berne, as revised first in Berlin and then in Rome, and the Copyright Convention signed in 1910 at Buenos Ayres by the American States, and revised in Havana in 1928, requests the Council to have its competent organs make all the necessary investigations and consultations regarding the desirability of a general agreement having for its object the unification, on an international basis, and in full conformity with the wish expressed at the Rome Conference for the revision of the Berne Copyright Conventions, of all laws and measures for the protection of intellectual property.

The Assembly notes with satisfaction the readiness with which teachers in secondary and elementary schools have answered the appeal for cooperation addressed to them, and welcomes the organisation of courses of study with a view to their special requirements, not only on a national basis by various committees, but also on an international basis at Geneva and elsewhere. It is glad of the support received from Governments by which, following the recommendations by the Sub-Committee of Experts of the Committee on Intellectual Cooperation, facilities have been offered to teachers for following these courses of instruction, and, convinced of the paramount importance of the training of teachers for such teaching, it expresses the hope that similar facilities will be offered by the other States Members of the League.

The Assembly requests the States Members to take into consideration the need for the systematic organisation of the exchange of children in secondary schools during the summer holidays with a view to developing the spirit of peace and international cooperation, for which purpose the existing University offices should be utilised or special organisations created.

Convinced that this international exchange of school-children would greatly promote mutual understanding among peoples, the Assembly recommends that arrangements be made between different countries on this subject, and it begs the Committee on Intellectual Cooperation to instruct the International Institute of Intellectual Cooperation and the Secretariat of the League to facilitate the execution of such arrangements.

It draws the special notice of Governments and requests them to give the greatest possible effect to the resolutions of the Committee on Intellectual Cooperation in regard to:

- (1) The creation in the national or central library of every State of an information bureau;
- (2) The preservation of prints and manuscripts;
- (3) The suppression of Customs duties on prints sent to libraries and recognised institutes;
- (4) The adoption of the necessary measures for the preservation and the study of primitive languages which are dying out.

Finally, it calls the attention of Governments to the danger of cinematographic performances and of broadcasting characterised by a spirit antagonistic to that of the League.

b) RELATIONS BETWEEN THE LEAGUE OF NATIONS AND INSTITUTES OR BODIES SET UP UNDER ITS AUTHORITY

The Assembly :

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

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

IV. — Administrative Questions,

Mandates.

The Assembly :

Having taken note of the work accomplished by the mandatory Powers, the Permanent Mandates Commission and the Council in execution of Article 22 of the Covenant :

Desires to convey to them its admiration for their continued efforts and for the spirit of co-operation which has characterised their work; and

Trusts that this will always continue to be the case.

The Assembly :

(a) Expresses the hope that the Permanent Mandates Commission's work on the question of the application of the principle of economic equality will be actively pursued, and that the mandatory Powers will supply all the information requested;

(b) Hopes that the study of the question of the liquor traffic will, with the help of the mandatory Powers, lead to effective results;

(c) Expresses the opinion that it is desirable that the mandatory Powers should furnish and keep up to date all the particulars necessary to complete the statistical tables already compiled by the Secretariat.

V. — Social and Humanitarian Questions

1. *Traffic in Opium and other Dangerous Drugs.*

The Assembly notes with approval the reports of the Advisory Committee on Traffic in Opium and other Dangerous Drugs on the work of its tenth and eleventh sessions, together with the resolutions contained therein.

2. *Control of Opium Smoking in the Far East.*

The Assembly recommends the Council to appoint a Commission of three persons to enquire into and report upon the situation in the Far-Eastern territories of the Governments which agree to such an enquiry as regards the use of opium prepared for smoking; the measures taken by the Governments concerned to give effect to the obligations undertaken in Chapter II of the Hague Opium Convention of 1912 and in the Geneva Opium Agreement of February 1925; the nature and extent of the illicit traffic in opium in the Far East and the difficulties which it causes to the fulfilment of those obligations; and to suggest what action should in the circumstances be taken by the Governments concerned and by the League of Nations.

The Assembly also expresses the hope that the Government of the United States will permit the Commission to visit the Philippines and inform itself of the experience of the system of prohibition in operation there.

3. *Traffic in Women and Children.*

(1) The Assembly takes note of the report of the Traffic in Women and Children Committee, thanks the Committee for the good work it has accomplished, and expresses the hope that this work will be continued along the same lines.

(2) The Assembly takes note of the second part of the report of the Special Body of Experts, published in November 1927, and expresses its appreciation of the splendid work done by the experts and their co-workers. It expresses the hope that it will be possible to extend the investigations to countries where no investigation has taken place before.

(3) The Assembly notes with satisfaction that the Committee has examined the resolution passed by the Assembly at its eighth ordinary session as to "the desirability or recommending to all Governments the abolition of licensed houses", and it supports the Committee's request that "the Governments of all those countries which still retain the licensed-house system will investigate the question as soon as possible in the light of the report made by the Special Body of Experts".

(4) The Assembly desires to call attention to the great importance of the employment of women police as a preventive measure.

4. *Child Welfare.*

The Assembly notes the report submitted by the Child Welfare Committee, thanks it for the work it is doing and requests it to go forward along the lines described in the report on its fourth session.

The Assembly, remembering that, at its first session in 1925, and at all its later sessions, the Child Welfare Committee has made a study of the various factors involved in the question of the cinematograph in relation to children, is glad to see that the Committee will be represented by at least one member on the Governing Body of the International Educational Cinematographic Institute. It requests the Child Welfare Committee to keep in close touch with the Institute.

The Assembly attaches particular importance to the work undertaken by the Child Welfare Committee's Legal Sub-Committee in connection with the preparation of :

(1) A preliminary draft convention for the repatriation of minors who have escaped from the authority of their parents or guardians;

(2) A preliminary draft convention on the relief of minors of foreign nationality. This draft would be in the nature of a model scheme, with a view to facilitating subsequent work on the question and for application between interested countries.

(3) A preliminary draft convention on the execution of judgments relating to maintenance payable on behalf of children by persons responsible for their support who have deserted them and gone abroad.

The Assembly invites the Child Welfare Committee diligently to pursue its efforts in this direction.

5. *Slavery Convention.*

The Assembly notes the report of the Council regarding slavery containing communications from the Governments of Great Britain, India, Italy and the Sudan and also notes a list submitted by the Abyssinian delegation.

The Assembly hopes that no effort will be spared to furnish similar information in the future, as it is of considerable interest and utility to the States Members of the League.

The Assembly notes with satisfaction that the number of ratifications and accessions to the Convention of September 25th, 1926, has appreciably increased since its last session, and expresses the hope that all countries affected by this question will ratify or accede to this Convention in the immediate future.

6. *Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish Refugees.*

The Assembly :

(1) After examining the reports submitted by the High Commissioner for Refugees and by the Director of the International Labour Office on questions connected with Russian, Armenian, Turkish, Assyrian and Assyro-Chaldean refugees :

(2) Recognises the progress achieved in the course of the year;

(3) Notes that a complete solution of the problem can only be provided by the return of the refugees to their country of origin or their assimilation by the countries at present giving them shelter;

(4) Earnestly invites the Governments concerned to provide the refugees with all possible facilities for acquiring the nationality of the countries in which they at present reside;

(5) Whereas, however, in present circumstances, international action is still necessary for some time to come :

(6) In conformity with the resolution of the Governing Body of the International Labour Office, invites the Council to take urgently all necessary steps to appoint an Advisory Commission to be attached to the High Commissioner;

(7) Recommends the Council to invite this Advisory Commission to submit to it, before the next session of the Assembly, a general report on the possibility of reaching a final solution as soon as possible and on the means by which this object might be attained;

(8) Earnestly invites States Members to adopt and apply, on as wide a scale as possible, the Inter-Governmental Arrangements concluded on July 5th, 1922, May 31st, 1924, May 12th, 1926, and June 30th, 1928, which provide the refugee services with means by which they may gradually become financially independent;

(9) Points out, however, that the respective Governments must be left to decide whether and how far they are prepared to give force of law to the recommendations adopted by the Inter-Governmental Conference of June 30th, 1928;

(10) Notes that the taxes to be levied will be fixed in consultation with the respective Governments, that only the representatives of the High Commissioner will be entitled to levy them, and that the employment of the proceeds will be subject to the control of the High Commissioner;

(11) Declares that the Council's resolution of June 27th, 1921, shall be applied in regard to all categories of refugees;

(12) Recalls with gratitude the endeavours of the High Commission and of the International Labour Office by which about 800 Russian refugees in Constantinople have been successfully evacuated during recent months;

Cognisant of the very difficult situation of some 2,000 of these refugees who still remain in Turkey and who, in accordance with a Decree of the Turkish Government, must be evacuated from Turkey before February 6th, 1929;

Expresses the hope that the High Commission will seize every opportunity to press forward their evacuation and that the various Governments will, as an exceptional measure, and subject to the safeguarding of their own interests, authorise the issue of emergency visas to enable the refugees to leave Turkey;

(13) Adopts the Budget for the Refugees Services for 1929, as already approved by the Governing Body of the International Labour Office and by the Supervisory Commission, and

Requests the Supervisory Commission to take into consideration the uncertainty of the position of the officials employed in that Service, to which attention has been drawn by the Governing Body of the International Labour Office, and to grant them the improvements asked for on their behalf.

7. Plan for the establishment of Armenian refugees in the Republic of Erivan.

The Assembly :

Decides that the work of establishment of Armenian refugees in the Republic of Erivan shall be carried on under the auspices of the League of Nations;

Requests the Council to continue negotiations with those Governments which have offered assistance in this work, in order that the conditions under which other offers have been made may be fulfilled;

Approves the inclusion in the budget of the sum of 50,000 Swiss francs to meet the administrative expenses of this work.

8. Question of Alcoholism.

The Assembly :

Having had a draft resolution on the subject of alcoholism submitted to it by the Finnish, Swedish and Polish delegations :

Decides to ask the Council to request the Health Organisation of the League of Nations to collect full statistical information regarding alcoholism, considered as a consequence of the abuse of alcohol, giving prominence, *inter alia*, according to the data available, to the deleterious effects of the bad quality of the alcohols consumed;

And, considering that, while it is for the Governments to put a stop to the contraband trade carried on in violation of the conventions in force between them, it may nevertheless be useful to examine the terms in which such conventions or agreements might be drawn up, for the prevention of smuggling in general and that of alcohol in particular :

Decides to ask the Council to request the Economic Committee to carry out this investigation and to submit any proposals to the Council arising out of its conclusions.

It is understood that this resolution does not refer to wine, beer or cider.

VI. — Other Questions

1. *Financial Questions,*

(1) The Assembly, in virtue of 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 ninth financial period, ending on Decembre 31st, 1927.

(2) The Assembly :

In virtue of Article 17 of the Regulations for the Financial Administration of the League of Nations, passes, for the financial period 1929, the general budget of the League of Nations, of the Secretariat and special organisations of the League, of the International Labour Organisation, and of the Permanent Court of International Justice, amounting, including supplementary credits, to the total sum of 27,026,280 Swiss francs.

And decides that the aforesaid budgets shall be published in the *Official Journal*.

(3) The Assembly adopts the conclusions of the various reports submitted for its consideration by the Supervisory Commission, except in regard to the Commission of Enquiry to the Far East.

(4) The Assembly adopts the conclusions of the report of the Fourth Committee.

(5) The Assembly :

I. Requests the Council to ask the Allocation Committee to submit a revised scale to the 1932 Assembly;

II. Approves for the years 1929, 1930, 1931 and 1932, the scale for the allocation of the expenses of the League in force during the year 1928.

2. *Contributions in Arrears.*

The Assembly requests the Secretary-General :

(1) To continue to give his support when necessary to any steps which he may consider useful with a view to the recovery of arrears;

(2) To submit to the Council before the next session of the Assembly a detailed report of the position with regard to contributions in arrears.

3. *Construction of an Assembly Hall, of a New Building for the Secretariat, and of a New Library.*

The Assembly :

Approves the report of the Special Committee of Five Members in regard to the new buildings;

Approves the choice of the Ariana Park as a site for the new buildings of the League of Nations;

Authorises the Secretary-General to sign all the necessary legal documents concerning the exchange of rights on the properties in question between the League of Nations and the Genevese authorities, as well as to draw up and sign the necessary contract between the architects and the League of Nations on the basis of the Special Committee's report to the Council, approved by the Council on March 6th, 1928.

Authorises the Special Committee of Five Members (M. Adatci, M. Osusky, M. Politis, M. Urrutia and Sir Edward Hilton Young), as soon as the legal formalities for the transfer of the land have been completed, and after having obtained all the expert advice necessary from the technical point of view, to give final approval to revised plans adapted to the new site, such approval to be submitted to the Council of the League of Nations for ratification. The final plans thus approved will then be carried into execution without delay by the Secretary-General, and the Building Committee already appointed in accordance with the Assembly resolution of September 25th, 1924.

ANNEX I

GENERAL ACT.

CHAPTER I. — CONCILIATION.

Article 1.

Disputes of every kind between two or more parties to the present General Act which it has not been possible to settle by diplomacy shall, subject to such reservations as may be made under Article 39, be submitted, under the conditions laid down in the present Chapter, to the procedure of conciliation.

Article 2.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties to the dispute.

Article 3.

On a request to that effect being made by one of the Contracting Parties to another Party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 4.

Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 5.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 6.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Article 3 and 5, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties, or on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 7.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or in default thereof by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall, without delay, be notified by it.

Article 8.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall, in such case, be entitled to take similar action within fifteen days from the date on which it received the notification.

Article 9.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 10.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 11.

1. In the absence of any agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 12.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 13.

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 14.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 15.

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

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

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

Article 16.

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

CHAPTER II. — JUDICIAL SETTLEMENT.

Article 17.

All disputes with regard to which the Parties are in conflict as to their respective rights shall, subject to any reservations which may be made under Article 39, be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

Article 18.

If the parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected, and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes, shall apply so far as is necessary. If nothing is laid down in the special agreements as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

Article 19.

If the parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either party shall be at liberty, after giving three months notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

Article 20.

1. Notwithstanding the provisions of Article 1, disputes of the kind referred to in Article 17 arising between parties who have acceded to the obligations contained in the present chapter shall only be subject to the procedure of conciliation if the parties so agree.

2. The obligation to resort to the procedure of conciliation remains applicable to disputes which are excluded from judicial settlement only by the operation of reservations under the provisions of Article 39.

3. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of

the arbitral tribunal referred to in Article 18 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

CHAPTER III. — ARBITRATION.

Article 21.

Any dispute not of the kind referred to in Article 17 which does not, within the month following the termination of the work of the Conciliation Commission provided for in Chapter I, form the object of an agreement between the parties, may, subject to such reservations as may be made under Article 39, be brought before an arbitral tribunal which, unless the parties otherwise agree, shall be constituted in the manner set out below.

Article 22.

The Arbitral Tribunal shall consist of five members. The parties shall each nominate one member, who may be chosen from among their respective nationals. The two other arbitrators and the Chairman shall be chosen by common agreement from among the nationals of third Powers. They must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties.

Article 23.

1. If the appointment of the members of the Arbitral Tribunal is not made within a period of three months from the date on which one of the parties requested the other party to constitute an arbitral tribunal, a third Power, chosen by agreement between the parties, shall be requested to make the necessary appointments.

2. If no agreement is reached on this point, each party shall designate a different Power, and the appointments shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers so chosen have been unable to reach an agreement, the necessary appointments shall be made by the President of the Permanent Court of International Justice. If the latter is prevented from acting or is a subject of one of the parties, the nomination shall be made by the Vice-President. If the latter is prevented from acting or is a subject of one of the parties, the appointments shall be made by the oldest member of the Court who is not a subject of either party.

Article 24.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 25.

The parties shall draw up a special agreement determining the subject of the disputes and the details of procedure.

Article 26.

In the absence of sufficient particulars in the special agreement regarding the matters referred to in the preceding article, the provisions of the Hague Convention of October 18th. 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary,

Article 27.

Failing the conclusion of a special agreement within a period of three months from the date on which the Tribunal was constituted, the dispute may be brought before the Tribunal by an application by one or other party.

Article 28.

If nothing is laid down in the special agreement or no special agreement has been made, the Tribunal shall apply the rules in regard to the substance of the dispute enumerated in Article 38 of the Statute of the Permanent Court of International Justice. In so far as there exists no such rule applicable to the dispute, the Tribunal shall decide *ex æquo et bono*.

CHAPTER IV. — GENERAL PROVISIONS.

Article 29.

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.

2. The present General Act shall not affect any agreements in force by which conciliation procedure is established between the Parties or they are bound by obligations to resort to arbitration or judicial settlement which ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation, after such procedure has been followed without result, the provisions of the present General Act concerning judicial settlement or arbitration shall be applied in so far as the Parties have acceded thereto.

Article 30.

If a party brings before a Conciliation Commission a dispute which the other party, relying on conventions in force between the parties, has submitted to the Permanent Court of International Justice or an Arbitral Tribunal, the Commission shall defer consideration of the dispute until the Court or the Arbitral Tribunal has pronounced upon the conflict of competence. The same rule shall apply if the Court or the Tribunal is seized of the case by one of the parties during the conciliation proceedings.

Article 31.

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present General Act until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present General Act must notify the other party of its intention within a period of one year from the date of the aforementioned decision.

Article 32.

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

Article 33.

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

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

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

Article 34.

Should a dispute arise between more than two Parties to the present General Act, the following rules shall be observed for the application of the forms of procedure described in the foregoing provisions :

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

In the former case, the parties shall each appoint one commissioner and shall jointly appoint commissioners nationals of third Powers not parties to the dispute, whose number shall always exceed by one the number of commissioners appointed separately by the parties.

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

In either event, the parties, unless they agree otherwise, shall apply Article 5 and the following articles of the present Act, so far as they are compatible with the provisions of the present article.

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

(c) In the case of arbitral procedure, if agreement is not secured as to the composition of the tribunal, in the case of the disputes mentioned in Article 17 each party shall have the right, by means of an application, to submit the dispute to the Permanent Court of International Justice; in the case of the disputes mentioned in Article 21, the above Article 22 and following articles shall apply, but each party having separate interests shall appoint one arbitrator and the number of arbitrators separately appointed by the parties to the dispute shall always be one less than that of the other arbitrators.

Article 35.

1. The present General Act shall be applicable as between the parties thereto, even though a third Power, whether a party to the Act or not, has an interest in the dispute.

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

Article 36.

1. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the arbitral tribunal a request to intervene as a third Party.

2. It will be for the Court or the tribunal to decide upon this request.

Article 37.

1. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the arbitral tribunal shall notify all such States forthwith.

2. Every State so notified has the right to intervene in the proceedings; but, if it uses this right, the construction given by the decision will be binding upon it.

Article 38.

Accessions to the present General Act may extend :

A. Either to all the provisions of the Act (Chapters I, II, III and IV);

B. Or to those provisions only which relate to conciliation and judicial settlement (Chapters I and II), together with the general provisions dealing with these procedures (Chapter IV);

C. Or to those provisions only which relate to conciliation (Chapter I), together with the general provisions concerning that procedure (Chapter IV).

The Contracting Parties may benefit by the accessions of other Parties only in so far as they have themselves assumed the same obligations.

Article 39.

1. In addition to the power given in the preceding article, a Party, in acceding to the present General Act, may make his acceptance conditional upon the reservations exhaustively enumerated in the following paragraph. These reservations must be indicated at the time of accession.

2. These reservations may be such as to exclude from the procedure described in the present Act :

(a) Disputes arising out of facts prior to the accession either of the Party making the reservation or of any other Party with whom the said Party may have a dispute;

(b) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States;

(c) Disputes concerning particular cases or clearly specified subject-matters, such as territorial status, or disputes falling within clearly defined categories.

3. If one of the parties to a dispute has made a reservation, the other parties may enforce the same reservation in regard to that party.

4. In the case of Parties who have acceded to the provisions of the present General Act relating to judicial settlement or to arbitration, such reservations as they may have made shall, unless otherwise expressly stated, be deemed not to apply to the procedure of conciliation.

Article 40.

A Party whose accession has been only partial, or was made subject to reservations, may at any moment, by means of a simple declaration, either extend the scope of his accession or abandon all or part of his reservations.

Article 41.

Disputes relating to the interpretation or application of the present General Act, including those concerning the classification of disputes and the scope of reservations, shall be submitted to the Permanent Court of International Justice.

Article 42.

The present General Act, of which the French and English texts shall both be authentic, shall be the date of the 26th of September 1928.

Article 43.

1. The present General Act shall be open to accession by all the Heads of States or other competent authorities of the Members of the League of Nations and the non-Member States to which the Council of the League of Nations has communicated a copy for this purpose.

2. The instruments of accession and the additional declarations provided for by Article 40 shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-Member States referred to in the preceding paragraph.

3. The Secretary-General of the League of Nations shall draw up three lists, denominated respectively by the letters A, B and C, corresponding to the three forms of accession to the present Act provided for in Article 38, in which shall be shown the accessions and additional declarations of the Contracting Parties. These lists, which shall be continually kept up to date, shall be published in the annual report presented to the Assembly of the League of Nations by the Secretary-General.

Article 44.

1. The present general Act shall come into force on the ninetieth day following the receipt by the Secretary-General of the League of Nations of the accession of not less than two Contracting Parties.

2. Accessions received after the entry into force of the Act, in accordance with the previous paragraph, shall become effective as from the ninetieth day following the date of receipt by the Secretary-General of the League of Nations. The same rule shall apply to the additional declarations provided for by Article 40.

Article 45.

1. The present General Act shall be concluded for a period of five years, dating from its entry into force.

2. It shall remain in force for further successive periods of five years in the case of Contracting Parties which do not denounce it at least six months before the expiration of the current period.

3. Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-Member States referred to in Article 43.

4. A denunciation may be partial only, or may consist in notification of reservations not previously made.

5. Notwithstanding denunciation by one of the Contracting Parties concerned in a dispute, all proceedings pending at the expiration of the current period of the General Act shall be duly completed.

Article 46.

A copy of the present General Act, signed by the President of the Assembly and by the Secretary-General of the League of Nations, shall be deposited in the archives of the Secretariat; a certified true copy shall be delivered by the Secretary-General to all the Members of the League of Nations and to the non-Member States indicated by the Council of the League of Nations.

Article 47.

The present General Act shall be registered by the Secretary-General of the League of Nations on the date of its entry into force.

ANNEX II

BILATERAL CONVENTION FOR THE PACIFIC SETTLEMENT OF ALL INTERNATIONAL DISPUTES.

(Convention a.)

(The Heads of States.) (Governments are left free to draw up the preamble as they may think fit.)

.....
Have decided to realise their common aim by means of a Convention, and have appointed as their plenipotentiaries :

.....
who having deposited their full powers found in good and due form, have agreed on the following provisions :

CHAPTER I. — PACIFIC SETTLEMENT IN GENERAL.

Article 1.

Disputes of every kind which may arise between the High Contracting Parties and which it has not been possible to settle by diplomacy shall be submitted, under the conditions laid down in the present Convention, to settlement by judicial means or arbitration, preceded, according to circumstances, as a compulsory or optional measure, by recourse to the procedure of conciliation.

Article 2.

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties shall be settled in conformity with the provisions of those conventions.

2. The present Convention shall not affect any agreements in force by which conciliation procedure is established between the High Contracting Parties or they are bound by obligations to resort to arbitration or judicial settlement which ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation after such procedure has been followed without result, the provisions of the present Convention concerning judicial settlement or arbitration shall be applied.

Article 3.

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present Convention until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present Convention must notify the other party of its intention within a period of one year from the date of the afore mentioned decision.

CHAPTER II. — JUDICIAL SETTLEMENT

Article 4.

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Permanent Court of International Justice.

Article 5.

If the parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

Article 6.

If the parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

Article 7.

1. In the case of the disputes mentioned in Article 4, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Convention.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 5 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

CHAPTER III. — CONCILIATION.

Article 8.

All disputes between the parties other than the disputes mentioned in Article 4 shall be submitted obligatorily to a procedure of conciliation before they can form the subject of a settlement by arbitration.

Article 9.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties to the dispute.

Article 10.

On a request to that effect being made by one of the Contracting Parties to the other party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 11.

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows:

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals.

The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace the commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 12.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission, shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 13.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 10 and 12, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, by the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 14.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

Article 15.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which it received the notification.

Article 16.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 17.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 18.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 19.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 20.

The parties undertake to facilitate the work of the Conciliation Commission and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 21.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 22.

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

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

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

Article 23.

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

CHAPTER IV. — SETTLEMENT BY ARBITRATION.

Article 24.

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission mentioned in the previous articles, the

question shall be brought before an Arbitral Tribunal which, unless the parties agree otherwise, shall be constituted in the manner indicated below.

Article 25.

The Arbitral Tribunal shall consist of five members. The parties shall each nominate one member, who may be chosen from among their respective nationals. The two other arbitrators and the Chairman shall be chosen by common agreement from among the nationals of third Powers. They must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties.

Article 26.

1. If the appointment of the members of the Arbitral Tribunal is not made within a period of three months from the date on which one of the parties requested the other party to constitute an arbitral tribunal, a third Power, chosen by agreement between the parties, shall be requested to make the necessary appointments.

2. If no agreement is reached on this point, each party shall designate a different Power, and the appointments shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers so chosen have been unable to reach an agreement, the necessary appointments shall be made by the President of the Permanent Court of International Justice. If the latter is prevented from acting or is a subject of one of the parties, the nomination shall be made by the Vice-President. If the latter is prevented from acting or is a subject of one of the parties, the appointments shall be made by the oldest member of the Court who is not a subject of either party.

Article 27.

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 28.

The parties shall draw up a special agreement determining the subject of the dispute and the details of procedure.

Article 29.

Failing stipulations to the contrary in the special agreement, the procedure followed by the Arbitral Tribunal shall be that laid down in Part IV, Chapter III, of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Article 30.

Failing the conclusion of a special agreement within a period of three months from the date on which the Tribunal was constituted, the dispute may be brought before the Tribunal by an application by one or other party.

Article 31.

If nothing is laid down in the special agreement or no special agreement has been made, the Tribunal shall apply the rules in regard to the substance of the dispute indicated in Article 38 of the Statute of the Permanent Court of International Justice. In so far as there exists no such rule applicable to the dispute, the Tribunal shall decide *ex æquo et bono*.

CHAPTER V. — GENERAL PROVISIONS.

Article 32.

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

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

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

Article 33.

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

Article 34.

1. The present Convention shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.

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

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be effected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings : but if it uses this right, the construction given by the decision will be binding upon it.

Article (1).

Article 35.

Disputes relating to the interpretation or application of the present Convention, including those concerning the classification of disputes (..... (2)) shall be submitted to the Permanent Court of International Justice.

Article 36.

The present Convention, which is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take, at any time, whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 37.

1. The present Convention shall be ratified and the exchange of ratifications shall take place at.....

It shall be registered at the Secretariat of the League of Nations.

2. The Convention shall be concluded for a period of five years dating from the exchange of ratifications.

3. If it has not been denounced at least six months before the expiration of this period, it shall remain in force for further successive periods of five years.

4. Notwithstanding denunciation by one of the High Contracting Parties, all proceedings pending at the expiration of the current period of the Convention shall be duly completed.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Convention.

DONE at on
in copies

(1) States desiring to introduce reservations might insert here an article based on Article 39 of the General Act. In this case they would require to adapt various articles of the convention to the existence of reservations, as is done in the General Act.

(2) If the Convention contains reservations, it would be convenient to add : " and the scope of reservations "

BILATERAL CONVENTION FOR JUDICIAL SETTLEMENT, ARBITRATION AND CONCILIATION

(Convention b.)

The Heads of States (Governments are left free to draw up the Preamble as they may think fit)

.....
Have decided to achieve their common aim by means of a Convention, and have appointed as their plenipotentiaries :

.....
who, having deposited their full powers found in good and due form, have agreed on the following provisions :

CHAPTER I. — PACIFIC SETTLEMENT IN GENERAL.

Article 1.

Disputes of every kind which may arise between the High Contracting Parties and which it has not been possible to settle by diplomacy shall be submitted to a procedure of judicial settlement, arbitration or conciliation under the conditions laid down in the present Convention.

Article 2.

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.

2. The present Convention shall not affect any agreements in force by which conciliation procedure is established between the High Contracting Parties or they are bound by obligations to resort to arbitration or judicial settlement which ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation, after such procedure has been followed without result, the provisions of the present Convention concerning judicial settlement or arbitration shall be applied.

Article 3.

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present Convention until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present Convention must notify the other party of its intention within a period of one year from the date of the afore mentioned decision.

CHAPTER II. — JUDICIAL SETTLEMENT.

Article 4.

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

Article 5.

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as

to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

Article 6.

If the parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

Article 7.

1. In the case of the disputes mentioned in Article 4, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Convention.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 5 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

CHAPTER III. — CONCILIATION.

Article 8.

All disputes between the parties other than the disputes mentioned in Article 4 shall be submitted obligatorily to a procedure of conciliation.

Article 9.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

Article 10.

On a request to that effect being made by one of the Contracting Parties to the other party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 11.

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace the commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 12.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission, shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 13.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 10 and 12, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or on request of the parties, by the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 14.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

Article 15.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which the notification reaches it.

Article 16.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 17.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 18.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 19.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 20.

The parties undertake to facilitate the work of the Conciliation Commission and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 21.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 22.

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

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

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

Article 23.

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

Article 24.

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15 (1) of the Covenant of the League of Nations. This provision shall not apply in the case provided for in Article 7.

CHAPTER IV. — GENERAL PROVISIONS.

Article 25.

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

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

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

(1) Should the Convention be concluded between a State Member of the League of Nations and a non-Member State the reference to Article 15 should be replaced by a reference to Article 17.

Article 26.

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

Article 27.

1. The present Convention shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.

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

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the arbitral tribunal a request to intervene as a third Party.

It will be for the Court or the tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings; but, if it uses this right, the construction given by the decision will be binding upon it.

Article (1).

Article 28.

Disputes relating to the interpretation or application of the present Convention, including those concerning the classification of disputes (. . . . (2)) shall be submitted to the Permanent Court of International Justice.

Article 29.

The present Convention, which is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take, at any time, whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 30.

1. The present Convention shall be ratified and the exchange of ratifications shall take place at

It shall be registered at the Secretariat of the League of Nations.

2. The Convention shall be concluded for a period of five years dating from the exchange of ratifications.

3. If it has not been denounced at least six months before the expiration of this period, it shall remain in force for further successive periods of five years.

4. Notwithstanding denunciation by one of the High Contracting Parties, all proceedings pending at the expiration of the current period of the Convention shall be duly completed.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Convention.

DONE at on
in copies

(1) States desiring to introduce reservations might be guided by Article 39 of the General Act. In this case they would require to adapt various articles of the Convention to the existence of reservations, as is done in the General Act.

(2) If the Convention contains reservations, it would be convenient to add : " and the scope of reservations ".

BILATERAL CONCILIATION CONVENTION

(Convention c.)

The Heads of States (Governments are left free to draw up the Preamble as they may think fit).

Have decided to achieve their common aim by means of a Convention, and have appointed at their plenipotentiaries :

who, having deposited their full powers found in good and due form, have agreed on the following provisions :

Article 1.

Disputes of every kind which may arise between the High Contracting Parties and which it has not been possible to settle by diplomacy shall be submitted, under the conditions laid down in the present Convention, to settlement by recourse to the procedure of conciliation.

Article 2.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

Article 3.

Disputes for the settlement of which a procedure by judicial settlement, arbitration or conciliation is laid down in other conventions in force between the parties shall be settled in conformity with the provisions of such conventions.

Article 4.

If a party brings before a Conciliation Commission a dispute which the other party relying on conventions in force between the parties has submitted to the Permanent Court of International Justice or an Arbitral Tribunal, the Commission shall defer consideration of the dispute until the Court or the Arbitral Tribunal has pronounced upon the conflict of competence. The same rule shall apply if the Court or the Tribunal is seized of the case by one of the parties during the conciliation proceedings.

Article 5.

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present Convention until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present Convention must notify the other party of its intention within a period of one year from the date of the afore mentioned decision.

Article 6.

On a request to that effect being made by one of the Contracting Parties to the other party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 7.

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 8.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission, shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 9.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 6 and 8, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 10.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or in default thereof by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

Article 11.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall, in such case, be entitled to take similar action within fifteen days from the date on which it received the notification.

Article 12.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 13.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 14.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both

parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 15.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 16.

The parties undertake to facilitate the work of the Conciliation Commission and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 17.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 18.

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

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

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

Article 19.

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

Article 20.

1. In all cases, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Conciliation Commission, when given cognisance of the dispute, may recommend to the parties the adoption of such provisional measures as it may consider desirable.

2. The parties to the dispute undertake to abstain from all measures likely to react prejudicially upon the arrangements proposed by the Conciliation Commission, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

Article 21.

1. The present Convention shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.
2. The parties may agree to invite such third Power to intervene.

Article (1).

Article 22.

Disputes relating to the interpretation or application of the present Convention, including those concerning the classification of disputes (. . . .²) shall be submitted to the Permanent Court of International Justice.

Article 23.

The present Convention, which is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take, at any time, whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 24.

1. The present Convention shall be ratified and the exchange of ratifications shall take place at
It shall be registered at the Secretariat of the League of Nations.
2. The Convention shall be concluded for a period of five years dating from the exchange of ratifications.
3. If it has not been denounced at least six months before the expiration of this period, it shall remain in force for further successive periods of five years.
4. Notwithstanding denunciation by one of the High Contracting Parties, all proceedings pending at the expiration of the current period of the Convention shall be duly completed.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Convention.

DONE at. on
in copies

ANNEX III

INTRODUCTORY NOTE TO THE MODEL COLLECTIVE TREATIES OF MUTUAL ASSISTANCE AND OF COLLECTIVE AND BILATERAL TREATIES OF NON-AGGRESSION

The Committee thought it advisable to prepare three model treaties which are of unequal scope as regards the degree of security they might afford to States seeking fresh guarantees.

I. MODEL TREATY OF MUTUAL ASSISTANCE.

The draft having widest scope is clearly that which combines the three elements : non-aggression, peaceful settlement of disputes and mutual assistance.

This draft differs from the Rhine Pact of Locarno in several respects :

- (a) It contains no clause guaranteeing the maintenance of the territorial *status quo*.
- (b) It provides for no guarantee by third States.
- (c) It provides for the case of States non-members of the League of Nations being parties to the treaty.
- (d) It contains, with regard to the peaceful settlement of disputes, a certain number of clauses which, in the Locarno Agreements, do not figure in the Rhine Pact, but in annexed Conventions.

(1) States desiring to introduce reservations might insert here two articles based on Article 39 of the General Act. In this case they would require to adapt various articles of the Convention to the existence of reservations, as is done in the General Act.

(2) If the Convention contains reservations, it would be convenient to add : " and the scope of reservations ".

These differences are due, in the model treaty recommended, to the following reasons :

(a) The individual and collective guarantee of the maintenance of the territorial *status quo* would clearly constitute a very important factor of security in the model treaty proposed; but the fact that certain Powers, when negotiating such a treaty, would not feel able to accept such a clause should not, in the Committee's opinion, prevent the negotiations from being successful. For the clause in question is not essential, and it is understood that, being concluded under the auspices of the League of Nations and within the scope of its Covenant, the treaty assumes the full maintenance of the fundamental principle of Article 10 and all other provisions of the Covenant in relation between the contracting parties.

It is therefore quite possible to be content with the three essential factors of the treaty : non-aggression, the peaceful settlement of disputes and mutual assistance. By their close combination, they signify that the contracting parties, renouncing the use of force to back up their claims, will be guided by a respect for legality in their relations with each other, and that whichever of them breaks its engagements will expose itself, apart from the possible application of the collective sanctions provided for in Article 16 of the Covenant, to the particular sanctions organised by the system of mutual assistance provided for in the treaty.

(b) Similarly, while the guarantee of third States can greatly add to the effectiveness of a treaty of mutual assistance, clearly its absence must not constitute an obstacle to the conclusion of the treaty. The Committee has therefore not thought it advisable to include a clause of this nature in the model treaty it recommends. In the event of the contracting parties being able to rely on the guarantee of third States, the details of this guarantee might either figure in the treaty itself, according to the precedent of the Rhine Pact of Locarno, or be dealt with in separate conventions.

(c) The Committee thought it expedient to provide for the case of States non-members of the League of Nations being parties to the treaty. It considers that it has made this possible by inserting the provision of Article 28 under which any non-legal conflict between the parties would, in the event of the failure of conciliation proceedings, be governed by the provisions of Article 17 of the Covenant if one of the parties to the dispute is not a member of the League of Nations.

The Turkish delegation proposed that the Committee should go a step further and omit the exceptions provided for in Article 1, which lays down the obligation of non-aggression, and should stipulate :

(1) That aggression by one of the contracting parties against another contracting party would involve the annulment of the treaty.

(2) That aggression by one of the contracting parties against a third Power would involve release from the obligation of neutrality which should be provided for in a new article of the treaty.

Moreover, the Turkish delegation proposed that it should be stipulated in Article 3 with reference to a violation of Article 1 that, if one of the contracting parties not a member of the League of Nations so requests, the question should not be brought before the Council, but submitted to an international commission of enquiry.

The Committee was of opinion that the problems raised by the Turkish delegation's proposals were too complex for it to be possible to examine them at the present session. Unless the Assembly itself desires to examine them, they might be considered at a subsequent meeting of the Committee on Arbitration and Security.

The Turkish delegation agreed to the proposed adjournment.

(d) The Committee thought it advisable to insert in the model treaty it recommends a certain number of clauses relating to the peaceful settlement of disputes. This does not mean that the parties will not be free to apply among themselves the clauses of wider scope which may have been stipulated in the arbitration conventions they have previously concluded or which they may subsequently conclude; but the Committee desired to indicate that a certain minimum of explicit rules is necessary owing to the interdependence of the elements of non-aggression, of the peaceful settlement of disputes and of mutual assistance.

Since it is assuming obligations in regard to mutual assistance, each of the contracting parties must know that the other parties are accepting sufficiently extensive obligations in regard to the peaceful settlement of disputes.

The draft treaty recommended consists of a preamble and a series of articles. In the Committee's view, these texts are not unalterable. The contracting parties may make any modification they consider useful, provided they respect the interdependence and equilibrium of the three essential factors to which we have referred.

The Committee itself indicates below a certain number of possible departures from the text which it has drawn up.

Preamble : The preamble might be limited to a single paragraph, omitting those which have been borrowed from some of the Locarno Conventions. The Committee thinks,

however, that it would be well to retain these additional paragraphs. They would serve to create that confidence between the contracting parties by which their relations should be governed. They would mark the respect for legality by which the contracting parties would agree to be guided in their relations, and the absence of all chicancry and moral or political pressure.

Article 1. The formula by which "each of the High Contracting Parties undertakes not to... resort to war against another Contracting Party" must, in the opinion of the Committee, be understood to mean that the parties, which undertake by the Treaty of Mutual Assistance to settle all their disputes by forms of pacific procedure, in every case exclude recourse to force in any form whatever, apart from the exceptions formally reserved in the text.

Article 3. It might be possible and desirable in certain cases to add stipulations regarding flagrant aggression. Parties could insert in their Treaty of Mutual Assistance a clause similar to that in paragraph 3, Article 4, of the Rhine Pact of Locarno. This clause reads as follows :

"In case of a flagrant violation of Article 2 of the present Treaty or of a flagrant breach of Articles 42 or 43 of the Treaty of Versailles by one of the High Contracting Parties, each of the other Contracting Parties hereby undertakes immediately to come to the help of the Party against whom such a violation or breach has been directed as soon as the said Power has been able to satisfy itself that this violation constitutes an unprovoked act of aggression and that, by reason either of the crossing of the frontier or of the outbreak of hostilities or of the assembly of armed forces in the demilitarised zone, immediate action is necessary. Nevertheless, the Council of the League of Nations, which will be seized of the question in accordance with the first paragraph of this Article, will issue its findings, and the High Contracting Parties undertake to act in accordance with the recommendations of the Council, provided that they are concurred in by all the members other than the representatives of the Parties which have engaged in hostilities."

The parties might further stipulate that, should the Council prescribe an armistice, they undertake to carry out its conditions. Such a formula would have the twofold advantage of not anticipating any measures that the Council might take in the case of hostilities which had started, and of facilitating the designation of the aggressor, if the Council decided to prescribe an armistice. But this is a difficult point, and the Committee thought it best to make no mention of it in the model treaty.

Subjects which might be dealt with in Special Clauses.

(a) *Reservations.* — The Committee did not think that it should draft a special article providing for the possibility of excluding certain classes of disputes from the procedure for the pacific settlement of disputes. If the contracting parties agreed to insert in their treaty certain reservations, they might be guided by the provisions regarding reservations contained in the General Convention for Judicial Settlement, Arbitration and Conciliation (Convention B). It would be clearly understood, of course, that the undertaking regarding non-aggression contained in Article 1 would in no case be affected by the insertion of provisions of this kind. Even in respect of disputes reserved in this way, the obligation not to resort to force would remain unaffected.

(b) *Preventive and provisional measures.* — The clause inserted in the general provisions with regard to the provisional measures which might be indicated by an international court, or recommended by a Conciliation Commission, could be supplemented by the relevant provisions of the model treaty to strengthen the means of preventing war.

(c) *Re-establishment of peace after an aggression.* — The Committee had to consider, in pursuance of the proposal made by some of its members, whether the model Treaty of Mutual Assistance should not include stipulations concerning the action to be taken by the Council in connection with the cessation of mutual assistance, the re-establishment of normal relations and the reparations to be claimed from the aggressor.

After consideration, the Committee decided that it would not be expedient to insert such detailed provisions. It would always be open to the parties, should they so desire, to extend their particular treaty by the inclusion of clauses of this kind.

(d) *Establishment of demilitarised zones.* — The establishment of demilitarised zones, as long experience has shown—in particular the naval demilitarisation of the Great Lakes of North America or of the frontier between Norway and Sweden—tends to give nations a feeling of greater security. However, this is not always the case. Here, again, all depends on circumstances. If the contracting parties or certain of them wished to establish such zones along their frontiers, they could do so by separate conventions.

(e) *Accession of third States.* — The Committee decided not to insert a clause stipulating that collective treaties of mutual assistance should remain open for the accession of third States. Such accessions are only conceivable with the consent of the contracting parties.

(f) *Co-ordination of Treaties of Mutual Assistance with the Covenant of the League of Nations and any separate agreements which the contracting parties may have concluded previously.* — The Committee considers that the provisions of the draft harmonise with those of the League Covenant. The parties will have to see that no clauses are introduced the application of which would conflict with the operation of the Covenant. Otherwise they will risk weakening the general guarantee given to Members of the League by Article 16 of the Covenant.

In any case, the parties will do well to retain in their treaty the clause by which they reserve their rights and obligations as Members of the League of Nations.

The parties will also have to co-ordinate with the Treaty of Mutual Assistance any separate agreements which they may have concluded previously.

(g) *Duration of Treaties of Mutual Assistance.* — The Committee did not feel called upon to decide between the various systems which could be adopted with regard to the duration of the treaty. It had in mind three main systems: the first, on the lines of the Rhine Pact of Locarno, without indication as to duration, but expiring as a result of a decision by the Council; the second, providing for a duration of ten or twenty years with the possibility of denunciation at the end of these periods after one year's notice, or, failing denunciation, renewal of the treaty by tacit consent for a similar period; the third system would be a combination of the other two; it would provide for a short trial period after which the parties could free themselves from their contract subject to one year's notice. If not denounced, the treaty would remain in force indefinitely, but it might be brought to an end by a decision of the Council.

The Committee has felt that none of these systems could be definitely selected without going very deeply into the question—a course which it has been impossible to follow.

(h) *Aggression by a third State.* — The Committee has not felt called upon to refer to the mutual assistance to be afforded by contracting parties in the case of aggression by third States. The discussion showed that some States held that such a guarantee is necessary in view of certain definite contingencies, particularly where certain other States refuse to conclude with them a collective treaty, including non-aggression, the pacific settlement of disputes and mutual assistance. On the other hand, it may be held that it is not for the League of Nations, whose object it is to promote, sincere cooperation between all its Members with a view to maintaining and consolidating peace, to recommend in a treaty of its own framing provisions which might lead to the formation of rival groups of nations. In this connection, it has been pointed out in the course of discussion that treaties of mutual assistance will be the more valuable and will more certainly merit the support of the League of Nations if they are, in accordance with the precedent of the Rhine Pact of Locarno, concluded between States which only a short time ago belonged to rival groups, or States whose differences might endanger the peace of the world.

It is equally clear that the contracting parties could not in any case afford any assistance to a third State which ventured to attack one of them in violation of the Covenant of the League of Nations. The insertion of a special clause to this effect is useless, since it cannot be presumed that a Power which agrees to become party to a treaty of security would be disloyal to any of its co-signatories. It would even be dangerous to insert such a clause, for it might well weaken the force of Articles 16 and 17 of the Covenant; the undertaking not to afford assistance to a third aggressor State would not, for States Members of the League of Nations, be an adequate commitment. The Covenant provides, not for negative, but for positive action against any State resorting to war in violation of the engagements subscribed to in Articles 12, 13 and 15.

(i) *Linking-up of Treaties of Mutual Assistance with disarmament.* — As pointed out above in the paragraph which deals with the duration of treaties of mutual assistance, the latter are calculated to facilitate the successful issue of a general Conference on the Reduction and Limitation of Armaments. The Committee on Security, not unmindful of the fact that it owes its origin to a 1927 Assembly resolution on the question of disarmament, feels bound to lay special stress on this consideration, which has influenced all its deliberations. But it would be premature, at the present juncture, to attempt to define the connection which should exist between treaties of mutual assistance and the limitation and reduction of armaments.

(j) *Recommendation with a view to the conclusion of collective Treaties of Mutual Assistance.* — Conceived as they are in the spirit of the League and therefore meriting the League's full support, the conclusion of collective Treaties of Mutual Assistance should, in the opinion of the Committee, be facilitated if necessary. The Committee therefore proposes to recommend a draft resolution defining the conditions under which the Council of the

League might, in this connection, lend its good offices. In these cases, the Council's task would obviously be a very delicate one, but we may be sure that it would, as ever, act with the greatest prudence and that, if it took action in such a matter, it would be likely to prove successful.

The conclusion of a collective Treaty of Mutual Assistance, as conceived by the Committee, naturally presupposes political preparation and endeavours to bring about a better understanding between the countries destined to conclude reciprocal agreements.

II. MODELS OF COLLECTIVE AND BILATERAL TREATIES OF NON-AGGRESSION.

States anxious to obtain better guarantees of security but unwilling for some reason or another to bind themselves by a treaty of mutual assistance will find various model treaties under which they can enter into obligations with other States as regards non-aggression and the pacific settlement of disputes only. The provisions of these treaties on these two latter points are the same as those embodied in the draft collective treaty of mutual assistance.

MODEL TREATIES.

COLLECTIVE TREATY OF MUTUAL ASSISTANCE.

(Treaty D.)

(List of Heads of States.)

.....
Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals;

Recognising that the rights of the several States cannot be modified except with their consent;

Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all disputes;

Desirous of establishing on a firm basis relations of frank co-operation between their respective countries and of securing additional guarantees for peace within the framework of the Covenant of the League of Nations:

Have resolved to conclude a Treaty for these purposes and have appointed as their plenipotentiaries:

.....
who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

CHAPTER I. — NON-AGGRESSION AND MUTUAL ASSISTANCE.

Article 1.

Each of the High Contracting Parties undertakes, in regard to each of the other Parties not to attack or invade the territory of another Contracting Party, and in no case to resort to war against another Contracting Party.

This stipulation shall not, however, apply in the case of:

(1) The exercise of the right of legitimate defence — that is to say, resistance to a violation of the undertaking contained in the first paragraph;

(2) Action in pursuance of Article 16 of the Covenant of the League of Nations;

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

Article 2.

Each of the High Contracting Parties undertakes, in regard to each of the others, to submit to a procedure of pacific settlement, in the manner provided for in the present Treaty, all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

Article 3.

Should any one of the High Contracting Parties consider that a violation of Article 1 of the present Treaty has taken place or is taking place, it shall immediately bring the question before the Council of the League of Nations.

As soon as the Council of the League of Nations has ascertained that such a violation has taken place, it shall at once advise the Powers which have signed the present Treaty, and each of these Powers undertakes in such a case to give assistance forthwith to the Power against which the act complained of has been directed.

Article 4.

1. Should one of the High Contracting Parties refuse to accept the methods of pacific settlement provided for in the present Treaty or to execute an arbitral award or judicial decision and be guilty of a violation of Article 1 of the present Treaty, the provisions of Article 3 shall apply.

2. Should one of the High Contracting Parties, without being guilty of a violation of Article 1 of the present Treaty, refuse to accept the methods of pacific settlement or to execute an arbitral award or judicial decision, the other party shall inform the Council of the League of Nations, which shall propose the methods to be adopted; the High Contracting Parties shall accept these proposals.

CHAPTER II. — PACIFIC SETTLEMENT OF DISPUTES.

Article 5.

1. The following provisions shall apply to the settlement of disputes between the parties, subject to any wider undertakings which may result from other agreements between them.

2. The said provisions do not apply to disputes arising out of facts prior to the present Treaty and belonging to the past.

Article 6.

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.

2. Nevertheless, if these conventions only provide for a procedure of conciliation, after this procedure has been employed without result, the provisions of the present Treaty concerning judicial or arbitral settlement shall be applied in so far as the disputes are of a legal nature.

Section I. — Judicial or Arbitral Settlement.

Article 7.

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

Article 8.

If the parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

Article 9.

If the parties fail to agree concerning the special agreement referred to in the preceding article or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

Article 10.

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

Article 11.

1. In the case of the disputes mentioned in Article 7, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Treaty.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 8 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

Section II. — Conciliation.

Article 12.

All disputes the settlement of which cannot, under the terms of the present Treaty, be attained by means of a judicial or arbitral award, shall be submitted to a procedure of conciliation.

Article 13.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

Article 14.

On a request being sent by one of the contracting parties to another party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 15.

Unless the parties concerned agree otherwise the Conciliation Commission shall be constituted as follows:

(1) The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties concerned. The parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 16.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 17.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 14 and 16, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, by the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If within a period of three months these two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 18.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

Article 19.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which it received the notification.

Article 20.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations or at some other place selected by the President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 21.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 22.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 23.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 24.

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information as well as to use the means at their disposal to allow it to proceed in their territory and, in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 25.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 26.

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

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

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

Article 27.

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

Article 28.

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

CHAPTER III. — GENERAL PROVISIONS

Article 29.

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

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

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

Article 30.

Should a dispute arise between more than two High Contracting Parties, the following rules shall be observed for the application of the forms of procedure laid down in the foregoing provisions:

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

In the former case, the parties shall each appoint one commissioner and shall jointly appoint commissioners, nationals of third Powers not parties to the dispute, whose number shall always exceed by one the number of commissioners appointed separately by the parties.

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

In either event the parties, unless they agree otherwise, shall apply Article 16 and the following articles of the present Treaty so far as they are compatible with the provisions of the present Article.

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

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

Article 31.

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

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

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal, a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings : but if it uses this right, the construction given by the decision will be binding upon it.

Article 32.

Disputes relating to the interpretation or application of the present Treaty, including those concerning the classification of disputes, shall be submitted to the Permanent Court of International Justice.

Article 33.

The present Treaty, which is intended to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 34.

1. The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations. The Secretary-General shall be requested to transmit certified true copies to each of the High Contracting Parties.

2. The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.

3. It shall come into force as soon as all the ratifications have been deposited.

4. It shall be registered at the League of Nations by the Secretary-General, who shall be requested to notify the fact to all States Members and non-members of the League.

Article 35 (Duration of Treaty).

The present Treaty shall be concluded for a period of..... years as from its entry into force.

Notwithstanding that the Treaty ceases to be in force, all proceedings which at that moment have been commenced shall be pursued until they reach their normal conclusion.

(As regards the duration of the Treaty, the Assembly did not consider it its duty to decide between the various possible systems. It recommends three principal systems :

(The first, on the model of the Locarno-Rhine Pact, not specifying any period, but providing for expiry in virtue of a decision taken by the Council;

(The second, providing for a limited period of ten or twenty years, with the possibility of denunciation on the expiry of that period, subject to one year's notice, or, failing denunciation, the renewal of the Treaty by tacit agreement for the same period;

(The third system would be a mixed system providing for a short trial period, on the expiry of which the parties might withdraw, subject to one year's notice; failing denunciation, the Treaty would be for an indefinite period, with the possibility of termination in virtue of a decision taken by the Council.)

IN FAITH WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty.

DONE at..... on

COLLECTIVE TREATY OF NON-AGGRESSION

(Treaty E.)

(List of Heads of States.)

.....
Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals;

Recognising that the rights of the several States cannot be modified except with their consent;

Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all disputes;

Desirous of establishing on a firm basis relations of frank co-operation between their respective countries and of securing additional guarantees for peace within the framework of the Covenant of the League of Nations :

Have resolved to conclude a Treaty for these purposes and have appointed as their plenipotentiaries :

.....
who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

CHAPTER I. — NON-AGGRESSION

Article 1.

Each of the High Contracting Parties undertakes, in regard to each of the other Parties, not to attack or invade the territory of another Contracting Party, and in no case to resort to war against another Contracting Party.

This stipulation shall not, however, apply in the case of :

(1) The exercise of the right of legitimate defence — that is to say, resistance to a violation of the undertaking contained in the first paragraph;

(2) Action in pursuance of Article 16 of the Covenant of the League of Nations;

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

Article 2.

Each of the High Contracting Parties undertakes, in regard to each of the others, to submit to a procedure of pacific settlement, in the manner provided for in the present

Treaty, all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

Article 3.

Should any one of the High Contracting Parties consider that a violation of Article 1 of the present Treaty has taken place or is taking place, it shall immediately bring the question before the Council of the League of Nations.

CHAPTER II. — PACIFIC SETTLEMENT OF DISPUTES.

Article 4.

1. The following provisions shall apply to the settlement of disputes between the parties, subject to any wider undertakings which may result from other agreements between them.

2. The said provisions do not apply to disputes arising out of facts prior to the present Treaty and belonging to the past.

Article 5.

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.

2. Nevertheless, if these conventions only provide for a procedure of conciliation, after this procedure has been employed without result, the provisions of the present Treaty concerning judicial or arbitral settlement shall be applied in so far as the disputes are of a legal nature.

Section I. — Judicial or Arbitral Settlement.

Article 6.

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

Article 7.

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

Article 8.

If the parties fail to agree concerning the special agreement referred to in the preceding article or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

Article 9.

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

Article 10.

1. In the case of the disputes mentioned in Article 6, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Treaty.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 7 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

Section II. — Conciliation.

Article 11.

All disputes the settlement of which cannot, under the terms of the present Treaty, be attained by means of a judicial or arbitral award shall be submitted to a procedure of conciliation.

Article 12.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

Article 13.

On a request being sent by one of the contracting parties to another party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 14.

Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows :

(1) The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties concerned. The parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 15.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties to the dispute is in existence, a special commission, shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article unless the parties decide otherwise.

Article 16.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 13 and 15, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, by the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If within a period of three months these two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 17.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

Article 18.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this shall immediately inform the other party; the latter shall in that case be entitled to take similar action within fifteen days from the date on which the notification reaches it.

Article 19.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations or at some other place selected by the President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 20.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 21.

1. In the absence of any agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 22.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 23.

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information as well as to use the means at their disposal to allow it to proceed in their territory and, in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

Article 24.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 25.

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

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

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

Article 26.

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

Article 27.

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15 of the Covenant of the League of Nations. This present provision shall not apply in the case provided for in Article 10.

CHAPTER III. — GENERAL PROVISIONS

Article 28.

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

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

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

Article 29.

Should a dispute arise between more than two High Contracting Parties, the following rules shall be observed for the application of the forms of procedure laid down in the foregoing provisions :

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

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

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

In either event, the parties, unless they agree otherwise, shall apply Article 15 and the following articles of the present Treaty so far as they are compatible with the provisions of the present article.

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

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

Article 30.

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

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

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings : but if it uses this right, the construction given by the decision will be binding upon it.

Article 31.

Disputes relating to the interpretation or application of the present Treaty, including those concerning the classification of disputes, shall be submitted to the Permanent Court of International Justice.

Article 32.

The present Treaty, which is intended to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 33.

1. The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations. The Secretary-General shall be requested to transmit certified true copies to each of the High Contracting Parties.

2. The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.

3. It shall come into force as soon as all the ratifications have been deposited.

4. It shall be registered at the League of Nations by the Secretary-General, who shall be requested to notify the fact to all States Members and non-members of the League.

Article 34 (Duration of Treaty).

The present Treaty shall be concluded for a period of years as from its entry into force.

Notwithstanding that the Treaty ceases to be in force, all proceedings which at that moment have been commenced shall be pursued until they reach their normal conclusion.

(As regards the duration of the Treaty, the Assembly did not consider it its duty to decide between the various possible systems. It recommends three principal systems :

(The first, on the model of the Locarno-Rhine Pact, not specifying any period, but providing for expiry in virtue of a decision taken by the Council;

(The second, providing for a limited period of ten or twenty years, with the possibility of denunciation on the expiry of that period, subject to one year's notice, or, failing denunciation, the renewal of the Treaty by tacit agreement for the same period;

(The third system would be a mixed system providing for a short trial period, on the expiry of which the parties might withdraw, subject to one year's notice; failing denunciation, the Treaty would be for an indefinite period, with possibility of termination in virtue of a decision taken by the Council.)

Article 35.

As from the present Treaty may be acceded to in the name of any Member of the League of Nations or of any non-Member State adjacent to or in the neighbourhood of the signatory or acceding States.

The instruments of accession shall be forwarded to the Secretary-General of the League of Nations, who shall notify receipt thereof to all the Members of the League of Nations, and to the High Contracting Parties non-members of the League.

IN FAITH WHEREOF, the above-mentioned Plenipotentiaries have signed the present Treaty.

DONE at..... on

BILATERAL TREATY OF NON-AGGRESSION

(Treaty F).

(List of Heads of States.)

.
Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals ;

Recognising that the rights of the several States cannot be modified except with their own consent;

Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all international disputes;

Desirous of establishing on a firm basis relations of frank co-operation between their respective countries, and of securing additional guarantees of peace within the framework of the Covenant of the League of Nations :

Have resolved to conclude a Treaty for these purposes and have appointed as their plenipotentiaries;

.
who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

CHAPTER I. — NON-AGGRESSION.

Article 1.

The High Contracting Parties mutually undertake that they will in no case attack or invade each other or resort to war against each other.

This stipulation shall not, however, apply in the case of :

(1) The exercise of the right of legitimate defence, that is to say, resistance to a violation of the undertaking contained in the previous paragraph;

(2) Action in pursuance of Article 16 of the Covenant of the League of Nations :

(3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations, or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

Article 2.

The High Contracting Parties undertake to settle by peaceful means and in the manner laid down in the present Treaty all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

Article 3.

Should any one of the High Contracting Parties consider that a violation of Article 1 of the present Treaty has taken place or is taking place, it shall immediately bring the question before the Council of the League of Nations.

CHAPTER II. — PACIFIC SETTLEMENT OF DISPUTES.

Article 4.

1. The following provisions shall apply to the settlement of disputes between the parties subject to any wider undertakings which may result from other agreements between them.

2. The said provisions do not apply to dispute arising out of facts prior to the present Treaty and belonging to the past.

Article 5.

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.

2. Nevertheless, if these conventions only provide for a procedure of conciliation, after this procedure has been employed without result, the provisions of the present Treaty concerning judicial or arbitral settlement shall be applied in so far as the disputes are of a legal nature.

Section I. — Judicial or Arbitral Settlement.

Article 6.

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal. It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

Article 7.

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

Article 8.

If the parties fail to agree concerning the special agreement referred to in the preceding article or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

Article 9.

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or any other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial or arbitral sentence award shall grant the injured party equitable satisfaction.

Article 10.

1. In the case of the disputes mentioned in Article 6, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Treaty.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 7 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

Section II. — Conciliation.

Article 11.

All disputes the settlement of which cannot, under the terms of the present Treaty, be attained by means of a judicial or arbitral award shall be submitted to a procedure of conciliation.

Article 12.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

Article 13.

On a request being sent by one of the contracting parties to another party, a permanent Conciliation Commission shall be constituted within a period of six months.

Article 14.

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

(1) The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties concerned. The parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace the commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

Article 15.

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

Article 16.

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 13 and 15, the making of the necessary appointment shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, by the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

Article 17.

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

Article 18.

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which it received the notification.

Article 19.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations or at some place selected by the President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

Article 20.

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

Article 21.

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission for its part shall be entitled to request oral explanations from the agents, counsel and experts of the parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

Article 22.

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

Article 23.

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts, and to visit the localities in question.

Article 24.

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

Article 25.

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

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

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

Article 26.

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

Article 27.

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15 ⁽¹⁾ of the Covenant of the League of Nations. This present provision shall not apply in the case provided for in Article 10.

CHAPTER III. — GENERAL PROVISIONS.

Article 28.

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

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

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

Article 29.

1. The present Treaty shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.

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

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings: but if it uses this right, the construction given by the decision will be binding upon it.

⁽¹⁾ Should the Convention be concluded between a Member of the League of Nations and a non-Member State, the reference to Article 15 should be replaced by a reference to Article 17.

Article 30.

Disputes relating to the interpretation or application of the present Treaty, including those concerning the classification of disputes, shall be submitted to the Permanent Court of International Justice.

Article 31.

The present Treaty, which is intended to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 32.

The present Treaty shall be ratified and the exchange of ratifications shall take place at

It shall be registered at the Secretariat of the League of Nations.

Article 33 (Duration of Treaty).

The present Treaty shall be concluded for a period of years dating from the exchange of ratifications.

Notwithstanding that the Treaty ceases to be in force, all proceedings which at that moment have been commenced shall be pursued until they reach their normal conclusion.

(As regards the duration of the Treaty, the Assembly did not consider it its duty to decide between the various possible systems. It recommends three principal systems :

(The first, on the model of the Locarno-Rhine Pact, not specifying any period, but providing for expiry in virtue of a decision taken by the Council;

(The second, providing for a limited period of ten or twenty years, with the possibility of denunciation on the expiry of that period, subject to one year's notice or, failing denunciation, the renewal of the Treaty by tacit agreement for the same period;

(The third system would be a mixed system, providing for a short trial period, on the expiry of which the parties might withdraw, subject to one year's notice; failing denunciation, the Treaty would be for an indefinite period, with the possibility of termination in virtue of a decision taken by the Council).

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Treaty.

DONE at on

MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

Vol. VIII. No. 10.

Published on November 15th, 1928.

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I. — Summary of the Month.

OCTOBER 1928

October was almost entirely devoted to the work of the Economic and Health Organisations.

A number of important economic questions were considered at meetings which marked either the beginning of a new phase of League work or, as the case might be, the conclusion of a long series of investigations and studies. The Economic Committee sat for a week, pursuing its investigation of certain aspects of commercial policy such as the most-favoured-nation clause, industrial understandings, the reduction of tariffs etc., and initiating its enquiries on new subjects relating to the coal and sugar problems etc. This session was preceded by a meeting of experts on customs nomenclature.

The Conference of Government Experts on Double Taxation and Tax Evasion, which brought together experts from twenty-eight countries, sat for nine days drawing up six draft conventions on the prevention of double taxation and

assistance in the assessment and recovery of taxes and making arrangements for the creation of a standing League Committee on taxation questions.

In the field of public health, the principal subjects studied were the treatment of syphilis and anti-tuberculosis vaccination. The plenary Health Committee also met and traced its programme for the coming year.

The Permanent Mandates Commission met towards the end of the month and was still in session at the beginning of November. It examined reports on Iraq, British Cameroons and Togoland, South West Africa, Western Samoa, Ruanda Urundi and the Pacific Islands under Japanese mandate.

The Persian Government forwarded to the League its communication to the United States accepting the Pact for the Renunciation of War as an Instrument of National Policy, giving its views as to the compatibility of the Pact with the Covenant and with Persia's international position.

The American Government, replying to the Council's invitation to participate in the appointment of the Permanent Central Opium Board, regretted its inability to do so on account of its views as regards the Geneva Convention, but expressed its readiness to furnish information required by the Board.

The Permanent Court of International Justice was convened for an extraordinary session beginning November 12th, 1928, which will be devoted to the case of certain Serbian loans issued in France.

II. — Arbitration, Security, Reduction of Armaments.

GENERAL PACT FOR THE RENUNCIATION OF WAR LETTER FROM THE PERSIAN GOVERNMENT

The Note (Teheran, October 3rd, 1928) addressed by the Persian Government to the American Chargé d'Affaires, concerning the accession of Persia to the Pact for the Renunciation of War as an Instrument of National Policy has been communicated by the Persian Government to the Secretary-General, and by him transmitted for information to the Members of the League.

The note contains the following passage :

My Government, considering that the multilateral treaty signed at Paris is in harmony with its consistently peaceful policy and with the obligations imposed by the Covenant of the League of Nations on its Members; being convinced, moreover, that the text of the treaty does not affect its right to legitimate self-defence; considering, further, that the reservations made by certain Powers can in no case and at no time lay Persia under any obligation to recognise any possible claims of a nature to infringe her territorial or maritime rights and possessions, gives its cordial accession to the international Pact for the outlawry of war.

III. — Legal and Constitutional Questions.

INTERNATIONAL ENGAGEMENTS

Registration of Treaties.

Among the treaties registered in September and October figure :

An agreement between Austria and Poland (Vienna, February 24th, 1928) relating to the execution of the final paragraph of Article 266 and of Article 273 of the Treaty of St. Germain, presented by Poland;

An exchange of notes (London, January 4th and February 23rd, 1927) between the United States of America and Great Britain and Northern Ireland relating to the reciprocal raising of the sequestration of property effected in virtue of the laws on trade with the enemy, presented by Great Britain;

A provisional commercial Convention (Kaunas, August 16th, 1928) between Lithuania and the Economic Union of Belgium and Luxemburg, presented by Belgium;

An exchange of notes (Angora, September 24th, 1928) constituting a provisional commercial agreement between Sweden and Turkey, presented by Sweden;

An exchange of notes (Teheran, June 20th, 1928) constituting a provisional settlement of the friendly and commercial relations between the Netherlands and Persia, presented by the Netherlands;

Provisional agreements regulating the general relations between France and Persia, Denmark and Persia, and Sweden and Persia, presented by France, Denmark and Sweden respectively;

Exchanges of notes constituting agreements for the suppression of the passport visa between Austria and Japan, and Finland and Czechoslovakia, presented by Austria and Finland respectively;

An agreement (Madrid, November 28th, 1927) between Spain and Italy, regulating the system of taxation for companies, presented by Italy;

A Convention (Berlin, April 25th, 1928) between Germany and Sweden for the apportionment of taxation and, in particular, for the prevention of double taxation in matters of direct taxation, presented by Sweden.

IV. — The Technical Organisations.

1. — THE HEALTH ORGANISATION

a) *Thirteenth Session of the Health Committee.*

The thirteenth session of the Health Committee was held at Geneva from October 25th to October 31st. The Committee examined the work of the Health Organisation since its last session (April 1928) and laid down the lines on which this work was to proceed in the coming year.

In this connection the report of the Medical Director on the work of the organisation was examined in the light of the resolutions of the Assembly and the decisions of the Council.

Another point on the agenda—collaboration with Latin America—concerned the participation of Latin American countries in the enquiry into infantile mortality, the relations between health insurance societies and public health administrations the leprosy enquiry, interchanges, epidemiological statistics, as well as the organisation of institutes for training public health officers in Latin America under the auspices of the Health Organisation.

The agenda also included the reports of various Commissions and Conferences that had met on the initiative of the Committee since its last session, such as the Malaria Commission, the Conference of Health Experts on Child Welfare, the Smallpox and Vaccination Commission, the Cancer Commission, the Copenhagen Laboratory Conference on the sero-diagnosis of syphilis, and the Technical Conference on Anti-Tuberculosis Vaccination by Calmette-Guérin bacilli.

The present situation in Greece and certain other Mediterranean countries with regard to the recent epidemic of dengue, or breakbone fever, was also discussed.

The members of the Health Committee are :

President : Dr. Th. Madsen (Danish).

Vice-President : M. O. Velghe (Belgian).

Vice-Presidents (elected for 1928) : Dr. G. Araoz Alfaro (Argentine), Dr. H. Carrière (Swiss).

Members : Professor Léon Bernard (French), Sir George Buchanan (British), Professor J. Cantacuzene (Roumanian), Dr. Carlos Chagas (Brazilian), Dr. Witwold Chodzko (Polish), Surgeon General H. S. Cumming (American), Dr. J. H. L. Cumpston (Australian), Colonel J. D. Graham (British), Dr. C. Hamel (German), Dr. Alice Hamilton (American), Dr. N. M. J. Jitta (Dutch), Professor Ricardo Jorge (Portuguese), Dr. A. Lutrario (Italian), Professor D. Nocht (German), Professor Donato Ottolenghi (Italian), Professor Gustavo Pittaluga (Spanish), Dr. L. Raynaud (French), Dr. M. Tsurumi (Japanese), Dr. C. E. A. Winslow (American).

A full account of the proceedings will be published next month.

b) Meeting of Experts on Syphilis and Cognate Subjects.

A Committee of experts met at Geneva from October 8th to 10th, to prepare a plan for the study of modern methods of treating syphilis.

After noting the preliminary discussions that took place in Copenhagen in June and the written suggestions made by the experts, the Committee adopted its agenda, which comprised the following points :

1. Variations in the prevalence of syphilis; methods of determining the underlying causes.

2. *Prevention of syphilis :* comparative study of the experience gained by the Public Health agencies concerned in various countries. Proposed plan of enquiry into the effectiveness of the treatment of syphilis in selected clinics and dispensaries of several countries.

3. *Miscellaneous :* Methods of teaching medical students the modern treatment of syphilis in the Medical Schools. Standardisation of drugs used in the treatment of syphilis (work of Permanent Standards Commission). Other proposals by the experts.

I. — ENQUIRY INTO SYPHILIS TREATMENT

The experts were struck by the fact that, in the fight against syphilis, the results obtained were not such as the almost universally recognised progress of syphilis therapy would give reason to expect.

The explanation which suggested itself was that new discoveries in the matter of syphilis diagnosis and therapy had not been exploited everywhere in the right-way and with such promptness as would be desirable, and that uniform generally recognised method of treatment did not yet exist.

The experts therefore considered whether a statistical compilation regarding the various methods of treatment in clinics, dispensaries, etc., would not enable a better general idea to be gained of the efficacy of these methods.

In their opinion the material available at individual clinics was sufficient for study, but had usually been treated by one or at most, a very few methods. They considered that an attempt must therefore be made to bring together as much material as possible from different clinics in different countries, to enable the various methods to be compared on the broadest possible basis.

In this connection it appeared desirable to keep in view the two purposes to which every treatment of syphilis should be directed, namely, the suppression of contagiousness as quickly and as effectively as possible, and the protection of the patient from the severe late effects of syphilis.

The experts recommended that the work be organised on the following lines. The material from the various clinics which are ready to participate would be sent to the Health Section acting as central bureau of this enquiry on cards relating to individual patients ("individual case record"). On the basis of the material thus received, the bureau would then have to work up the various questions which arise in connection with the treatment of syphilis and its results. For this purpose, a large number of cards giving as accurate particulars as possible will be required.

Directors of clinics would be requested to work up their cases for a given period of years to be determined by them, and would include all cases of syphilis which had been under observation in their clinic for more than six months and all the older cases for which adequate medical histories were available. Beyond this, however, no further selection of cases would be made.

In addition to the cards, which would be filled in under his supervision, the Director of each institute would be asked to prepare a general statement of the principles applied or of the various principles applied at different times.

Apart from this retrospective statistical compilation, the experts considered that those clinics which were prepared to place their material at the disposal of the Health Organisation in this form, should start, at a given date, recording all newly arriving cases of (fresh or old) syphilis on the lines of these individual cards, in order that, a few years hence, they might be in possession of records which would lend themselves without further ado to these statistical uses.

It would be desirable, that in the larger centres the agencies concerned with this matter, for instance, insurance funds, private institutions and dispensaries, should co-operate for the purposes of this investigation.

II. — PROPERTIES OF DRUGS USED IN TREATMENT OF SYPHILIS

The Committee considered it highly regrettable that bismuth preparations which did not correspond to the manufacturers' indications should be placed on the market in various countries. It suggested that the practice already adopted by certain countries of official chemical testing of bismuth preparations should be made widely known, perhaps through the machinery of the Health Organisation and that the sanitary administrations of countries following this practice might communicate periodically the results of their observations to the League Secretariat. In the view of the Committee the national studies on the biological and chemical composition of various bismuth compounds will have to be continued in the different countries before the question of an international co-ordination of any such studies is taken into consideration.

III. — METHODS OF TEACHING THE MODERN TREATMENT OF SYPHILIS

The Committee considered that, in view of the prophylactic importance of modern methods for the diagnosis and treatment of syphilis, no national plan of preventive measures against syphilis was complete that did not provide for the theoretical and practical training of medical students in syphilology, followed by the sanction of official examination.

In the view of the Committee the authorities should also facilitate in every way continuation courses in syphilology for general practitioners and medical officers.

IV. — VARIATIONS IN THE PREVALENCE OF SYPHILIS

In view of the complexity of this question, the experts decided to adjourn discussion on this point to a later date.

The meeting was attended by :

Professor Jadassohn, Director of the University Skin Clinic, Breslau (Chairman);

Dr. Th. Madsen, Director of the State Serum Institute, Copenhagen;

Colonel L. W. Harrison, of the British Ministry of Health, London;

Dr. Louis Queyrat, President of the Ligue nationale française contre le Péril vénérien, Paris;

Dr. J. H. Stokes, Professor of Dermatology and Syphilology, School of Medicine, University of Pennsylvania, Philadelphia. Chairman of the Scientific Committee on Research in Syphilis, New York;

Professor C. Rasch, Director of the State Hospital, Copenhagen, was unable to attend.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *Twenty-sixth Session of the Economic Committee.*

International commercial policy, the most-favoured-nation clause, industrial cartels, collective action for the reduction of tariffs (for example, on aluminium and cement), enquiries as regards coal and sugar, and the contraband trade in alcohol, were amongst the subjects considered at the twenty-sixth session of the Economic Committee which was held from October 23rd to 30th.

The session, presided over by M. Serruys, opened with a statement that the Assembly had approved the methods of work of the Committee and referred to it further subjects for consideration.

I. — COMMERCIAL POLICY

Most-favoured-nation treatment. — The Economic Committee continued its examination of this question and determined the principles which should be recognised in regard to the sphere of application of the clause, the details of its application, the exceptions of which the clause normally admits and the effect on undertakings resulting from collective agreements on the obligations which the clause involved.

At its next session the Committee will study a general report laying down uniform rules and principles on the subject.

II. — INTERNATIONAL INDUSTRIAL UNDERTAKINGS

The Assembly had recommended that the Economic Organisation should expedite the study of various aspects of the problem of international industrial undertakings. The Committee accordingly requested each of its members to forward as soon as possible :

1. A list of the international undertakings to which he knows the industries of his country to be parties;
2. A memorandum on the views prevailing in his country with regard to such undertakings.

Once this material has been collected, the Committee will have it examined by one or more specialists in order to obtain the most authoritative opinions as to the subsequent course of its enquiry.

III. — COLLECTIVE ACTION WITH A VIEW TO REDUCTION OF TARIFFS

The Consultative Committee and the Assembly having approved the methods proposed by the Economic Committee concerning collective action by states with a view to the reduction of tariffs, the Committee began a study of measures for the abolition or reduction of tariffs relating to aluminium and cement.

(a) *Aluminium.* — The German Government had asked the Governments of the chief producing countries whether they would consider concerted action to abolish or reduce duties on crude aluminium.

The Committee observed that, although certain countries were in favour of this proposal, others showed little inclination to consider it. Others, again, did not regard it as a matter of urgency so soon after the renewal of an industrial agreement between the European producers; and all countries were of opinion that concerted action would have little value if limited solely to the customs aspect

of the question or, more particularly, if it did not embrace all the producing countries of the world.

Accordingly, the Committee decided to postpone this study, while awaiting further information on the subject.

(b) *Cement*. — As regards cement, the Committee considered, on the contrary, that concerted action would be useful in view of the enormous disparity between tariffs, and that it would have good prospects of success.

It requested its members and the Secretariat to ascertain whether the chief countries concerned would be willing to attend a preliminary meeting at which the principles and methods of concerted action in relation to cement tariffs would be studied.

IV. — COAL AND SUGAR

The problems of coal and sugar, which were referred by the Assembly to the Economic Committee in pursuance of a resolution of the Consultative Committee, possess many aspects besides that of tariffs. The Economic Committee had already collected material on the subject, and at this meeting took measures for this material to be completed.

(a) *Coal*. — The Committee requested a delegation composed of M. Serruys, M. Trendelenburg, Sir Sidney Chapman, M. Di Nola and M. Dolezal to undertake a preliminary technical and economic consultation of coal experts in order to verify and extend the material and to note any useful suggestions as to the direction in which the future enquiries and studies of the Committee should proceed.

In accordance with a well-established tradition, to which the Committee attached the greatest importance, it was understood that the members conducting the enquiry should act as the deputies of the Committee and should represent its principles and not the particular standpoints of the industry of their countries.

The delegation will consult, authorised experts belonging both to consuming and producing countries, drawn from Austria, Belgium, Czechoslovakia, France, Germany, Great Britain, Italy, Poland, Spain and Sweden. It will collect information on the relation between the coal industry and other sources of energy; the question whether the causes of the lack of balance between output, capacity and demand are temporary or likely to be permanent; the effects of government action on the production, use and distribution of coal; the effects on the use and sale of coal and the principles of control adopted in certain countries, or coal districts.

(b) *Sugar*. — The Committee examined the material supplied on this subject by its members and by the Cuba and Java sugar producers. The Cuban Government notified its decision to abandon all control of sugar production and suggested that the League submit the whole problem to a conference.

M. Nederbragt (Netherlands), corresponding member of the Committee, stated that his Government was prepared to take part in an investigation of the sugar problem by the League.

In view of the somewhat complicated problems involved and their relations with agricultural and industrial considerations, the Committee did not feel able to proceed at once to technical consultations similar to those undertaken in regard to coal. It considered that it should request certain persons who were recognised authorities on sugar statistics to verify and collate the information already collected, and also to submit further data in regard to some questions concerning the sugar trade as a whole, so that the Committee might be better equipped for a subsequent consultation with experts.

V. — CONTRABAND TRADE IN ALCOHOL

A new question referred to the Committee by the Assembly concerned the contraband trade and, more particularly, the trade in connection with alcohol.

After noting the material collected, the Committee considered that, with a view to subsequent investigations, the Governments of the countries which had laid the proposal before the Assembly should be asked for further particulars as to the scope of the problem engaging their attention.

VI. — CUSTOMS NOMENCLATURE

The Committee noted that the work of the experts on customs nomenclature was progressing satisfactorily (see special chapter).

VII. — ADMINISTRATIVE PROTECTION

In regard to the question of administrative protection the Committee noted two memoranda submitted by M. Trendelenburg and Mr. Eastman.

Owing to the complexity of the question, the Committee confined itself to determining the procedure to be followed. It invited its members to submit in writing their observations on the documents laid before them with a view to verifying or supplementing them.

On the basis of these observations, a Sub-Committee consisting of M. Trendelenburg, Mr. Eastman, M. Schuler, M. Stucki and M. Ito will lay proposals before the next session in regard to the subsequent work.

VIII. — TREATMENT OF FOREIGNERS

The Economic Committee proposed to examine, as soon as they have been collected, the observations and suggestions of the different Governments in regard to the draft convention for the treatment of foreign nationals and enterprises.

In view of the importance attaching to the convocation of the proposed diplomatic conference on the subject, the Committee recommended that the Council should immediately authorise the Secretary-General to fix the date of the conference and to notify the states concerned.

IX. — DIPLOMATIC STATISTICAL CONFERENCE

The Committee decided to appoint one of its members to take part in this Conference in an advisory capacity. It asked the Council also to allow one of the members of the Sub-Committee of Experts on Customs nomenclature to attend the Conference in an advisory capacity.

X. — RATIFICATION OF CONVENTIONS

In pursuance of a Council resolution of June 1928 inviting the League Commissions to examine from time to time the position as regards the ratification of conventions, the Economic Committee decided to draw the Council's attention to the fact that some of the agreements concluded as a result of its work had not received as many ratifications as was desirable. These agreements are :

The Protocol on Arbitration Clauses (September 1923);

The Convention for the execution of Foreign Arbitral Awards (September 1927);

The Convention for the Simplification of Customs Formalities (November 1923);

The Convention for the Abolition of Import and Export Prohibitions and Restrictions and Supplementary Agreement (November 1927 and July 1928);

Two international agreements on the Export of Hides, Skins and Bones (July 1928).

As regards the agreements on prohibitions, the Committee drew the attention of the Council to the necessity for hastening their ratification as, if, of the expira-

tion of the time limit, the necessary ratifications had not been received, the results-gained would be lost and the whole question reopened.

On this occasion the Committee recalled that, prior to the war the act of signing a convention was regarded by the signatory as constituting a sort of moral obligation to submit it to Parliament for approval as soon as possible, and that some conventions even fixed a definite time limit for the introduction of bills of ratification.

The Committee unanimously considered that this procedure might be usefully brought to the notice of Governments of States Members and that, the Council might lay down, as regards the coming into force of agreements concluded under the auspices of the League, that signatories should do all in their power to submit such conventions to Parliament as early as possible.

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The meeting was attended by :

M. Serruys (French), President; M. Trendelenburg (German) Vice-President; M. J. Brunet (Belgian); M. J. A. Barboza Carneiro (Brazilian); Sir Sydney Chapman (British); M. A. di Nola (Italian); M. F. Dolezal (Polish); M. Peroutka (Czechoslovak); Mr. R. Eastman (American); M. Ito (Japanese); M. G. Jahn (Norwegian); M. H. A. F. Lindsay (India); M. E. Neculcea (Roumanian); M. R. Schüller (Austrian); M. W. Stucki (Swiss).

b) *Double taxation and tax evasion.*

A general meeting of Government experts on double taxation and tax evasion was held at Geneva from October 22nd to October 31st.

The meeting adopted six draft bilateral conventions for the solution of problems in connection with double taxation and tax evasion. The first four concerned double taxation in the sphere of direct taxation and succession duties, the last two the prevention of tax evasion by means of international cooperation in the assessment and collection of taxes.

A resolution was passed recommending the constitution of a standing League Committee on taxation questions.

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Twenty-eight countries were represented, namely : South Africa, Austria, Belgium, Bulgaria, China, Czechoslovakia, Denmark, Danzig, Estonia, France, Germany, Great Britain, Greece, Hungary, Ireland, Italy, Japan, Lithuania, Monaco, the Netherlands, Norway, Poland, Roumania, Spain, Sweden, Switzerland, Union of Socialist Soviet Republics, United States of America. A delegation of the International Chamber of Commerce attended in an advisory capacity.

The meeting was presided over by M. Clavier (Belgium), assisted by five Vice-Presidents : Sir Percy Thompson (Great Britain), M. Borduge (France), M. Damsté (Netherlands), M. Blau (Switzerland), and M. Dorn (Germany).

This meeting marked the conclusion of a long series of studies and investigations which began in 1920. It may be useful to recall the character and scope of the problem, the circumstances in which it was brought before the League, the principal phases of the League's work; to describe the salient features of the draft conventions submitted by the experts, and briefly to indicate the task and powers of the Conference.

Character of the problem. — By “double taxation” is generally meant the obligation of a person resident in one country and deriving revenue from another to pay taxes on the same income in both countries.

This question, which has arisen as a counter-part to the development of international trade and the consequent investments and residence abroad, and which naturally presents very different aspects to States importing and States exporting capital, became urgent and serious as a result of the rapid and unprecedented increase of taxation since the war.

Certain incomes, upon which taxes are levied in two countries, pay away 80 to 100 % theoretically sometimes more. This double taxation has a most unfortunate influence on the development of international relations, world production, and the flow of capital. It affects in particular undertakings, and persons who exercise their trade or profession in several countries, or derive their income from countries other than the one in which they reside, tends to paralyse their activity and to discourage initiative.

At the same time, any excessive taxation, by its very burden, brings in its train tax evasion, which may take two forms : the tax payer invests his money or collects his revenue abroad, leaving his country in ignorance of his real income, or, by residing abroad, makes it impossible for his country to collect his taxes, as such measures as that country might take for the recovery of taxes cannot be applied in the territory of a foreign State.

This situation could not fail to attract the attention of the Conference which met shortly after the conclusion of peace. In 1920, the first international conference convened by the League—the Brussels Financial Conference—recommended that the League should seek “an understanding which, while ensuring the due payment by everyone of his full share of taxation, would avoid the imposition of double taxation which is at present an obstacle to investments abroad”. In 1922, the Genoa Conference invited the League to study measures of international co-operation for the prevention of tax evasion.

Studies and Investigations. — At the end of 1920 the Council entrusted the Financial Committee with an enquiry on double taxation; in 1922, it called for an enquiry on tax evasion.

These studies comprehended several stages, a feature of each being the work of a committee of experts.

As a first step, the Financial Committee appointed a committee of economists, composed of M. Bruins (Netherlands), M. Einaudi (Italian), M. Seligman (American) and Sir Josiah Stamp (British) to study the question of double taxation, and to prepare a programme of action. These experts deposited in March, 1923, a report containing a detailed discussion of the general principles that govern national competence in taxation, and noting the tendency to substitute for the principle of an individual's political allegiance that of his economic allegiance. In other words, the consideration is not so much to what nation an individual belongs, as to what State his economic interests belong. To conclude, the economists indicated possible solutions.

The theoretical aspect of the problem having been elucidated, the Financial Committee decided to proceed to a practical and administrative study. For this purpose, it applied to high officials of the European revenue departments, selecting countries in constant touch with one another and possessing the most characteristic legislation, namely, Belgium, France, Great Britain, Italy, the Netherlands, Switzerland and Czechoslovakia.

These experts met in Geneva in 1923 and 1925. They examined the report of the economists, consulted the International Chamber of Commerce, studied treaties recently concluded by States with a view to obviating double taxation, and finally drew up conclusions based on the work of the economists, on the opinion of trade and industry circles, and on existing laws and treaties.

Adopting the division of taxes into impersonal or schedular taxes (movable property, agricultural undertakings, industrial establishments) and general or personal taxes (income tax, death duties) the experts suggested in each case solutions that might be envisaged. As regards tax evasion they also drew a distinction between tax evasion as regards assessment and tax evasion as regards recovery. To conclude, they recommended that several preliminary draft conventions should be prepared by a new Committee with a wider membership and a more comprehensive mandate.

This recommendation was approved by the Financial Committee and the Council, and a Committee was constituted, including, in addition to the seven above-mentioned States, Germany, the United States, the Argentine, Japan, Poland and Venezuela. Thus, from an essentially European institution the Committee had developed into a body including representatives of the North and South American continents, and the Far East. The International Chamber of Commerce and the Transit Organisation were represented in an advisory capacity, the latter in connection with the prevention of the double taxation of maritime and inland navigation companies.

The experts held several meetings in 1926 and 1927 and finally, on the basis of the resolution adopted in 1925, drew up four preliminary draft conventions.

On the recommendation of the Financial Committee the Council communicated these texts to all Governments for examination, and convened the Conference of Government experts to meet in 1928. Governments were invited to delegate to the Conference experts empowered to explain the general views of their Governments, without in any way engaging their policy as regards the beginning of negotiations or the basis upon which conventions might be concluded. The International Chamber of Commerce was invited to be represented in an advisory capacity.

The Draft Conventions. — The experts had prepared four draft conventions, two on double taxation (prevention of double taxation, prevention of double taxation as regards succession duties), and two on tax evasion (administrative assistance in matters of taxation, legal assistance in the recovery of taxes). All these treaties are of the bilateral type. The experts refrained from drawing up collective conventions for reasons stated as follows in their report :

It would certainly be desirable that the States should conclude collective conventions, or even a single convention embodying all the others. Nevertheless, the Committee did not feel justified in recommending the adoption of this course. In the matter of double taxation, in particular, the fiscal systems of the various countries are so fundamentally different that it seems at present practically impossible to draft a collective convention, unless it were worded in such general terms as to be of no practical value. In the matter of tax evasion also, although unanimity would not seem to be unattainable, there is no doubt that the accession of all countries to a single Convention could only be obtained as the result of prolonged and delicate negotiations, while there is no reason to delay the putting into force of bilateral conventions which would immediately satisfy the legitimate interests of the tax payers as well as those of the Contracting States.

For this reason, the Committee preferred to draw up standard bilateral conventions. If these texts are used by Governments in concluding such conventions, a certain measure of uniformity will be introduced in international fiscal laws and, at a later stage of the evolution of that law, a system of general conventions may be established which will make possible the unification of the rules previously laid down.

In their report the Experts suggested that to ensure systematic and continuous international cooperation in this field a standing committee should be set up under the auspices of the League.

The meeting of Government experts examined the four drafts one by one, adopting them with some modifications. The discussion centred on the first draft, which it seemed difficult to adapt to the taxation systems of certain countries. The meeting therefore thought it advisable to add two further model conventions on the same subject, but more especially adapted to the existing situation. It prepared, discussed and finally adopted these two supplementary drafts, raising to six the number of draft conventions approved.

The drafts will be submitted to the Council and, if approved by it, submitted to all Governments as a possible basis for negotiations on bilateral conventions.

The meeting also adopted the suggestion of the committee of experts regarding the establishment in connection with the League of a standing committee on taxation questions.

The work of the meeting and the conventions are summarised below.

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Double taxation in direct taxation. — The provisions of the draft convention for the prevention of double taxation in direct taxation, adopted on the basis of the experts' preliminary draft, may be summed up as follows :

The convention distinguishes between impersonal or schedular taxes and personal or global taxes.

The country in which the source of income is situated is, in a general way, regarded as entitled to levy an impersonal tax on income from movable property and mortgages (taxable in the country in which they are situated), revenue from public funds, bonds, loans, deposits and current accounts (taxable in the State in which the debtors of such income are resident), revenue from shares or similar interests, fees of managers and directors of joint stock companies (taxable in the country in which the real centre of management of the undertaking is situated), revenue from industrial, commercial or agricultural undertakings (taxable in the States in which the persons controlling such undertakings possess permanent establishments), income from salaries, wages, etc. (taxable in the state in which the recipients carry on their employment, with the exception of officials and public employees serving abroad), public or private companies (taxable in the state of the debtor of such income) annuities (taxable at the fiscal domicile of the creditor).

An exception is made in regard to profits from shipping or air navigation undertakings (taxable in the country in which the effective centre of management is situated).

On the other hand, the personal tax on the total income is levied by the state of fiscal domicile, subject to deduction of the amount levied by another contracting party on income from immovable property or from industrial, commercial and agricultural undertakings.

In the case of taxpayers who possess a fiscal domicile in both contracting states, the personal tax is imposed in each of these states in proportion to the period of stay during the fiscal year.

The same principles are applicable *mutatis mutandis* to recurrent taxes on wealth, capital or increment of wealth, according as these taxes are impersonal or personal.

The convention contemplates the usual procedure of conciliation, arbitration or judicial settlement for disputes arising from its application or interpretation, and provides for reference to the competent League organisations, in particular the Permanent Court of International Justice.

The accompanying commentary provides that the draft convention may be modified in the course of bilateral negotiations, more particularly as regards the taxation of business profits falling within the scope of the convention and the rules governing impersonal taxes on income instituted by a State and confined to income derived from sources situated within its control. As regards income from funds,

bonds, etc., refunds are contemplated with a view to preventing double taxation. The regulations for maritime or air navigation undertakings may be restricted to revenue from maritime or air navigation strictly speaking, excluding subsidiary activities. They may be extended to river and lake navigation.

Additional drafts. — The draft analysed above seemed to several members of the meeting to be suitable for negotiations between two countries whose fiscal systems were based on both impersonal and personal taxes. Two further drafts were prepared, one for negotiation between countries whose fiscal system is based on personal taxes, the other applying more particularly to negotiations between a country with a fiscal system based on personal taxes and a country with a fiscal system based both on personal and on impersonal taxes. The first of these conventions was based on a preliminary draft submitted by Mr. Adams (United States of America), and lays down as a general principle that income shall be taxed by the state of fiscal domicile.

In the case of taxpayers who possess fiscal domicile in several contracting states, a division of taxation is provided, e. g. commercial income is taxed at its source (the rights of countries where undertakings have permanent establishments are reserved); income from shipping and air navigation undertakings is taxable at the effective centre of management; salaries, wages, etc., are taxable by the countries in which the taxpayers are working (exception being made for officials and public employees serving abroad), income from immovable property is taxable by the state in which such property is situated).

The draft provides rebate and refund procedure.

Although the first and second drafts differ completely in structure, their results vary only on one point, namely, in the latter the state of fiscal domicile is entitled to levy taxes on income from movable property situated in the territory of the other contracting party.

The third draft was based on a proposal submitted by De. Dorn (Germany) and amended by M. Borduge (France). Its structure resembles that of the experts' draft, except that taxes are not grouped under impersonal or schedular taxes and personal taxes. An important special feature is that it gives the domicile state priority in the taxation of revenue from movable capital. Taxation at source is not prohibited; to prevent double taxation the contracting parties agree to allow either remission in respect of the tax levied by the domicile state of the whole or part of the tax deducted by the state of origin or a refund by the state of origin of the whole or a part of the tax already levied. This would contribute to a certain measure of equality between taxpayers investing their money in their own country and those investing it abroad.

The two additional drafts adopted by the meeting will be communicated to the Council in the same way as the first, and by it communicated to Governments. States will thus be able to select one of the three texts as a basis for negotiation. A third additional draft submitted to the meeting by Mr. Liubimov (U. S. S. R.) contemplated taxation of revenue at source and domicile, providing that any state might tax revenue at source and that the domicile state might levy a tax on total revenue. This draft contains special provisions to prevent the accumulation of taxes. The experts, while recognising that the system thus proposed was extremely ingenious, noted that it could not be applied unless all countries had similar taxation systems, which was not the case. They accordingly considered that this draft should be reserved for later discussion.

Double taxation as regards succession duties. — As regards succession duties, the meeting adopted the draft prepared by the Committee of Experts, with some slight modifications aiming at simplification.

This draft bilateral convention is designed to prevent double taxation in the special matter of succession duties. Succession duties are levied by the country

of domicile of the deceased, i. e. by the country in which the deceased at the time of his death had taken up his residence with the manifest intention of remaining there. In the absence of a domicile, the country of which the deceased was a national shall be considered his country of domicile. The duties may be levied on the total property left by the deceased, including property situated in another country. Where necessary, deductions shall be effected so that duty may be levied on transferable and immovable property situated in the territory of another contracting party. It may also be specified that this other contracting party shall be entitled to levy duty on other categories of property, on the subject of which agreement would have to be reached, it being understood that duties thus levied should be deducted from the tax to be levied by the domicile state. Duties chargeable to or secured on specific property are to be deducted from the value of that property.

Like the preceding drafts, this draft convention provides for a procedure of conciliation, arbitration and judicial settlement for disputes as to its interpretation or application. It is accompanied by a commentary explaining its various articles.

Some members, including Mr. Adams, observed that they did not think that this draft could be accepted by their countries.

Administrative assistance in taxation matters. — Several members expressed the opinion that, in the present condition of fiscal legislation, it would be hardly possible for their countries to conclude conventions of administrative assistance for the assessment of taxes; the majority, nevertheless, was in favour of a draft bilateral convention on the subject observing that several bilateral conventions have already been concluded, although their scope was more restricted than that of the draft before the meeting. This draft was finally adopted without any important modification.

With a view to obtaining a better apportionment of fiscal burdens in the interest both of Governments and taxpayers, the contracting parties undertake, subject to reciprocity, to give each other administrative assistance in regard to all matters required for the purpose of tax assessment. This assistance will consist in an exchange of fiscal information and cooperation between administrative authorities in carrying out certain measures of procedure. The exchange of information is to relate to natural or juristic persons taxable in one of the two contracting countries. It will bear on immovable property, mortgages or similar claims, industrial, commercial or agricultural undertakings, earned income and directors' fees, transferable securities, claims, deposits, current accounts and successions. It is specified that in no case shall the effect of these provisions be to impose upon either of the parties the obligation of supplying particulars which its own legislation does not enable it to procure, or to carry out administrative measures at variance with its own regulations or practice. It is, moreover, provided that the state to which application is made may refuse to carry out such obligation if it considers that it is contrary to public policy.

Assistance in the collection of taxes. — Like the draft on administrative assistance, the bilateral convention on judicial assistance in the collection of taxes was the subject of reservations by several experts who did not consider its adoption probable in their countries.

In the title of the draft the word "judicial" was suppressed, but the text was adopted without modification. It lays down that the mutual assistance which the contracting parties undertake to give each other in the collection of taxes shall apply both to the principle of the tax and to incidental charges. At the same time it shall only apply to fiscal duties which are *res judicatae*; the collection of fiscal duties shall be effected at the request of the creditor Government (the state making the application) addressed to the state having jurisdiction over the person or property of the debtor state (the state to which application is made).

The draft also specified methods for making the application. The state to

which application is made is called upon to comply as soon as possible with the request addressed to it, but may, nevertheless, refuse to do so if it considers that it cannot comply with the request for reasons of public policy or general interest. The fiscal duty which forms the subject of the request shall be collected in accordance with the laws of the state to which application is made, but this does not oblige the latter to employ a means of execution which is not provided for by the laws of the state making the application.

Creation of a Standing Committee on Taxation Questions. — The meeting had to take a decision on a proposal made by the Committee of Experts for the creation under the direction of the League, of a Standing Committee on Taxation Questions.

The principal duty of this organisation will be to hasten the solution of problems of double taxation and administrative and judicial assistance in the assessment and collection of taxes. It will give its attention in particular to the following points : periodical investigations and reports on the general situation in regard to these problems; the preparation of model bilateral conventions or collective conventions and revised texts thereof; the preparation of any other international measures calculated to eliminate double taxation and to secure a more equitable distribution of fiscal burdens; comparison of fiscal systems; preparation of a general conference, should such be contemplated.

This proposal was adopted unanimously, a resolution being voted in which the meeting emphasised the importance it attached to the prompt application of the suggestions of the Committee of Experts.

The meeting considered that the committee should consist of a small number of members selected for their technical qualifications and representing the principal fiscal systems. It should remain in close and permanent contact with the countries not represented, and should study all questions concerning taxation which the Council thought advisable to refer to it.

The meeting enumerated certain questions which had not been contemplated by the Committee of Experts and which might, it was considered, be referred to this new organisation, such as methods for the prevention of double taxation of income derived from patents and authors' rights; rules for the apportionment of the profits or capital of undertakings operating in several countries; measures for the avoidance of double taxation of trusts and companies possessing a large number of transferable securities. The Committee would further supervise the publication of various documents, such as an annual collection of conventions on double taxation and administrative and judicial assistance in the assessment and collection of taxes, memoranda on the existing systems of taxation and an annual report on the progress made during the year in regard to the prevention of double taxation and administrative and judicial assistance.

General considerations. — At the closing meeting the Chairman observed that the aim which the Government experts had pursued was not to increase fiscal burdens but, on the contrary, to effect a more equitable apportionment; the meeting had endeavoured to find a remedy for the unfair accumulation of taxes which constituted a barrier to the international flow of capital and to combat fiscal frauds the result of which was to oblige the community to bear the burden of those perpetrating the fraud. He emphasised that the measures contemplated in regard to this question were not penal measures and did not constitute a new departure (such as violation of the bankers' secret in countries where it existed) but should, on the other hand, be considered as measures designed to prevent tax evasion.

c) *Unification of Customs nomenclature.*

The Sub-Committee of Experts studying the unification of customs nomenclature sat at Geneva from October 3rd to 20th, with M. Fighiera (France) in the chair.

On the basis of a framework established at its preceding session, the Committee endeavoured to draw up a standard nomenclature. Its agenda further included a preliminary study of two questions : the classification of goods consisting of a number of composite parts liable to different rates of duty, but not specifically mentioned in the nomenclature (so-called "composite goods"); and that of spare parts of machine and vehicles.

Form in which the standard nomenclature should be cast. — The experts took note of the fact that, in proposing the unification of customs nomenclature, the principal aim of the Economic Conference was first to reduce and then to abolish the innumerable subdivisions and specifications on tariffs which constituted so many obstacles to the development of commercial relations between nations.

Keeping this principle constantly before them, the experts indicated their intention of including in the nomenclature only those headings of a sufficiently general character to be adapted to the requirements of the economic structure of all countries. To this end, they prepared for the first fourteen chapters of the tariff framework a draft nomenclature, which, in their opinion, met the requirements of countries whose internal economy had already reached an advanced stage of development. If applied to countries which had not developed to the same extent, this standard nomenclature would have to be adjusted by cutting down the secondary items. The chief items would remain unchanged and the secondary ones might be expanded only within certain prescribed limits.

Composite goods. — Composite goods may be divided into two groups.

a) Those which, in certain tariffs, are termed "mechanical mixtures" and which consist either of mixtures of solid ingredients (e.g. rye and wheat, oats and barley); or of mixtures of liquids (e.g. wine and alcohol); or of mixtures of liquids and solids (e.g. fats and vegetable oils).

b) Those which, as a result of their process of manufacture contain different materials or parts which are liable to different rates of duty. Such are the numerous finished or half-finished products which, as they emerge from the process of manufacture, are not of the same material throughout. (This category comprises a large number of manufactured articles and objects ranging from yarns and textiles produced from a number of different textile materials to the products of mechanical engineering, electrical engineering, clock making, etc.).

The manner in which such composite goods are classified in the various tariffs varies from country to country, as shown by the replies to a preliminary questionnaire addressed by the Sub-Committee to several countries. No general principle, no comprehensive rule can be adduced from the replies to the questionnaire. Even the meaning of the term "composite goods" frequently varies from country to country.

As a general rule, composite goods are considered to be composed of two or more different substances. Certain Governments, nevertheless, also include in this category goods consisting of one substance only.

From the replies to the questionnaire, the experts arrived at five different rules for the classification of composite goods. The classification is based, according to the country concerned, either on the material which has the greatest weight, surface or importance; or on the material which is dutiable at the highest rate; or on the part of the object which has the greatest value; or on several consti-

tments of the object considered as though they were separate; or on the use to which the composite goods will be put.

In these circumstances the experts realised that it would be difficult to secure uniformity in the matter, and decided to consider difficulties arising out of the classification of composite goods as and when specific cases came before it and to seek the most practical solution in each case.

Thus, at its October session, the Sub-Committee, having to decide in the chapter on cereals on the classification of meslin (a mixture of wheat and rye), grouped that substance with wheat, which means that, under the standard nomenclature, mixtures of grains of wheat and of grains of rye will be considered, for purposes of customs duties, as though they consisted entirely of grains of wheat.

Spare parts of machines and vehicles. — In connection with the treatment of spare parts of machines and vehicles, the Sub-Committee reviewed the whole series of spare parts whose classification would have to be determined by the customs nomenclature. It considered that in the most important class, that of metals, such parts should be divided into two groups :

a) wrought castings or forgings which are products of the metallurgic industry,

b) wrought parts which are products of the mechanical engineering industry. As regard the first group, the experts agreed to classify them as articles manufactured from the materials of which they are composed. For the second group they felt that a distinction ought to be drawn. Those which, by reason of their characteristics, may be assigned only to the category of machines or of vehicles to which they in fact belong will be included in the chapter on machines or vehicles, and in this case will be specially mentioned in the customs nomenclature.

For certain general categories, all wrought parts which, by reason of their shape, are definitely in the nature of spare parts of machine or vehicles (e.g. axles, fly-wheels, gearing, etc.), the experts proposed to provide special headings which will enable such parts to be cleared through the customs without difficulty.

Classification of products and articles having a special use, but manufactured from different raw materials. — The experts were faced with the following problem : should certain products or articles having a special use, but manufactured from different raw materials, appear in the nomenclature under each of the materials from which they could be manufactured, or should they be confined to a single chapter and under a single item irrespective of the material of which they are made?

In this connection, the Economic Committee had expressed the opinion that the classification of goods should adhere as far as possible to the principle of classifying commodities or goods under the original materials of which they are composed. It considered that when the raw material had been converted into a finished product which was closely connected with several finished products used in a particular industry, and having the same purpose, then classification according to the use or purpose of the objects or goods seemed more suitable than classification according to the raw materials composing them, particularly from the point of view of a consultation of customs tariffs and their practical use.

The Sub-Committee felt that a clear tariff, easy to understand and containing no unnecessary repetitions, could best be drawn up by a happy combination of these two systems in the numerous individual cases that would arise.

On the basis of these principles, the Sub-Committee will, as its work proceeds, put forward proposals for the classification of the individual products and articles in the customs nomenclature.

V. — Administrative Questions.

FOURTEENTH SESSION OF THE MANDATES COMMISSION

The fourteenth session of the Mandates Commission opened on October 26th, at Geneva, with Marquis Theodoli (Italian) in the chair. The agenda included reports from Mandatory Powers, petitions and general questions.

* * *

I. — ANNUAL REPORTS OF MANDATORY POWERS

The reports to be examined concerned Iraq (British Mandate), British Cameroons, British Togoland, South West Africa (South African Mandate), Western Samoa (New Zealand Mandate), Ruanda-Urundi (Belgian Mandate) and the Pacific Islands under Japanese Mandate.

The British Government was represented by Sir A. Ransford Slater, Governor of the Gold Coast, Mr. B. H. Bourdillon, Legal Adviser to the High Commissioner for Iraq, Mr. J. Arnott, British Resident in the Cameroons, and Mr. T. Lloyd, of the Colonial Office; the Government of the South African Union by Mr. Werth, Administrator of South West Africa; the New Zealand Government by Sir James Parr, High Commissioner for New Zealand in London, and Major General Sir George Richardson, former Administrator of Western Samoa; the Belgian Government by M. Halewyck de Heusch; the Japanese Government by M. Sato, Director of the Japanese League of Nations Office.

At its last session the Commission studied the report of the Royal Commission of Enquiry on the disturbances in Samoa since 1926. At this session it examined the annual report of the New Zealand Government on the administration of Western Samoa in 1927/1928.

II. — PETITIONS

The petitions submitted to the Commission touched upon questions concerning the administration of Palestine, Iraq, Syria and the Lebanon, French Togoland, South West Africa and Western Samoa.

III. — GENERAL QUESTIONS

The general questions on the agenda concerned economic equality, the liquor traffic and public health.

I. ECONOMIC EQUALITY

In this connection the Commission considered : (a) *The purchase of supplies by administrations of mandated territories either for their own use or for public works.* — A question which was first raised at its eleventh session (June-July, 1927) ⁽¹⁾.

In accordance with the Commission's recommendation at its thirteenth session, the Council requested the Mandatory Powers to give specific information on their practice in this respect, and decided that the general question involved should be discussed at a later session of the Commission.

(b) *Postal rates in mandated territories (A and B).* — The Commission having noted that in certain territories lower postal rates existed for sendings to the man-

(1) See *Monthly Summary*, Vol. VII, No. 11,

date-holding State than for other countries, the Council asked the Mandatory Powers to supply it with information which would enable the Commission to take up the question at a later session.

(c) *Treatment extended in countries Members of the League to nationals of mandated territories and wares from these territories.* — This point was raised at the preceding session of the Commission. At its September session, the Council, upon being presented with the report of the Commission, requested the latter to make a general study of the question.

2. LIQUOR TRAFFIC

The Commission had to consider certain suggestions concerning the question of the liquor traffic in mandated territories, in particular a scheme for the standard classification of alcoholic drinks.

In December 1927 the Council directed the Commission to proceed, in collaboration with the Mandatory Powers, to a thorough investigation of the causes of the increased importation of spirituous liquors into territories under B Mandate and to study what measures might be taken to remedy the situation.

3. PUBLIC HEALTH

The Commission had before it suggestion that the campaign against sleeping sickness, yellow fever and leprosy should be intensified in the African and Pacific mandated territories. It was also suggested that the number of medical practitioners in these territories should be increased.

The following took part in the work of the session :

Mlle. Dannevig (Norwegian), M. Kastl (German), Lord Lugar (British), M. Merlin (French), M. Orts (Belgian), M. Palacios (Spanish), M. Rappard (Swiss), M. van Rees (Netherlands), Marquis Theodoli (Italian), M. Nobumighi Sakonobe (Japanese), Mr. Grimshaw (International Labour Office).

*
* *

The observations of the Commission will be summarised later.

VI. — Social and Humanitarian Questions.

TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

Permanent Central Board to be appointed under Article 19 of the Geneva Opium Convention of February 19th, 1925,

The United States Government, in reply to the Council's invitation to participate in the appointment of the Permanent Central Opium Board, has expressed its regret at its inability to do so.

In its opinion, the Geneva Convention is, in several respects, unsatisfactory and it is therefore precluded from adhering to the Convention or participating in the appointment of the Board. The note, which has been published, contains in detail the reasons for this view.

The United States, however, recognises that the traffic in narcotic drugs can be controlled only by international cooperation and proposes in continuation of its efforts towards that end, and in addition to observing its obligations under the Hague Convention, to endeavour to furnish such information as the Permanent Central Board may request.

VII. — Other Questions.

PROMOTION OF CONTACT WITH THE CHINESE GOVERNMENT

In conformity with the recommendations of the Assembly of 1921 in regard to the maintenance of contact between the Members of the League and the chief officials of the Secretariat, the Secretary-General, early in October, suggested to the Chinese Government that a high official of the Secretariat should go to Nanking in order to promote closer relations between the Chinese Government and the organs of the League.

The Government having replied that it cordially welcomed the proposal, the Secretary-General decided to entrust M. Avenol, Deputy-Secretary-General, with this mission. It is probable that M. Avenol will leave for China towards the middle of December.

VIII. — The Permanent Court of International Justice.

1. — NEXT SESSION OF THE COURT

An extraordinary session of the Court has been convened under Article 23 of the Statute for November 12th, 1928. This session will be devoted to the case between France and the Kingdom of the Serbs, Croats and Slovenes concerning the payment of various prewar Serbian loans.

At this fifteenth session, the Court will be composed as follows : M. Anzilotti (President); M. Huber (Vice-President); Lord Finlay, M. Loder, M. Nyholm, M. Altamira, ordinary judges; M. Yovanovitch, M. Beichmann and M. Negulesco, deputy judges. The French Government has been officially informed of its right to appoint, under Article 31 of the Statute, a judge *ad hoc* who may sit in the case concerning the payment of the Serbian loans; since the death of M. Weiss, the Court no longer includes a judge of French nationality. The notification sent to the French Government in the present case is moreover in conformity with the decision taken by the Court at its ordinary session in 1927; on that occasion the Court decided that, should M. Weiss, the Vice-President, not be able to sit in the Lotus case, the French Government would be entitled to appoint a judge *ad hoc*.

2. — CASE RELATING TO CERTAIN SERBIAN LOANS ISSUED IN FRANCE (1)

The counter-cases of the French and Serb-Croat-Slovene Governments were filed in the Registry of the Court on September 25th 1928, within the time limits laid down for that purpose by the Order given on May 26th by the President of the Court.

The filing of the counter-case brings to an end the written part of the proceedings in this case, which is entered on the list for the forthcoming extraordinary session.

(1) See *Monthly Summary*, Vol. VIII, No. 7, p. 198.

3. — CASE RELATING TO CERTAIN BRAZILIAN FEDERAL LOANS ISSUED IN FRANCE ⁽¹⁾

By the Order given on May 1st, 1928, the President of the Court, taking into consideration the terms of the Special Agreement for Arbitration concluded between Brazil and France on August 27th, 1927, had fixed the time-limit for the submission of the counter-case of the French Government for October 1st, and for the filing of the counter-case of the Brazilian Government for October 31st.

The Counter-Case of both Parties having been duly filed in October, the written part of the proceedings in this case thereby also comes to an end.

4. — CHORZOW CASE (INDEMNITIES) ⁽²⁾

By an Order of the Court given on September 13th, 1928, the date upon which judgment on the merits in the Chorzow Factory case (indemnities) was rendered, it was laid down that an expert enquiry should take place in order to enable the Court to fix with full knowledge of the facts and in conformity with the principles laid down in the judgment (No. 13) the amount of compensation to be paid by the Polish Government to the German Government.

On October 16th, the President of the Court who, in accordance with the terms of the Order of Court referred to above, was called upon to choose three experts, appointed : M. Emil Collett, Consulting Engineer (Norway); M. Hans Herzog, Chief Engineer (Switzerland); and M. Iver Hoey, Managing Director of the Hafslund Carbidefabrik (Norway).

Under the terms of the same Order, the German and Polish Governments had the right each to appoint, before November 1st, 1928, an assessor to sit with the Committee of Experts in an advisory capacity. The Polish Government, availing itself of this right, has appointed as assessor M. Joseph Zawadzki, Professor at the Polytechnic School of Warsaw and Manager of the chemical factories at Grodzisk; the German Government, for its part, has appointed to act in the same capacity, M. Karl Janisch, "Baurat", member of the Board of Directors of the Bayerische Stickstoffwerke A. G.

5. — INTERNATIONAL AGREEMENTS RELATING TO THE JURISDICTION OF THE COURT.

The Governments of Germany, Panama, Chile, Ecuador, and Brazil are to be added to the list of those States who have given effect to the Registrar's circular letter of March 24th 1927, requesting that the Registry be regularly informed of the terms of any treaties, conventions, etc., governing the Court's jurisdiction.

6. — APPOINTMENT BY THE PRESIDENT OF THE COURT OF PRESIDENTS OF CERTAIN MIXED ARBITRAL TRIBUNALS ⁽³⁾

By a letter dated October 18th, 1928, Baron H. I. Nordenskjöld, President of the Greco-Turkish and Roumano-Turkish Mixed Arbitral Tribunals has forwarded to the President of the Permanent Court of International Justice his resignation from the presidency of these tribunals.

Baron Nordenskjöld had been appointed in 1925 by the President of the Court, acting in virtue of Article 92, paragraph 3, of the Peace Treaty of Lausanne.

(1) See *Monthly Summary*, Vol. VIII, No. 7, p. 198.

(2) See *Monthly Summary*, Vol. VIII, No. 7, p. 198.

(3) See *Monthly Summary*, Vol. V, No. 2, p. 40.

IX. — Forthcoming Events.

- November 19th : Permanent Legal Committee of the Transit Commission, Paris.
November 26th : International Conference on Economic Statistics, Geneva.
December 4th : Financial Committee, Geneva.
December 5th : Special Committee for the drafting of a Convention on the
Manufacture of Arms, Munitions and War Material, Geneva.
December 10th : 53rd Session of the Council, Geneva.
December 11th : Supervisory Commission, Geneva.
December 17th : Legal Sub-Committee of Child Welfare Committee, Paris.

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I. — The League of Nations from Year to Year ⁽¹⁾.

(October 1927-October 1928.)

GENERAL FEATURES

The intensification of international cooperation and its extension into new and still wider fields, rather than any striking single event such as the Economic Conference of May, 1927, — was the distinguishing feature of the League's work in the interval between the eighth and ninth sessions of the Assembly.

A glance at the report of the Council to the Assembly, or merely at the agenda of the quarterly Council sessions suffices to show that there are but few aspects of international life or inter-state co-operation that the League does not touch in one way or another; and that there are hardly any States, Members or non-Members, that do not in certain respects collaborate with the League.

(1) The annual pamphlet "The League of Nations from Year to Year (October 1927-October 1928)", of which this article is a Summary, will be published in December.

There can be no better example of the extension of the League's role and the diversity of its duties than the ninth session of the Assembly, which was held in September, 1928, at Geneva. Fifty nations — the largest number hitherto represented — sent delegates. Six were represented by Prime Ministers, seventeen by Foreign Ministers; and this circumstance made it possible for certain States to hold preliminary conversations at Geneva on such questions as the final settlement of reparations and the evacuation of the Rhine provinces. The general debate on the work of the past year included discussion of such vital questions as the organisation of peace by arbitration, security and reduction of armaments, the Briand-Kellogg Pact, the proposed Anglo-French Naval Agreement, Franco-German relations, minorities, international law and the procedure of the Permanent Court of International Justice, and international economic relations.

In his closing speech the President of the Assembly, M. Zahle, referred to the debate in the following terms :

You all followed with interested attention, as I myself did, the general discussion with which we opened our proceedings; you heard speeches from this platform on various problems which in the past nobody would have dared to raise, which only became the subject of international negotiations at times of crisis and anxiety, but which to-day are constantly and vigilantly watched over by the League.

The more important phases of the League's work may be classified under the following broad headings : Relations between the League and certain of its Members; the work of the Technical Organisations, in particular the Economic and Financial Organisation; the work of the Arbitration and Security Committee; the development of international law, principally due to the practice of the Permanent Court of International Justice; the efforts of the Council to settle certain disputes.

The League and the States.

Composition of the Council.

In 1916, as a result of differences concerning the reorganisation of the Council, Spain and Brazil gave notice of withdrawal from the League. In March, 1928, the Council issued a warm invitation to both States to reconsider the matter before their withdrawal became finally effective. Spain accepted the invitation " unconditionally and without reservation". Brazil expressed her profound regret that present circumstances did not allow her to collaborate with the League " as a Member thereof", but stated that, if in future she found it possible to return, she would " only have ground for rejoicing both at the honour of being once more a member and at the facts in consequence of which her return to that great institution would have been made possible ".

On the same occasion, the Council invited Costa Rica, who on January 1st, 1927, had ceased to be a Member of the League, to renew her cooperation. Before taking a decision, the Costa Rican Government asked the League to define " the scope given to the Monroe Doctrine when it was included in Article 21 of the Covenant ". The Council did so on September 1st, and a few days later Costa Rica replied that it would submit the invitation to its constitutional Congress with the request to vote the necessary funds.

Of non-members, the United States of America, Turkey, and the Union of Socialist Soviet Republics have all taken part in some of the technical work and even in certain aspects of the political work of the League (Preparatory Commission for the Disarmament Conference, Arbitration and Security Committee).

The mandates of three non-permanent Members of the Council, China, Colombia and the Netherlands having expired, the Assembly elected in their place Spain, Persia and Venezuela.

On the request of the German, English and French Governments, supported by its bureau, the Assembly had previously decided that the temporary provisions of 1926 should exceptionally remain in force in 1928, thus authorising a State Member to make a request for re-eligibility immediately after election to the Council. The Swedish and Norwegian delegations voted against this proposal for reasons of principle.

The proposal being adopted, Spain submitted immediately after election a preliminary request for re-eligibility which secured more than two-thirds of the total votes cast. Spain, accordingly, was authorised to stand for election in 1931, at the end of her present term of office. A request for re-eligibility presented by China, whose mandate had expired, secured 27 votes less than two-thirds of the total cast.

Work of the Technical Organisations.

Action on the recommendations of the Economic Conference. — During the past year, the most important results of a concrete and practical kind were obtained in the technical field, above all in economics and finance. The influence of the Economic Conference of May, 1927, made itself felt in two ways. In the first place, the upward tendency of customs tariffs was brought to a standstill; in the second, a considerable number of commercial treaties led to a reduction of duties not only in the contracting states, but also in others, owing to the operation of the most-favoured-nation clause.

In addition to indirect action through States, the Conference had a direct and decisive influence on the work of the League, which was called upon to realise its aspirations and to give practical effect to the new economic charter evolved.

The results obtained by the Economic and Financial Organisation, reconstituted and enlarged by the adjunction of a newly created body, the Economic Consultative Committee, were both numerous and important.

One of the most recent achievements of this organisation was the successful conclusion of an international convention for the abolition of import and export prohibitions and restrictions. For this purpose an international conference was convened, which was attended by representatives of nearly all European States and of the United States, Egypt and Turkey. The convention was the first multi-lateral agreement regulating economic relations between states. It was completed by agreements on hides and bones — thus for the first time dealing by international agreement with the rate of duty applicable to a specific product.

With these agreements the Convention for the Abolition of Import and Export Prohibitions and Restrictions constitutes the first step towards the execution of the recommendations of the Economic Conference on freedom of trade, and it is worthy of note that this step was possible in rather less than a year after the Conference.

On other points of the programme, the Economic Committee made arrangements for preliminary work. As regards treaty-making methods and the most-favoured-nation clause, it endeavoured to compose a body of doctrine which might later serve as a guide for Governments when negotiating commercial treaties. Further, without losing sight of its ultimate goal — the general and simultaneous reduction of all customs barriers — the Committee instituted an enquiry into the possibility of a concerted reduction of tariffs for certain substances, such as basic industrial products and foodstuffs.

Measures of veterinary control were studied by a Committee of Specialists with a view to international action reconciling the necessities of exporting countries with those of states desiring to protect themselves against animal and plant diseases.

Another committee studied the question of the unification of customs nomenclature, failing which the equitable application of customs duties and, indeed, real freedom of trade, must remain a dead letter.

Other Committees terminated a draft international convention on the treatment of foreign nationals and enterprises and prepared drafts aiming at the assimilation

of laws on bills of exchange and cheques. Preparations were made for an international conference on the unification of economic statistics.

Such was, in brief outline, the work of the Economic Committee and its experts. The Consultative Economic Committee, which succeeded the Economic Conference and was modelled on the same lines as regards balance of industrial, commercial, agricultural, financial, workers and consumers' interests, held its first session in the summer of 1928. It approved the work of the Economic Committee and emphasised, as did also the Assembly in September, those points of the programme of the Conference which seemed ripe for action or offered a prospect of practical results in trade, industry or agriculture. Two important problems, coal and sugar, were added to the programme.

The work of the Financial Committee on national reconstruction projects and refugee and other loans showed normal progress. With the preparation and launching of the scheme for the financial restoration of Bulgaria, the loans issued under the auspices of the Committee now total nearly half a billion dollars. Another scheme, prepared at the request of Portugal, was not put into operation because that Government objected to the measures of control proposed.

In Greece the schemes drawn up last year developed as contemplated. The Greek currency has been stable since May 14th, 1928, and the new bank of issue has begun operations.

In Estonia the currency has been stabilised since January, 1928, and in Danzig the scheme prepared by the Financial Committee developed satisfactorily.

At each of its sessions the Financial Committee reviewed the progress made in the settlement of Greek and Bulgarian refugees. Despite adverse conditions, such as the recent earthquake, this work, the importance of which was emphasised by the Assembly, has been successfully pursued, not only from a humanitarian but also from a political point of view.

In Bulgaria, 90% of the refugees will shortly be provided with land. In Greece, where the work of agricultural settlement may be regarded as virtually terminated, a second loan will soon be issued to enable the Refugee Settlement Commission to carry on its urban settlement work.

The Transit Organisation put the finishing touches to a scheme for the unification of road signals, pursued its examination of the rules of the road and instituted an enquiry into two problems of interest to motorists — the system for the taxation of foreign tourists' vehicles and customs formalities for commercial motor traffic. It drew up a draft convention on certain aspects of river law and studied another on methods of certifying the nationality of vessels used in inland navigation. A special committee studied economic methods of co-operation between air traffic undertakings in the various countries. Definite recommendations on combined rail and air transport were submitted to Governments by the authorities concerned.

The Transit Organisation further prepared a model transit card for emigrants and continued its study of League communications in times of emergency. The Council having referred to it certain resolutions of the Press Experts' Conference of 1927, the Organisation drew up a programme of action and, as a first step, succeeded in bringing about the establishment of a through wire between Geneva and London, especially intended for press reports for overseas countries.

The Health Organisation developed and perfected its system of epidemiological intelligence. The Singapore Bureau extended its sphere of action to include regular telegraphic communication with one hundred and forty ports and thirty-five health administrations, which announce the arrival of infected ships. Interchanges of medical officers promoted relations between the health services of the various countries, one of them being devoted to rural hygiene. Both these departments, interchanges and epidemiological intelligence, receive subsidies from the Rockefeller Foundation.

Several committees of the Health Organisation made considerable progress. On the basis of experiments and enquiries conducted since 1924, the Malaria Com-

mission recommended principles and methods which embody the opinion of the world's leading malariologists as to the most efficacious and economic system of combating malaria in Europe. Thanks to the investigations of the Smallpox and Vaccination Commission, health services are now informed of the opinion of well-known specialists regarding post-vaccinal encephalitis. The Permanent Standards Commission reached an agreement for the standardisation of a number of sera and for the establishment of a method of testing certain biological products. A Committee of health statisticians drew up an international list of causes of death and collected material for a list of causes of disease. The Cancer Commission studied the problems of occupational cancer and the radio-therapy of uterine cancer. The Sleeping Sickness Commission worked out a system of administrative measures for submission to the Second International Conference on this subject.

Other features of the League's health work are the establishment of a definite plan for practical co-operation with several Latin-American countries and the technical assistance given on various occasions to the health services of Greece and Bulgaria.

The Organisation on Intellectual Cooperation brought its principal efforts to bear on the development of inter-university relations and the co-ordination of the work of National University Offices, international student's associations, institutes of international political study; intellectual rights (scientific property, on the subject of which a preliminary draft convention was addressed to Governments; moral rights of authors); the co-ordination of intellectual statistics; the promotion of literary and artistic relations by the organisation of chalcographical exhibitions, the conclusion of an agreement between cast workshops and an investigation of the educational role of museums; the co-ordination of libraries by means of national offices in the various countries and an international office under the direction of the Paris Institute on Intellectual Cooperation; the preservation of printed and written matter; and the instruction of young people in the existence and aims of the League.

The International Institute of Private Law, founded and subsidised by the Italian Government, was opened on May 30th; in August the Council gave its official approval to the Statutes of the International Educational Cinematographic Institute, also founded by the Italian Government,

ARBITRATION, SECURITY, REDUCTION OF ARMAMENTS

Another important feature of the past year's work was the exploration of the guarantees afforded by arbitration and security as a background for an international convention on the reduction and limitation of armaments. In this connection the work of the Arbitration and Security Committee — in which the Turkish and Soviet delegates co-operated — was one of the most considerable efforts yet made for the organisation of peace.

The Committee laid emphasis on the fact that the Covenant created a measure of security which must be appreciated at its full value, and that, under its terms, the Members of the League were equipped with such extensive powers that their common will for peace would be effectively exercised within its framework, all the more effectively because it did not provide a rigid code of procedure.

After explaining the undeniable guarantees for security contained in the Covenant, whose articles in the majority of cases might be applied in such a way as to prevent war, the Committee, nevertheless, suggested that for States which did not regard these guarantees as sufficient, the Committee suggested that further protection might be provided by signing arbitration and conciliation conventions; by recognising the compulsory jurisdiction of the Court; or by concluding collective or bilateral treaties of security modelled on those of Locarno, as well as a model treaty for strengthening the means of preventing war.

The extremely elastic system proposed by the Committee enables States to

make their choice of a method and to adapt their obligations to their requirements or preferences. It is worthy of note that the procedure laid down in the arbitrat on conventions would operate in such a way that no obstruction by the parties could prevent it from taking its course. Moreover, although States remain free to sign, or not to sign, these agreements, the Committee, to promote the increased use of pacific procedure and the conclusion of a larger number of collective bilateral treaties and conventions, organised a procedure by which the Council would " if requested to do so by one of the parties — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue ".

Other work bearing on security — such as the scheme for financial assistance for States victims of aggression and the improvement of League communications in emergency — also made substantial progress. These schemes were removed from the theoretical plane by the 1928 Assembly which, with certain modifications, recommended them to all Governments. Whatever their ultimate fate, these agreements have given a fresh stimulus to the Assembly's desire to proceed as rapidly as possible with its disarmament work.

The Preparatory Commission for the Disarmament Conference held two sessions, but did not succeed in finishing its work. It was convened for the second reading of the draft convention drawn up last year, but abandoned this programme owing to differences of opinion between the Governments concerned. The German representative proposed to leave to the Disarmament Conference the settlement of those predominantly political questions which, at that time impeded any initial step towards the realisation of the disarmament idea, and asked that the Commission should fix for the Conference a date as early as possible after the ninth session of the Assembly.

The Commission, however, did not feel able to agree to this proposal. It also rejected, almost unanimously, a draft convention for the immediate, complete and general disarmament of all land and sea forces submitted by the U. S. S. R. delegation, which took part for the first time in its work.

This was the position when the Assembly met, and one of the principal subjects of discussion was the reduction of armaments, several delegates emphasising its numerous difficulties and urging that such differences of opinion as still existed should be removed before convening the Commission or the Conference. The German representative again proposed that the Assembly leave it to the Disarmament Conference to settle the questions in abeyance and invite the Council to fix the date of this Conference for 1929. Nevertheless, to enable the Assembly to take a unanimous vote, and to demonstrate the desire of his delegation to co-operate loyally in the work, the German representative withdrew his proposal and refrained from voting, as did also the Hungarian representative.

During the discussion it had been possible to reconcile the different points of view to a considerable extent. This was due in a large measure to the work of the Arbitration and Security Committee, which enabled the Assembly unanimously to declare that the existing conditions of security would allow of the immediate conclusion of a first Disarmament Convention, and that Governments which considered their security not sufficiently assured were now in possession of further means for strengthening it.

The Assembly further noted that the general political situation was continually improving, and that the difficulties which had hitherto impeded the work of the Preparatory Commission were beginning to diminish. It urged the necessity of taking the first step towards the reduction and limitation of armaments with as little delay as possible; noted with satisfaction the efforts of certain Governments to prepare the ground for future work; expressed the hope that Governments among which differences of opinion still subsisted as to armaments limitation would seek agreement without delay; and proposed that the President of the Commission keep

in contact with Governments in order to be apprised of the progress of negotiations and to be able to convene the Commission at the end of 1928 or, in any case, at the beginning of 1929.

Some progress was also made as regards the supervision of the private manufacture of arms and the publicity of arms manufacture, when the members of the Special Commission agreed to the extension to State manufacture of a certain system of publicity.

Here also may be mentioned the Szent Gotthard machine-gun incident, submitted to the Council by Roumania, Yugo-Slavia, and Czechoslovakia, under the articles of the Treaty of Trianon concerning Hungarian disarmament and the regulations issued by the Council for the exercise of the right of investigation as provided by the military clauses of the peace treaties.

This incident concerned the discovery in Hungarian territory of five truck-loads of war material which had travelled from Italy through Austria under a false declaration. The Council, without bringing into play the investigation procedure, referred the matter to a Committee, assisted by experts, two of whom proceeded to the spot. In the light of their report, the Council expressed its regret "that the Hungarian Government had considered the Szent Gotthard incident exclusively from the standpoint of railway and customs regulations, without having thought it necessary to concern itself with the question of the final destination of the material, although its presence under a false declaration on Hungarian territory acquired special importance from the fact that in regard to the trade in arms Hungary was under obligations arising from the Treaty of Trianon".

The Council also regretted that it had been impossible to determine the final destination of the material and expressed its conviction that the discussions had sufficiently emphasised the gravity of the incident and the importance which it attached to such incidents not recurring. It recalled in this connection that any one of its Members had the right to request an extraordinary meeting of the Council and that the latter had authority to order immediate investigation in virtue of the rules in force. For the establishment of mutual confidence between States it emphasised the importance of early ratification of the convention on the supervision of the arms trade.

The Hungarian Government had proceeded to the sale by auction of the material confiscated, as authorised by the international railway regulations, after this question had been placed on the Council's agenda. The Council, therefore, to dispel any doubt as to the attitude which Governments should observe when an affair was pending before it, established the following measures to preserve the *status quo*. In similar cases and also in cases where differences are placed on the agenda of the Council in accordance with Article II, paragraph 2, or other articles of the Covenant such as articles 13 and 15 (measures for giving effect to arbitral awards, disputes likely to lead to rupture), the Secretary-General will communicate immediately with the parties concerned. He will draw their attention to the fact that the Council considers that, when a question has been submitted for examination, it is extremely desirable that the Governments concerned should take whatever steps may appear to them necessary or useful to prevent anything occurring in their respective territories which might prejudice the examination or settlement of the question by the Council.

THE PERMANENT COURT OF INTERNATIONAL JUSTICE. INTERNATIONAL LAW.

In the field of international law, special mention must be made of the work of the Court and the rapid extension of its jurisdiction. The number of cases submitted made it necessary for the Court to hold an extraordinary session shortly following its ordinary session, with the result that it was almost constantly in

session. It gave three advisory opinions and four judgments in cases of varying importance, all concerning conflicts between States.

The so-called Optional Clause for the compulsory jurisdiction of the Court was accepted by two more States, Spain and Hungary, the latter subject to ratification. This clause is now in force for sixteen States. Thirteen others have signed, but have not yet ratified it. The Court's jurisdiction was further extended by numerous conventions and treaties concluded during the year.

The interest taken by all League Members in the Court's development, the desire to extend its jurisdiction whenever possible and to perfect its procedure, gave rise to several important resolutions in September. In the first place, with a view to removing obstacles which may prevent States from acceding to the compulsory jurisdiction of the Court, the Assembly drew the attention of Governments to the possibility of reservations limiting their commitments. It further invited the Council to secure from States information as to the questions of international law, the elucidation of which would facilitate their accession to the Clause.

The second question raised was whether the Council or the Assembly could not seek the advisory opinion of the Court by a simple majority vote. The advisory opinion is a new departure in international law. Since the creation of the Court the Council has made a wide use of the possibility offered by the Covenant of seeking its advice on any point of law that may arise, for instance, during the examination of a political question. The opinion of the Court has often facilitated the Council's task and contributed to settlement. Hitherto this reference had almost always been made by unanimous decision of the Council and, in various quarters, it had been queried whether this decision could not be taken by a simple majority. The Swiss delegation to the ninth Assembly suggested that the Council might seek the opinion of the Court on this subject, but this proposal met with various objections. The Swiss delegation then submitted another proposal, which met with unanimous agreement, according to which the Council was invited to study the question as soon as circumstances permitted.

In the third place, the Assembly drew the Council's attention to the advisability of examining the Statute of the Permanent Court, with a view to the introduction of such amendments as might be judged desirable, in the light of the experience gained during the past seven years.

The Assembly and Council, voting simultaneously, elected as judge Mr. Charles Evans Hughes, former Secretary of State and Justice of the Supreme Court of the United States, to replace Mr. John Bassett Moore, who had resigned in order to devote himself to the publication of an important work on international law.

The work on the codification of international law included the arrangements for the first codification conference, which will meet at The Hague in 1929 or 1930.

The Committee of Experts for the Progressive Codification of International Law, after consulting Governments and qualified institutes, selected two fresh questions as sufficiently ripe for international regulation, namely, the legal position and functions of consuls and the competence of the Courts in regard to foreign states. These questions will be submitted to a later conference. In this connection, the Assembly gave a fresh impetus to the work it had initiated in 1924. It confirmed its decision to make no change in the method adopted in that year, recognising, however, that there would be advantages in indicating the full extent of the subjects to be covered without prejudging the order to be followed. It accordingly asked the Council to have a systematic survey established by a committee of three jurists.

The Assembly emphasised the great immediate practical value of assembling the various international conventions in the form of a code, according to a methodical classification. It asked the Council to submit to the above-mentioned committee of three the question of publishing these conventions as an accompaniment to the Treaty Series.

The total number of treaties registered by the League since 1920 is approaching

2,000, more than three hundred having been deposited during the past year. This number includes twenty-four treaties on arbitration and conciliation, fifty-nine treaties of commerce and navigation, and twenty economic treaties.

The Council endeavoured during the year to hasten the ratification of agreements and conventions concluded under the auspices of the League. Further, it laid down the general principles which should be followed in placing international bureaux under the direction of the League according to Article 24 of the Covenant, as well as the rules which should in future govern the acceptance by the League of such international institutes as the Institute of Intellectual Cooperation in Paris, or the Institute for the Unification of Private Law in Rome.

POLITICAL QUESTIONS

The Council, which is the principal League organisation for the settlement of political questions, held its fiftieth session in June, 1928. On this occasion the Acting President, M. Aguero y Bethancourt (Cuba), drew attention to the fact that, although according to Article 4 of the Covenant, the Council should meet "at least once a year", it had, in eight years, held fifty sessions, with the result that statesmen enjoying the honour of representing their countries on the Council had worked and lived together in Geneva for a long period. They had thus learned to know and appreciate one another, and this had contributed to progress in good understanding between nations.

Of the questions dealt with by the Council in 1927-1928 two may be mentioned as being of particular importance and illustrative of the methods of the Council.

One of these, the Hungarian Optants affair, was first dealt with in 1923 and raised for the second time in March, 1927, since when it has figured on the agenda of each session. The other, the question of the Polish-Lithuanian relations, was submitted to the Council in a new form in December, 1927, as a result of several applications from the Lithuanian Government.

A feature common to both questions was the reference to the Council by one of the parties concerned in virtue of Article 11, paragraph 2 of the Covenant, according to which it is "the friendly right of each Member of the League to bring to the attention of the Assembly or the Council any circumstances whatever affecting international relations which threaten to disturb international peace or the good understanding between nations upon which peace depends".

Under Article 11, the decision of the Council must be unanimous and include the votes of the parties to the dispute—that is to say, the proposals of the Council must be agreed to by the parties and no solution can be imposed on either party against its will. This circumstance was the determining factor in the procedure followed by the Council, which included public statements by the parties; examination of the question by a rapporteur, in consultation with the other members of the Council including the parties; an attempt to reconcile and adapt the standpoints of the parties in order to establish the basis or the principles of an agreement that would be unanimously accepted; finally, the ground cleared, recommendations for direct negotiations between the parties.

The Council was untiring in its application of this method to both cases. From December, 1927, to September, 1928, no fewer than three attempts were made to settle the Hungarian optants question. The Hungarian Government having rejected the report which the Council had adopted in September as a basis for negotiations between the parties, the Council, while confirming the value of its previous recommendations, proposed in March another solution, namely the addition of two judges to the Hungarian and Roumanian Arbitral Tribunal. This solution was rejected by the Roumanian Government, and the Council then urged the parties to bring the dispute to a close by reciprocal concessions, while repeating its opinion that it ought to be settled upon the basis of the solutions previously recommended.

During the interval between the June and September sessions of the Council, the parties exchanged notes which, in the Council's opinion, showed some possibility of reaching a friendly settlement and an agreement on preliminary conditions for the opening of negotiations. In these circumstances, the Council recommended that the two Governments, while reserving their points of view in regard to the principles involved and the legal situation, should take steps to enable their plenipotentiaries to meet as soon as possible.

The Polish-Lithuanian affair came before the Council in the following way : On October 15th, 1927, the Lithuanian Government complained of measures applied by the Polish Government to schools in the Vilna and Kovno districts, stating further that it had "acquired the certainty that the Polish Government was putting into operation a far-reaching scheme directed against the very existence of an independent Lithuania".

From the formal statements of the Polish and Lithuanian representatives to the Council, it appeared that the Polish Government fully recognised and respected the political independence and territorial integrity of the Lithuanian Republic and that the Lithuanian Government did not consider itself in a state of war with Poland. The Council therefore recommended the two Governments to enter into direct negotiations as soon as possible in order to establish such relations between them as would ensure the good understanding "upon which peace depends". It placed at their disposal the good offices of the League and its technical organisations, should such assistance be desired. It laid down a procedure for enquiry and the settlement of frontier incidents. In the final paragraph of the resolution the Council declared that it in no way affected questions on which the two Governments had differences of opinion.

This resolution was voted in December, 1927. The direct negotiations began in March, 1928, and, when the Council met in June, had made no appreciable progress. The Council then decided to include in the agenda of its following session not only an examination of the progress of negotiations, but the whole question of the Polish-Lithuanian relations. In September the Council noted that, although agreement had not been reached, the negotiations had nevertheless cleared the ground for further progress. It accordingly encouraged the parties to continue, and proposed, failing appreciable progress, to make a very careful enquiry into difficulties which, in consequence of the dispute, might injure the rights of third parties. These the Council, as guardian of the general interest, was bound to defend. In order to dispel any misunderstanding, the Council gave definite explanations in regard to the final paragraph of its resolution of December, 1927.

The third problem referred to the Council under Article II concerned a request of the Albanian Government to examine the question of Albanian property and the situation of the Albanian minority in Greece. The second part of the question was not dealt with by the Council for reasons which will be given later.

As regards the first point, the Council, after hearing the representatives of the parties, decided that direct negotiations conducted in a spirit of conciliation would seem to constitute the most suitable means of reaching a solution.

Various communications from the Persian, Japanese and British Governments were sent through the Secretary-General, in accordance with practice or on formal request, to all States Members of the League.

MINORITIES

Minority questions were considered at all sessions of the Council and also by a Committee of Three which examined all petitions recognised receivable. These petitions mainly concerned educational matters in Upper Silesia, which were submitted to the Council by the *Deutscher Volksbund* of Polish Upper Silesia.

The most important petition dealt with the admission of children to the primary and minority schools of Polish Upper Silesia. The German Government

submitted to the Permanent Court the legal points involved and, in the light of the interpretation given, the Council laid down the principles which should in future govern language declarations made with a view to the establishment of new minority schools or the admission of children to existing ones.

A complaint of the Lithuanian Government regarding the treatment of persons of Lithuanian race or language in the Vilna district was dealt with according to the minority procedure. On the advice of a Committee of Three, the Council confined itself to noting the observations made by the Polish Government.

Two general minority questions were considered. The first concerned the receivability of petitions in regard to which the Council sought and noted the opinion of jurists. The second was raised in connection with a request of the Albanian Government under Article II of the Covenant that the Council should consider the situation of the Albanian minority in Greece. A report prepared by a Committee argued that the request was not receivable for the following reason. "One of the main objects of the system of protection of minorities would be frustrated and an important purpose of the minorities treaties themselves would be defeated if the Council consented to accept as normal an appeal based on Article II in lieu of the minority procedure". The German representative nevertheless observed that in grave cases Article II might applied to minority questions.

The question of minorities was raised at the Assembly during the general discussion of the Council's report, the Netherlands delegate suggesting that a Permanent Minorities Commission might be formed, a proposal which gave rise to a discussion in which various arguments, both for and against, were put forward. The question was not referred to a committee and no resolution was adopted.

MANDATES

The Permanent Mandates Commission examined the annual reports of the Mandatory Powers on the administration of territories entrusted to their charge. On various points, such as legislation, labour, health and education, the Mandatories were asked to furnish additional information in future reports.

The report of the Royal Commission on the 1926 disturbances in Western Samoa was most carefully examined, petitions on the same subject being studied in the presence of the New Zealand High Commissioner in London and a former Administrator of the territory. The Commission finally expressed the opinion that none of the charges made against the administration were justified and that no petitions contained any evidence of a policy or action contrary to the mandate. It noted with satisfaction the assurance of the Mandatory that adequate arrangements had been made for the maintenance of law and order in the island.

Several matters dealt with by the Commission were also raised before the Council. As regards Transjordan, for instance, the Commission had asked the Council to consider whether its formal assent was necessary before the Agreement of February, 1928, between the United Kingdom and Transjordan — recognising the independence of the Transjordan Government — could be put into force. The British representative having stated that his Government considered itself responsible to the Council for the application of the Mandate, the Council voiced its conviction that, in these circumstances, the Agreement was in conformity with the Mandate.

Again, as regards Syria, the Commission, while considering that the country should be gradually prepared for self-government, had recommended that the Mandatory should meanwhile preserve all the authority necessary to guide and control its development and meet its responsibilities to the League. The French representative on the Council concurred in this view,

The Commission had drawn the attention of the Council to certain questions concerning the application in mandated territories of the principle of the economic equality of States Members of the League. The Council instructed the Commission to study the whole question of the treatment of nationals of mandated territories

in countries Members of the League and of produce and wares from these territories. Similarly, it asked the Mandatory Powers for information as to postal rates and their practice in regard to purchases of material and supplies for mandated territories. The Council also asked the Mandatories for information as to the parts of the territories under their mandate to which the Saint Germain Convention on the liquor traffic had been applied.

THE SAAR AND DANZIG

The only question dealt with by the Council concerning the Saar Territory was that of the appointment of the Governing Commission. The Council appointed M. Ehrnroth (Finnish) to succeed the retiring member, M. Lambert (Belgian).

The principal events, in the territory during the year were the conclusion of the Franco-German Agreement on Trade between the Saar and Germany, the difficulties, in marketing Sarr coal owing to the European coal crisis, and the measures taken by the Commission to deal with the position.

No questions concerning Danzig trad to be settled by the Council. Those pending were dealt with by direct agreement between the parties, as recommended by the Council, or referred to the Permanent Court for an opinion, which was accepted by the parties.

Count Manfredi Gravina was appointed to succeed Dr. von Hamel as High Commissioner, in June, 1929.

SOCIAL AND HUMANITARIAN QUESTIONS

The most important event in this domain was the coming into force of the Geneva Opium Convention of February 19th, 1925. This enabled the Council to make arrangements for the appointment of the Permanent Central Board created by the Convention to follow international traffic in the substances covered by the Convention.

At the same time, the Advisory Committee on Traffic in Opium pursued its enquiry into means of combating the illicit traffic. Evidence that the clandestine trade is still considerable, despite progress in applying the League's recommendations, is afforded by reports of large contraband seizures.

The principal features of the Committee's work were an appeal to Governments for the more stringent enforcement of its recommendations and for further information enabling the Committee to discover more accurately the source and channels of the illicit traffic; a suggestion for the state control or ownership of drug factories; the establishment of uniform methods of administrative control; a recommendation that, as regards manufacture, import and export, benzoyl-morphine should be liable to the same control as morphine.

The Assembly recommended in september that delegates should urge their Governments to take the necessary measures to give effect to these recommendations. It further recommended, on the proposal of the British Government, that a Commission should study the control of opium smoking in the Far East.

TRAFFIC IN WOMEN AND CHILDREN

In connection with the traffic in women and children, the Council authorised the publication of the second part of the Report of the Special Body of Experts, which contains information on the traffic in twenty-eight European and American countries. The Committee on Traffic in Women studied the material and moral protection of masic-hall and similar artists touring abroad. It asked Governments which still maintained the system of licensed houses to examine the question of abolishing them as soon as possible. The Assembly drew the attention of Governments to the importance of the employment of women police in the prevention of the traffic.

The Child Welfare Committee concentrated its efforts on the problem of the effect of the cinematograph on children and young people, and drew up draft conventions on the repatriation and relief of minors. It decided to institute in seven European countries and in the United States a preliminary enquiry on the problem of children exposed to moral and social dangers.

Substantial progress was made in relief work for refugees. The settlement work was pursued, more particularly as regards Armenians in Syria. A Government conference decided to recommend the more general application of the rules established in regard to passports and to draw up regulations for the unification of the legal status of refugees. Relief measures for Russian and Armenian refugees were, by special decision of the Council, extended to other categories (Assyrians, Assyro-Chaldeans and Turks). It was recognised that this work, carried out during several years by the High Commissioner for Refugees and the International Labour Office, could not provide a complete solution of the refugee problem. In september, 1928, the Assembly expressed the opinion that such a solution could only be obtained by the return of the refugees to their countries of origin or their assimilation by the countries at present giving them shelter. The Assembly accordingly invited Governments to provide refugees with all possible facilities for acquiring the nationality of the countries in which they are at present residing. Recognising, nevertheless, that in present circumstances international action would still be necessary for some time to come, it invited to set up an advisory commission to assist the High Commissioner, and urged Governments to facilitate the evacuation of refugees from Constantinople and to apply the decisions taken in regard to passports and the legal status of refugees.

The Assembly further decided that the work of establishing Armenian refugees in the Republic of Erivan should be carried on by High Commission under the auspices of the League. Several Governments have expressed their willingness to contribute to this work and a group of Armenians in Europe have presented £100.000 sterling to Dr. Nansen for this purpose.

The Assembly decided to include certain aspects of the question of alcoholism in the League's programme of study.

BUDGET, STAFF AND BUILDINGS

The League budget for 1929 was fixed by the Assembly at 27,028,280 Swiss Francs for all League organisations, (Assembly, Council, Conferences, Secretariat, International Labour Organisation and Permanent Court of International Justice). The increase of 1,795,463 Swiss Francs is due to the new duties entrusted to the Economic, Financial and Transit Organisations, the preparation of the Conference for the Codification of International Law and the appointment of the Permanent Central Opium Board.

This led to an important general discussion concerning the budget itself, the Secretariat staff, methods of recruitment and the general Spirit of the Secretariat. The Assembly took this occasion to confirm the principles contained in the report submitted to the Council by Lord Balfour in May, 1920, by which the Secretary-General is instructed to secure the men and women best qualified to fulfil the duties assigned to them, while taking account of the necessity of selecting officials of various nationalities. The members of the Secretariat, once appointed, are no longer considered as being in their country's service, but become for the time being officials of the League and the League only. Their duties are not national but international.

The question of the site for the new League buildings (the Assembly Hall, the Secretariat, and the Library) was finally settled by the Assembly. The lake-front

site having been found too small to meet the situation created by the Rockefeller Library gift, an arrangement was concluded with the Swiss authorities by which the original site was exchanged for a larger one in the Ariana park.

II. — Summary of the Month.

NOVEMBER 1928.

In November the most important League event in the economic field was the Diplomatic Conference which met in Geneva on November 26th for the purpose of adopting a Convention on the scope of economic statistics and methods of compiling industrial and commercial statistics. This Conference, which was attended by delegates from some forty-one States, was still in session at the end of November.

In the course of its enquiry into communications by land, water and air, the League Transit Organisation has turned its attention to the requirements of international motor transport. Its Road Traffic Committee, which is composed of representatives of government transport offices and of international associations interested in the subject, met in Paris during the month, studying the international regulation of commercial motor transport and the taxation of foreign tourists' cars.

Substantial progress was made by the League Health Organisation in its research work on sleeping sickness in Central Africa. The Second International Conference on Sleeping Sickness met in Paris from November 5th to 7th, examined the report of the International Commission which had been working for eighteen months in the infested area, and proposed a series of preventive and curative measures.

An extraordinary session of the Permanent Court of International Justice opened on November 14th to consider a case relating to Serbian loans issued in France.

A Body of Arbitrators appointed by the Council to settle a dispute between the Sopron-Kőszeg Railway Company and the Austrian and Hungarian Governments began its proceedings on November 5th.

The General Act and Conventions prepared by the ninth Assembly for the pacific settlement of international disputes were forwarded by the Secretary-General to all Governments.

The Saar Governing Commission sent in its thirty-fifth report on the situation in the territory.

III. — Arbitration, Security and Reduction of Armaments.

COMMUNICATION TO GOVERNMENTS OF THE TEXTS APPROVED BY THE ASSEMBLY

The Secretary-General has communicated to Governments the texts prepared by the Assembly on arbitration and security, which include the General Act for the Pacific Settlement of International Disputes, three bi-lateral conventions for conciliation, arbitration and judicial settlement, three draft treaties of mutual assistance and non-aggression and a mutual treaty for strengthening means of preventing war.

The General Act is preceded by a new Introductory Note drafted by the Secretariat according to the instructions of the Council. As it stands, the General Act is a document which can be converted into a convention as soon as it is accepted, in its entirety or in part, by two States. It will remain open indefinitely for the accession of all other States Members or non-Members of the League.

It is assumed that Governments will first secure the preliminary approval

necessary under their respective national constitutions and that in this way the accessions will become valid. The Secretary-General has expressed his readiness, if desired, to assist Governments in carrying out the formalities attending the deposit of the instruments of accession to the General Act.

These documents are accompanied by the texts of the resolutions adopted by the Assembly concerning the good offices of the Council. States Members are informed that the Council, if so requested by one of the parties, is prepared after examining the political situation and the general interests of the peace, to lend its good offices for the conclusion of treaties of the above mentioned character.

(Bibliographical Note. — Pacific Settlement of International Disputes, Non-Aggression and Mutual Assistance. Geneva, 1928. 46 pages. Document No. C. 536. N. 163. 1928. IX.)

IV. — Legal and Constitutional Questions.

INTERNATIONAL ENGAGEMENTS

REGISTRATION OF TREATIES

Among the international engagements registered in November figure :

An exchange of notes between Finland and the U. S. S. R. (Helsingfors, September 24th, 1928) appointing frontier commissioners on the Karelian Isthmus, presented by Finland.

An exchange of notes between Finland and Lithuania constituting a provisional regulation of the commercial relations between the two countries (Kaunas, October 6th, 1928), presented by Finland;

A Treaty of Commerce and Navigation (Angora, August 26th, 1927) between Turkey and the Economic Union of Belgium and Luxemburg, presented by Belgium;

A Commercial Convention (Ottawa, March 15th, 1928), between Canada and Czechoslovakia, presented by Canada;

A Convention concerning the extraction of hydraulic power on the international section of the Douro (Lisbon, August 22nd, 1927) between Spain and Portugal, presented by Portugal.

V. — The Technical Organisations

1. — THE HEALTH ORGANISATION

a) *Thirteenth Session of the Health Committee.*

The Health Committee held its thirteenth session at Geneva from October 25th to 31st, when it reviewed the work of the Health Organisation since its last session and laid down the general lines of its work for 1929. Dr. Chodzko (Polish) and Professor Ricardo Jorge (Portuguese) were elected Vice-Chairman for 1929.

Assembly Resolutions and Decisions of the Council. — The Committee learned with satisfaction that its work had received the general approbation of the ninth Assembly and that its budget had been passed without discussion.

It examined the request of the Council for its opinion and report on a scheme suggested by the Assembly for collecting "full statistical information regarding alcoholism considered as a consequence of the abuse of alcohol, giving prominence,

inter alia, according to the data available, to the deleterious effects, of the bad quality of the alcohols consumed... It is understood that this resolution does not refer to wine, beer or cider ”.

After careful consideration the Committee came to the conclusion that to amass statistical data would add nothing appreciable to existing knowledge on the evil effects resulting from the abuse of alcohol and that there was already considerable scientific and medical knowledge and literature on the deleterious effects of methyl-alcohol and alcoholic liquors of bad quality. Therefore submitting a report to the alcohol and alcoholic liquors of bad quality. Therefore before submitting a report to the Council on a plan of study the Committee decided to request further information from the health administrations of the countries which had brought this matter before the Assembly, namely, Finland, Poland and Sweden, as to the special lines of enquiry, best adapted to supply the information needed.

Epidemiological Intelligence. — The Committee noted that the publication of the Weekly Record or Bulletin of epidemiological intelligence, had been advanced by a day owing to special arrangements made with the *Office International d'Hygiène publique*, the Sanitary Maritime and Quarantine Board of Egypt and the Singapore Bureau of the League Epidemiological Intelligence Service.

Telegraphic information, sent direct to Geneva and received *via* Singapore, is increasing every month.

During the epidemic of dengue in Greece special information was circulated by telegram to the Health Services of the Mediterranean area and other countries directly interested.

The work of the Singapore Bureau of the Epidemiological Intelligence Service is developing steadily, as regards the regularity, promptitude and quantity of the information supplied, the form and swiftness of its distribution and the success of its reception by wireless, the functions of the Advisory Council of the Bureau and the investigations and research work carried out under the Advisory Council's auspices.

System of Liaison with Public Health Administrations. — The programme of interchanges or study tours for public health officials was approved for 1929 and includes interchanges on rural hygiene, the study of sanitary engineering, certain aspects of housing, industrial hygiene and milk supply.

The great value to public health administrations of general and specialised interchanges and of individual missions was fully recognised, and suggestions were made as to how their utility might be increased. Every endeavour is made to curtail the duration of these interchanges without detriment to their utility, health administrations having found it difficult to spare the services of participants for a prolonged study tour. The hope was expressed that careful thought and consideration would be given by health administrations in the selection of the medical officers taking part in these study tours. The system of interchanges or study tours, since its inauguration five or six years ago, has exhibited a tendency to evolve into study tours on special subjects, an evolution which has its advantages, though those of the original general interchange were fully recognised. The recent introduction of the use of films illustrating phases of public health work in the countries visited was approved; the extended use of the cinema film will make it possible to reduce the amount of travelling in the countries visited.

Enquiry into Infant Mortality. — Satisfaction was expressed at the progress made in the enquiry on infantile mortality. At the meeting of experts on infant welfare held in London last July, the preliminary results of the enquiries carried out in the seven European countries, in each case for a full period of twelve months, were considered. A report is now being prepared in each of these countries, drawn up in the form suggested at the meeting and approved by the Health Committee. A general report on the enquiry as a whole will be submitted to the Health Committee

on the basis of these national reports, as well as proposals for further investigations, the need for which has been demonstrated by the enquiries already carried out. The parallel enquiry conducted in Argentine, Brazil, Chili and Uruguay promises to give results of very considerable interest and will probably be terminated towards the middle of 1929, when it is hoped arrange a second conference for the experts responsible for these investigations and eventually to extend the enquiry to other South American countries.

Vaccination Against Tuberculosis by Means B. C. G. — The conclusions of the Conference on anti-tuberculosis vaccination with regard to the prophylactic value and innocuity of the B. C. G. were not discussed by the Health Committee. The discussion was confined to the proposals made for future study, and the recommendations made by the Conference in this connection were adopted. The Health Section will have the task of collecting and collating the results of the work to be undertaken by certain institutes entrusted with the enquiries with a view to preparing a second Conference.

Report of the Malaria Commission. — The Health Committee approved of the Malaria Commission's report on its Conference in Geneva last June ⁽¹⁾, in which certain principles were laid down combating malaria and a programme of studies was recommended as being particularly suitable for international study with the cooperation of the Health Organisation. These studies concerned housing in relation to malaria, the mosquito in malaria transmission and prevention and the use of quinine and other cinchona alkaloids as well as drugs other than quinine. The Committee requested its President and Bureau, in consultation with the Chairman of the Malaria Commission, to select the subjects for international research to be undertaken out of those recommended.

Report of the Cancer Commission. — The Cancer Commission reported to the Health Committee on the steps that had been taken to investigate the methods and efficacy of the radiological treatment of cancer. For this investigation cancer of the cervix of the uterus has been chosen as it is for this form of cancer that radiotherapy has become of most urgent practical importance. As a first step, an exhaustive enquiry is being carried out as to the results of radiological treatment of this form of cancer in three large institutes, namely, the *Fondation Curie* in Paris, the *Universitäts-Frauenklinik* of Munich and the *Radiumhemmet* of Stockholm. The report will be ready early in 1929. Another enquiry will be carried out by the Italian members into the relationship between cancer and constitution. Finally, an enquiry into occupational cancer is being undertaken in conjunction with the International Labour Office in order to elucidate certain points by a comparison of experience in several countries.

Application of the Geneva Opium Convention. — The Committee informed the Council, in conformity with Article 10 of the Geneva Convention of 1925, that dilauidide, as well as benzoyl-morphine and the morphine esters generally, should be brought within the scope of the Convention, as being habit-forming narcotics. The procedure for advising the Council under this article of the Convention will be expedited by authorising the Opium Sub-Committee of the Health Committee after obtaining from the President of the Permanent Committee of the *Office International d'Hygiène publique* the opinion of that body, to examine directly questions submitted to it on the basis of Article 10 of the Convention and to take any necessary decisions after approval by the President of the Health Committee.

With regard to the application of Article 8 of the Geneva Convention of 1925, which deals with preparations containing narcotics which for well defined reasons should not fall under the convention, the Committee adopted a report of the Opium

(1) See *Monthly Summary*, Vol. VIII, No. 6, p. 168.

Sub-Committee, recommending the acceptance of certain preparations contained in the lists submitted by the different governments for this purpose.

Dengue. — In connection with the recent epidemic of dengue in Greece the Committee received the report of an investigator sent to Greece in response to an invitation of the Greek Government. The report included a description of the epidemiology of the disease as manifested in the recent outbreak and described the enquiries made and the measures taken by the Greek Public Health Service. Information regarding the epidemiology of dengue in the Mediterranean Basin was also laid before the Committee.

The Committee further considered a letter from the Greek Under-Secretary of State for Health expressing thanks for the assistance received and requesting further collaboration in connection with the development of the Greek Health Service. The Committee decided to accede to this request subject to the approval of the Council.

Smallpox and Vaccination Commission. — The report and recommendations of this Commission were approved by the Health Committee. The report deals with post-vaccinal encephalitis and the preparation and preservation of vaccinal lymph.

The occurrence of cases of post-vaccinal encephalitis is so rare that the Commission considers, and its view was endorsed by the Health Committee, that "they afford no reason to contemplate any restriction of the use of vaccination which remains the most powerful weapon against smallpox."

The occurrence of this complication did not appear to depend upon the use of any particular method of vaccination or any particular vaccine. The Commission drew attention to the advantages of primary vaccination during early infancy rather than at later ages of childhood, and recommended that careful enquiries should be carried out in other countries where primary vaccination at school age is habitually practised, to ascertain whether there are or have been cases of post-vaccinal encephalitis.

The Commission submitted a number of observations on the preparation of smallpox vaccine and the technique of vaccination.

Leprosy. — The Committee noted that since its twelfth session the Leprosy Commission had held a meeting in Paris in May, 1928, when the general lines of the enquiry were decided upon. The Chairman of the Commission (Professor Chagas) promised to draw up a detailed programme for the consideration of the Health Committee. Since his return to Brazil, a National Research Centre has been formed, under the direction of M. Guinle, who is contributing \$10,000 yearly for investigations into this disease. The Committee has promised to send a European expert to undertake research into the more important problems of leprosy. Steps have already been taken to obtain the services of an eminent expert to undertake this work.

The services of Dr. Etienne Burnet, of the Pasteur Institute, have been secured as technical secretary to the Leprosy Commission of the Health Organisation, and it is hoped that he will visit in the near future several countries in Latin America whose collaboration in carrying out the enquiries is indispensable.

Syphilis. — *The Copenhagen Conference.* — The report of the Laboratory Conference on the Serodiagnosis of Syphilis, held at Copenhagen in May and June was presented by the President and adopted. The purpose of the Conference was to compare the Bordet-Wassermann reaction with the various flocculation tests. The special value of the Conference lies in the fact that the authors were able to compare with the same specimens of blood sera and spinal fluids the results of their own methods with those of others. Forty participants from seventeen countries attended and more than 1,000 samples were examined. It was stated that

the flocculation tests have considerably improved since the last Conference in 1923, and that the best of them may now be regarded as equal in value to the rest of the Bordet-Wassermann tests. It was recommended that at least two different serodiagnostic methods should be used and that the execution should be placed in the hands of specially trained serologists only.

Meeting of Experts at Geneva. — The President submitted a report on the meeting of experts on syphilis and cognate subjects held at Geneva last October. The Committee approved the proposals as regards a retrospective enquiry into the methods of treatment of syphilis employed in several clinics of different countries and into the results obtained. Advantage will be taken of Dr. Etienne Burnet's presence in Latin America to study the possibilities of extending to those countries this enquiry and that into the serodiagnosis of syphilis.

International List of Causes of Death. — The Committee authorised its President to nominate four members to a Mixed Commission for the revision of the Nomenclature of causes of death, which is to be composed of four members nominated by the Health Committee, four by the International Institute of Statistics, the President and the Secretary-General of the Institute and the President and Medical Director of the Health Committee.

Education in Hygiene and Preventive Medicine. — The Committee instructed its Commission on Education in Hygiene and Preventive Medicine to formulate the fundamental principles of instruction for health officers and auxiliary health personnel and of a general programme of work for schools of hygiene, based on the large amount of documentation now in possession of the Commission.

Cooperation with Latin America. — Satisfaction was expressed at the cooperation already existing or about to be established between the Health Organisation and Latin American health services as regards the enquiries into infant mortality, leprosy and syphilis, the interest shown by the Uruguayan Government in the study of the relations between public health services and health insurance institutions, with a view to the preparation of a draft law revising the health legislation in force in Uruguay, and the prospect of adopting the system of interchanges and individual missions so as to make it of more permanent advantage to the health administrations of Latin American countries.

Letter from the Australian Prime Minister. — The Health Committee noted with pleasure a letter from the Australian Prime Minister dated last October describing the action taken on the resolutions adopted by the Pacific Health Conference in Melbourne in December, 1926. On the basis of the general agreement thus reached, the Australian Government has established an Epidemiological Intelligence Service for the Austral-Pacific Regional Zone. The Health Committee welcomed the proffs given by the governments in that zone of their desire to collaborate with the Health Organisation.

Nutrition. — On the initiative of Professor Léon Bernard (French) the Committee put the question of nutrition on the agenda of the next session.

(Bibliographical Note. — Report to the Council on the work of the Thirteenth Session of the Health Committee Geneva, 1928, 45 pages. Document C. 555. M. 175. 1928. III.)

b) *Second Conference on Sleeping Sickness.*

On the invitation of the French Government, the Second Conference on Sleeping Sickness convoked by the Council was held in Paris from November 5th to 7th. It was attended by the six States with colonies or dependencies in the region affected by the disease, Belgium, Great Britain, France, Italy, Portugal, Spain.

The mandate of the Second Conference was to examine the final report of the International Sleeping Sickness Commission appointed by the Council to carry out the recommendations of the First Conference, which was held in London in May, 1925. This Commission conducted its investigations in Uganda and the regions round Lake Victoria from January, 1926, to July, 1927.

The Conference noted the report and drew up a programme of further research and administrative measures. It recommended that a study of the various problems involved should be made by national laboratories in countries infested by the tse-tse fly. In view of the economic and public health importance of animal trypanosomiasis in Africa, it recommended that close and continuous contact should be established between medical and veterinary research and that, at a future conference, human and animal trypanosomiasis should be considered as a whole.

As regards the international coordination of measures for the control of sleeping sickness in African dependencies, the Conference reaffirmed the recommendations of the London Conference.

To control the movements of natives, it proposed the following measures :

- (a) A census of the native population, to be carried out by the administrative authorities.
- (b) The issue to natives of identity papers (medical passports).
- (c) The delimitation of areas in regard to which entry and departure would be subject to medical authorisation.
- (d) Close cooperation between medical and administrative authorities and, in special cases, the conferring of police powers on medical officers.
- (e) The establishment of observation posts for medical examination and control of natives.

To render the control and treatment of natives as complete as possible, the Conference considered that administrations should dispose of adequate medical personnel and powers to enforce medical examination and treatment and, if necessary, to withdraw the medical authorisation of travel.

The Conference proposed that clearings should be made and effectively maintained at watering places, around villages, and fords; and that, in cases of emergency, seriously infected zones should be evacuated and the population established in a more favourable situation in the vicinity.

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The Conference considered a draft international agreement submitted by the Belgian delegation with a view to combating the disease. While recognising the value of this agreement, it considered that, in view of varying local conditions, it would be difficult at the present moment to bring about a general agreement between the States concerned. It recorded its preference for the conclusion of bilateral agreements for the establishment of as efficacious a control as possible of sleeping sickness at frontiers.

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The Conference considered that the League Health Organisation could usefully cooperate in the fight against sleeping sickness and might coordinate the investigations of the various laboratories. It might collect and analyse the facts obtainable on the incidence of human trypanosomiasis, its importance in relation to other causes of disease and the results of medical and administrative measures taken to combat the disease in Africa.

The Conference suggested that the Health Organisation should recommend the convocation of a third conference at some future date.

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The following delegations attended the Conference :

Belgian delegation.

M. Halewyck de Heusch, Director General, Ministry for the Colonies.

Dr. E. van Campenhout, Inspector General, Director of the Health Service, Ministry for the Colonies.

Dr. Rhodian, Professor at the School of Tropical Medicine, Brussels.

British delegation.

The Right Hon. W. Ormsby-Gore, M. P., Parliamentary Under-Secretary of State for the Colonies.

Sir George S. Buchanan, C. B., M. D., Senior Medical Officer, Ministry of Health.

Dr. Andrew Balfour, C. B., C. M. G., M. D., D. Sc., F. R. C. P., D. P. H., Director of the London School of Hygiene and Tropical Medicine.

Dr. Arthur Bagshawe, C. M. G., M. B., Director of the Bureau of Hygiene and Tropical Medicine.

Dr. H. Lyndhurst Duke, O. B. E., M. D., D. Sc., Deputy, Director of Laboratory Services, Uganda Protectorate, Director of the Human Trypanosomiasis Research Institute at Entebbe, and Chairman of the recent International Sleeping Sickness Commission of the League of Nations.

Mr. C. J. Jeffries, O. B. E., Colonial Office.

Dr. H. H. Scott, M. D., F. R. C. P., F. R. S. E., D. P. H., Medical Secretary, Colonial Research Committee.

Dr. W. Horner Andrews, D. Sc., M. R. C. V. S., Director of the Veterinary Laboratory, Ministry of Agriculture and Fisheries.

French delegation.

Dr. Cognacq, Head of the Delegation.

Professor Mesnil, Pasteur Institute.

Dr. Boye, Inspector-General, Health Service, Ministry for the Colonies.

Professor Brumpt, Laboratory of Parasitology, Paris.

M. Roubaud, Pasteur Institute.

Dr. G. Martin.

Dr. Abbaticchi (Representing the Ministries of Labour and Health.

Dr. Ledentu (ex-Director of the Pasteur Institute at Brazzaville).

Dr. Lavier, Professor of the Faculty of Medicine, Lille, Member of the International Commission on Sleeping Sickness of the League of Nations.

Italian delegation.

Dr. A. Lutrario, ex-Director of Public Health, member of the Permanent Committee of the *Office international d'hygiène publique* and of the Health Committee of the League of Nations.

Professor Aldo Castellani, K. C. M. G., M. D., F. R. C. P., Professor of Tropical Medicine at Tulane University, New Orleans, U. S. A., Director of the Ross Institute for Tropical Diseases, London; Lecturer at the London School of Hygiene and Tropical Medicine, London.

Comm. Ernesto Queirolo, Chief of Department, Ministry for the Colonies.

Dr. Peruzzi, privat docent of pathological anatomy at Florence University, member of the International Commission on Sleeping Sickness.

Portuguese delegation.

Dr. Aires Kopke, Director of the School of Tropical Medicine, Lisbon.

Dr. Antonio Aires, Veterinary medical officer, Lourenço Marquez, Mozambique.

Spanish delegation.

Dr. L. Rodriguez Illera, National Health Institute Alfonso XIII, Madrid.

(*Bibliographical Note.* — Final Report of the League of Nations International Commission on Human Trypanosomiasis, Geneva, 1927. 392 pages, 136 photographs and diagrams, 5 maps. Document No. C. H. 629. 1927-III. 13.

Report of the Second International Conference on Sleeping Sickness, Geneva, 1928. 6 pages. Document No. C. 563. 1928. III.)

c) *Technical Conference for the Study of vaccination against tuberculosis by Means of B. C. G.*

Origin of the Conference. — For over twenty years Dr. Calmette and Dr. Guérin, of the Pasteur Institute, have been working on the problem of cultivating a variety of the tuberculosis bacillus which could be used as a vaccine, as Pasteur had done for the anthrax germ. The object was to find a tuberculosis bacillus that was incapable of producing tuberculosis and, while not presenting the slightest danger, would be effective in inducing immunity against tuberculosis.

Finally, a bacillus was produced which appeared to fulfil the required conditions. Numerous experiments, first on laboratory animals, then on cattle, then on monkeys, and finally on anthropoid apes, convinced the two doctors that their bacillus was completely harmless, while the experiments with cattle seemed to demonstrate its efficacy in conferring immunity.

During the last few years tens of thousands of children, born of tubercular mothers or living in conditions where they incurred the danger of becoming tubercular, have been vaccinated with Calmette-Guérin bacilli, not only in France but in many countries.

At its twelfth session the League Health Committee decided to summon a Conference of a few experts in order to draw up the lines of an exhaustive and rigorously controlled international enquiry so as, if possible, to reach unanimity on whether or not this method really was completely free from all risks and effective in conferring immunity against tuberculosis. This Conference met in Paris at the Pasteur Institute from October 15th to October 18th.

Scope of the Conference. — As Dr. Madsen, the President of the Health Committee, pointed out at the beginning of the Conference, a great deal of evidence was already available in the form of reports submitted to the Conference, and it showed a general agreement with the views of Dr. Calmette and Dr. Guérin. But there had been some divergent results both of an experimental and theoretical nature. The small group of bacteriological, clinical and veterinary experts, of which the Conference was composed, had met in order to lay down the lines and advise on the most suitable methods for an international study of the subject. It ought to adopt a plan for future studies, and might be able to bring out from the great mass of evidence already available the points on which unanimous agreement already existed. But there could, of course, be no question of the Conference constituting itself an arbitral tribunal and passing a final judgment on the value of B. C. G. All that could be hoped was that studies undertaken as the result of this first conference would make it possible at a later date to submit to the health administrations a technical opinion concerning the use of B. C. G. to which experts still divided on the subject could all subscribe.

Conclusions. — The conclusions reached by the three Commissions of the Conference, composed of bacteriologists, clinicians and veterinary surgeons, are as follows :

1. *Conclusions of the Bacteriological Commission.* — The bacteriologists attending the meetings of the Commission agreed unanimously that experimental results justi-

fied the conclusion that B. C. G. was a harmless vaccine (Ascoli, Berger, Bordet, Cantacuzène, Frenkel, Gerlach, Kraus, Neufeld, Nowak, Remlinger, Tsekhnovitzer, Vallée, Zeller).

Professor Nobel, however, maintained that in exceptional conditions B. C. G. was capable of producing fatal tuberculosis in laboratory animals.

The Commission considered that the data already published regarding experimental work on laboratory animals clearly justified the conclusions that B. C. G. did not give rise to progressive tuberculosis (*tuberculose évolutive, progrediente Tuberkulose*).

The Commission took note of researches undertaken by the institutes consulted. In order to make it possible to compare these studies and to draw definite conclusions from them at a subsequent meeting the Commission recommended a series of investigations into methods of maintaining the fixed properties recognised as characteristic of B. C. G.; methods of studying the influence on it of passage through animals; immunising experiments; the variability and dissociability of B. C. G.; a comparative study of the histological changes produced by inoculation of B. C. G. and of virulent tuberculosis bacilli; and the necessity of limiting the preparation of B. C. G. (culture, preparation and distribution of the vaccine emulsions) to institutes of recognised scientific standing.

2. *Conclusions of the Clinical Commission.* — The following conclusions were drawn from the documents studied by the Commission :

1° That B. C. G. administered by mouth to infants within the first ten days of life and by subcutaneous inoculation in other children and in adults is incapable of producing virulent tuberculous lesions.

2° That vaccination by B. C. G. produces a certain degree of immunity against tuberculosis.

However, further research over a long period, and carried out in a uniform manner, with special regard to the morbidity and the mortality from tuberculosis among persons of different ages and in different environments, is necessary to enable the Commission to pass final judgment on the value of antituberculosis vaccination with B. C. G.

To this end the League Committee of Expert Statisticians was requested to indicate the best methods for collecting and analysing data on the morbidity and mortality of infants, both vaccinated and unvaccinated, on the basis of a uniform form and clinical observation sheet. These studies should be entrusted to a limited number of dispensaries and hospital clinics on the basis of the forms and by the methods approved by the Committee of Expert Statisticians. The information obtained in this way will be collected and analysed by the Health Section of the League Secretariat for consideration at a later Conference. The Commission considered that the conclusions adopted by the veterinary and bacteriological Commissions still further justified these recommendations.

3° *Conclusions of the Veterinary Commission : Prophylaxis of Bovine Tuberculosis.* — a) The experimental facts published and the *unanimous* opinion of practitioners who have used B. C. G. in cattle justify the conclusions that vaccination carried out according to the technique of Calmette and Guérin, among bovines, is a perfectly *harmless* procedure.

b) Similar experimental data and published observations with regard to the use of B. C. G. among bovines demonstrate that this strain of bacteria *confers definite immunity* against both experimental and natural tuberculosis infection. These recognised " pre-immunising " (*prémunisantes*) qualities *justify and encourage* the extension of the experimental use of B. C. G. in the prevention of bovine tuberculosis. Such work should be carried out in different countries in accordance with the international experimental Protocol, under the control of the official veterinary service and of competent bacteriological and pathological authorities. Wherever possible a strict experimental method should be adopted.

On the other hand, a less exacting method may be used to suit the requirements of cattle-breeding, providing the work is carried out under official and constant control.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

a) *Diplomatic Conference on the Unification of Economic Statistics.*

The Diplomatic Conference convened by the Council to draw up an international convention on the compilation and publication of economic statistics opened on November 26th at Geneva with Professor William Rappard (Switzerland) in the Chair. Plenipotentiary delegates were sent by forty-one countries — Austria, Australia, Belgium, Brazil, British Empire, Bulgaria, Canada, Czechoslovakia, Egypt, Estonia, Finland, France, Germany, Greece, Hungary, India, Italy, Japan, Lithuania, Luxembourg, Mexico, the Netherlands, Nicaragua, Norway, Paraguay, Poland, Portugal, Roumania, Kingdom of the Serbs, Croats and Slovenes, Sweden, Switzerland, Turkey, Union of Socialist Soviet Republics, United States of America, Uruguay, Venezuela, Siam sent an observer.

The Economic Committee, the Transit Organisation, the International Institute of Agriculture and the International Chamber of Commerce sent representatives, who sat in an advisory capacity.

The Conference appointed two Committees, one on commercial statistics, the other on statistics of production, and constituted its bureau as follows :

Vice-Chairmen : Sir Sydney Chapman (British Empire), M. Colson (France), M. Gini (Italy), M. Kritzmman (U. S. S. R.), and M. Methorst (Netherlands).

Chairmen of Committees : *Trade Statistics.* — M. Wagemann (Germany), *Production.* — Mr. Durand (U. S. A.).

Members of the Economic Committee : M. Barboza Carneiro (Brazil), M. Ito (Japan), M. Jahn (Norway), M. Neculcea (Roumania), and M. Stucki (Switzerland).

After a general preliminary debate lasting three days, discussions began in the Committees and were still in progress at the end of the month ⁽¹⁾. The material before the Conference included a draft convention, a draft protocol and draft recommendations with annexes.

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For a long time Governments and business circles have recognised the importance for the general prosperity of statistics showing the economic position and development in the world as a whole, and in the different countries, and of the necessity of compiling statistics in such a way as to render them comparable. Some progress had been made before the war, but it remained to continue and develop the steps in this direction.

The League Economic Committee took up this question in, 1923, when, in conjunction with the International Institute of Statistics, it appointed a special Committee to draw up uniform principles for the compilation of economic statistics. The recommendations of this Committee were examined at the conferences of the International Institute and then forwarded by the Council to all Governments.

In February, 1927, the Economic Committee submitted to the Council a proposal that :

steps should be taken in the near future with a view to bringing more closely to the notice of the various Governments the importance of adopting uniform methods in the compilation of economic statistics, and of ascertaining to what extent each Government is prepared to apply the principles which have been laid down.

(1) A full account of the proceedings will be published next month.

For this purpose it recommended the convocation of a Conference to which all Governments should be invited to send official statisticians.

This proposal was approved by the Council in March, 1927.

The International Economic Conference which met in May of the same year emphasised the importance of statistics on trade, industry and agriculture. It passed several resolutions on this subject which were referred to the League Economic Organisation.

The Economic Committee then directed a Sub-Committee of Experts, composed of four of its members and eight other experts from important international statistical organisations and certain national statistical offices, to draw up an agenda for an international conference.

As a result of this work, the Council decided, in March, 1928, to convene a Conference of official statisticians, the broad lines of its programme being : (1) The scope of economic statistics, *i. e.*, the field of economic activity which it is desirable that national statistics should normally cover ; (2) the methods to be applied by Governments in the compilation of industrial and commercial statistics in order to achieve comparability.

On this basis a preliminary draft convention was prepared by the Secretariat for submission to the Conference.

(*Bibliographical Note.* — International Conference on Economic Statistics, Geneva, 1928. Preparatory Documents, 101 pages. Document No. C. S. O. 1.

Draft Convention relating to Economic Statistics, Geneva, 1928. 63 pages. Document C. 340. M. 98. 1928. II. [C. S. O. 2].)

b) *Counterfeiting Currency* (1).

An International Conference on the suppression of counterfeiting currency has been convened to meet in Geneva on April 9th, 1929. On behalf of the Council, the Secretary-General has invited Governments to send to the Conference representatives duly authorised to sign an international convention on the subject.

The preparatory work for the Conference has been done by a Mixed Committee composed of representatives of the League Financial Committee, delegates of banks of issue, experts in international law and representatives of prosecution authorities.

A report and draft convention drawn up by this Committee have been forwarded to Governments; up to now twenty-one replies have been received, all in general agreement with the principles of the convention.

(*Bibliographical Note.* — Mixed Committee for the Suppression of Counterfeiting Currency. Report and Draft Convention. Geneva 1927. 24 pages. Document No. C. 523. M. 181. 1927. II. 70.)

3. — COMMUNICATIONS AND TRANSIT

a) *Road Traffic.*

The Road Traffic Committee appointed by the League to prepare international motor traffic agreements met in Paris from November 13th to 17th.

Its agenda included two new questions, the international regulation of commercial motor traffic and the taxation of foreign tourists' cars in so far as it affects foreign travelling.

On the first point the Committee decided to prepare a preliminary draft convention based on the following principles :

(a) Freedom for commercial motor vehicles and international passenger or goods transports to enter, leave or pass through a country-without prejudice to questions concerning public transport services which would not be covered by the general agreement but which might be dealt with by special arrangements between the States;

(1) See *Monthly Summary*. Vol. VII. No. 6 page 196.

(b) possibility for States to restrict internal transport to vehicles holding licenses in their territory;

(c) possibility for States to impose upon foreign commercial motor vehicles plying within their territories a tax representing their equitable share in costs for construction and upkeep of roads.

In regard to the second point, the taxation of foreign cars, the Committee, with a view to establishing a system which would place the fewest possible restrictions on motor traffic, made the following recommendations :

1. No taxes should be paid by foreign cars during at least the first two months of their stay in a foreign country;
2. the system for the collection of taxes should be simplified to the greatest possible extent, daily taxes being collected on departure;
3. no traffic tax should be required from a motorist requesting the customs house of a country to examine his triptych, without penetrating further into the country in question.

According to information received, several Governments would be prepared, subject to reciprocity, not to require licenses from foreign cars during a fairly long period.

The Committee, on the proposal of the International Association of Recognised Automobile Clubs and the International Touring Federation made recommendations with a view to the simplification and unification of the triptych system for touring cars. Finally, in the light of the replies received from Governments, it completed its earlier proposals concerning the unification of road signalling.

The meeting was attended by :

Members of the Committee :

- M. Stievenard, former member of the Belgian Committee on Communications and Transit, Chairman.
- M. Amunategui, Engineer of Bridges and Roads, General Secretary of the Mixed Arbitral Tribunals in Paris (Chilean).
- M. O. Bilfeldt, Head of Section at the Danish Ministry of Justice.
- M. Crespi, Senator, Vice-President of the International Federation of Automobile Clubs, President of the Royal Automobile Club of Italy.
- M. E. Delaquis, Head of the Police Division at the Federal Department of Justice and Police, Berne.
- Mr. P. C. Franklin, Principal in the Roads Department, Ministry of Transport, London.
- M. E. Mellini, Chief Inspector of Railways, Tramways and Automobiles of the Kingdom of Italy.
- M. Pflug, Ministerial Councillor at the German Ministry of Communications.
- M. G. F. Schoenfeld, Administrator at the Department of Communications, The Hague.
- M. Walckenaer, Inspector-General of Mines at the French Ministry for Public Works.

International Chamber of Commerce :

- Mr. George F. Bauer, National Automobile Chamber of Commerce of the United States of America.
- Dr. P. Wohl, Head of the Transport and Communications Section of the International Chamber of Commerce.

International Association of Recognised Automobile Clubs :

- M. Empeyta, Barrister, Head of the Special International Touring Committee of the International Association of Recognised Automobile Clubs at Geneva.

- M. J. Hansez, President of the International Committee on Traffic and Customs of the International Association of Recognised Automobile Clubs.
M. le Colonel C. G. Peron, General Secretary of the International Association of Recognised Automobile Clubs.

International Touring Association :

- M. P. H. Duchaine, President of the Touring-Club of Belgium, General Secretary of the International Touring Alliance.

International Federation of Transport Workers :

- M. J. Guinchard, General Secretary of the French Transport Federation.
M. J. Zwaga, Member of the Committee of the International Federation of Christian Syndicates for Factory, Transport and Supply Workers.

The following members of the Committee were unable to attend :

- M. E. Chaix, President of the *Conseil Central du Tourisme international*, Paris.
M. Enciso, Councillor of Embassy, Argentine Member of the Committee for Communications and Transit.
M. Reinhardt, Former Austrian Ministerial Councillor.

(*Bibliographical Note.* — Road Signalling. Report of the Road Traffic Committee, Geneva, 1928, 11 pages, 7 tables. Document No. C. 15. M. 8. 1928. VIII. 1.)

b) *The Sopron-Kőszeg Railway.*

Application from the Sopron-Kőszeg Railway Company (1). — The Body of Arbitrators appointed by the Council to settle the dispute between the Austrian and Hungarian Governments and the Sopron-Kőszeg Railway Company on the subject of the administrative and technical reorganisation of that line held its first session at Geneva from November 5th to 9th.

The Body of Arbitrators is composed of :

M. J. E. Guerrero, President, Former Foreign Minister of Salvador, Envoy-Extraordinary and Minister Plenipotentiary in France, Vice-President of the Permanent Legal Committee of the League Transit Committee;

M. J. Kalf, General Manager of the Netherlands Railway, Member of the Permanent Legal Committee of the Transit Committee;

M. R. Mayer, *Maître des Requêtes* of the French Council of State, Member of the Permanent Legal Committee of the Transit Committee.

The Austrian Government was represented by M. Henri Grunbaum, Councillor to the Federal Ministry of Commerce and Communications, and M. Rodolphe Kotzmann, Sectional Councillor to the same Ministry; the Hungarian Government by M. de Hevesy, Permanent delegate to the League of Nations, and M. Ladanyi, Technical Adviser; the Sopron-Kőszeg Company by M. Emil Respinger, Engineer and M. Mueller, Barrister.

4. — INTELLECTUAL COOPERATION

Inauguration of the International Educational Cinematographic Institute.

The International Educational Cinematographic Institute was opened on November 5th at the Villa Falconieri in Rome in the presence of the King of Italy; the Italian Prime Minister; M. Villegas, Chilean delegate to the Council, representing

(1) See *Monthly Summary*, Vol. VIII No. 9. page 265

the Acting President; M. Procope; the Under-Secretary-General of the League; Marquis Paulucci di Calboli Barone; and the President of the Institute, M. Rocco.

The opening ceremony was also attended by well-known members of political circles and the Governing Body of the new Institute.

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The creation of this Institute is due to the initiative of the Italian Government, in particular to that of the Italian Prime Minister. During the Assembly of 1927, Senator Cippico, on behalf of the Italian delegation, stated that in consideration of the wish expressed by several international congresses and meetings with regard to the use of the cinematograph for intellectual development and its employment in all public schools as an auxiliary system of teaching, his Government proposed to found in Rome an International Educational Cinematographic Institute, and to place it under the League's direction, in accordance with Article 24 of the Covenant. He added that the Italian Government also intended to endow the Institute with the necessary funds for its establishment and normal operation. The Assembly gratefully acknowledged this generous offer.

At the suggestion of the Council, the Italian Government drew up a draft statute, which was finally approved by the Council on August 30th, 1928.

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On November 5th, the Italian Prime Minister, M. Mussolini, handed over the Institute to the League on behalf of the Italian Government. M. Mussolini recalled that in the middle of the fifteenth century the printing press, a century later the camera obscura and, finally, the cinematograph marked three fundamental stages in the progress of mankind and were three of the most powerful agents for the promotion and spread of civilisation. The art of the cinematograph, he said, which was still in its infancy, possessed nevertheless the great advantage over newspapers and books that its medium was pictorial, *i.e.*, its language could be understood by all the nations of the world. This conferred upon it a character of universality and afforded innumerable opportunities for international cooperation in the field of education.

M. Villegas, Chilean Minister in Rome, representing the Acting President of the Council, M. Procope, thanked M. Mussolini for the generous gift of the Italian Government, stating that the League was happy to note that Italy had once more rendered distinguished service to its cause.

The Under-Secretary-General of the League, Marquis Paulucci di Calboli Barone, speaking on behalf of the Secretary-General, expressed the gratitude of the Secretariat. He recalled that the Institute had been founded to promote the production and international exchange of educational films and that its beneficent influence would be felt by the whole world.

The President of the Governing Body of the Institute, M. Rocco, emphasised the value of the cinematograph for the education of young people. Thanks to moving pictures, he said, it was now possible to depict scientific phenomena which would otherwise require long and numerous explanations.

He said that the International Institute which had just been founded under the direction of the League would be a centre of co-ordination, international distribution and promotion.

The first meeting of the Governing Body of the Institute took place in Rome on November 5th, with M. Rocco, Minister of Justice, in the Chair. There were further present :

M. Jules Destrée (Belgian), replacing Professor Gilbert Murray, Chairman of the Committee on Intellectual Cooperation; Professor Gonzague de Reynold (Swiss); Professor Ragnar Knoph (Norwegian); Professor Oscar de Halecki (Polish), replacing Dr. Vernon Kellogg (American); M. Roland-Marcel (French), replacing Professor Henri Focillon; Don Pedro y Ros de Olano (Spanish); Dr. Tomoyeda (Japanese), replacing Professor Inazo Nitobé; Dr. R. P. Paranjpye (Indian); M^{lle} Gabriela Mistral (Chilean); M. de Michelis, President of the International Institute of Agriculture; M. Mauretté, representing the Director of the International Labour Office; M. Lebrun, replacing M. Luchaire, Director of the International Institute of Intellectual Cooperation.

VI. — Administrative Questions.

THIRTY-FOURTH QUARTERLY REPORT OF THE SAAR GOVERNING COMMISSION

The report of the Saar Governing Commission on the situation in the Saar Territory during the third quarter of 1928 has been received by the Secretary-General.

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Economic and Social Situation. — The report describes conflicts in the metallurgic and mining industries which the Governing Commission was able to bring to a satisfactory conclusion.

Labour conditions continued to improve. Numerous orders were received by the building industry, which employs a great number of workers. Despite these favourable circumstances the number of unemployed remained considerable during the summerowing probably to dismissals in the mining and metallurgic industries.

The report describes the operation of the Franco-German commercial agreement on the Saar territory and the distribution of quotas as contemplated in the Customs Agreement.

Political and Administrative Questions etc. — The Advisory Council held a plenary meeting in August, giving its opinion on some ten draft decrees.

In July it was established that the St. Ingbert Savings Bank had advanced considerable sums to partially insolvent firms. The Governing Commission instituted an enquiry, which is still proceeding. It has, meanwhile, advanced up to Frs. 60,000 for payments and has placed at the disposal of the St. Ingbert authorities a credit of Frs. 500,000 for salaries of officials.

Judicial and disciplinary proceedings are being taken against the responsible persons and negotiations have begun for the rehabilitation of the Savings Bank.

The general budget of the territory for 1928 (April 1st, 1928-March 31st, 1929), which includes increased expenditure due to the salary reform, is as follows :

		1927	1928
Revenue	Fr.	403,232,037	455,850,386
Expenditure	—	403,034,556	455,755,886
Balance	—	197,481	94,500

Since September 20th, air postal services have been organised between the Saar and Germany and the Saar and France, as well as air postal services between Germany and France via the Saar.

As regards population and public health in 1927, the following figures may be noted : births 17,173; deaths 8,311; excess of births over deaths 8,862.

In this connection the report draws attention to the gradual diminution in the infant and general death rate as well as to a serious decrease in the birth-rate.

VII. — The Permanent Court of International Justice ⁽¹⁾.

1. — THE FIFTEENTH (EXTRAORDINARY) SESSION OF THE COURT (THE FRANCO-SERBIAN CASE).

The Permanent Court of International Justice assembled on Monday, November 12th, for its fifteenth (extraordinary) session, to consider the Case concerning the payment of various Serbian loans issued in France. The Court was composed as follows : M. Anzilotti, President (Italy), M. Huber, Vice-President (Switzerland), Lord Finlay (Great Britain), M. Loder (Netherlands), M. Nyholm (Denmark), M. Altamira (Spain), M. Yovanovitch (Kingdom of the Serbs, Croats and Slovenes), M. Beichmann (Norway), M. Negulesco (Roumania); judge *ad hoc* — M. Fromageot (France).

As the Court, since the death of M. Weiss, does not include a judge of French nationality — *i. e.*, in this case, of the nationality of one of the Parties concerned — the French Government appointed M. Henri Fromageot to sit for this case, stating that he had never been concerned in any capacity with the case in question.

The Agents representing the Parties were : for the Serb-Croat-Slovene Kingdom, M. Ivor Spassoievitch, Professor at the University of Belgrade, and for France, Professor Basdevant, Assistant Legal Adviser to the French Ministry for Foreign Affairs. M. Basdevant was assisted by M. Albert Montel, Barrister at the Court of Appeal of Paris, and M. Albert Devize, Barrister at the Court of Appeal of Brussels, was counsel for the Serb-Croat-Slovene Government.

The Court began the hearings in a public sitting on November 13 th. After M. Fromageot had made the solem declaration provided for by the Statute to exercise his duties impartially and conscientiously, M. Albert Montel began his statement on behalf of the French Government.

Some moments later, M. Negulesco (deputy-judge), was taken ill and obliged to leave the Court. As, in these circumstances, the quorum laid down for the Court by Article 25 of the Statute was no longer present, — this quorum, in the calculation of which judges *ad hoc* are not taken into account, being nine — the President, pending M. Negulesco's recovery, adjourned the hearing in conformity with Article 30 of the Rules of Court, according to which "if at any sitting of the full Court it is impossible to obtain the prescribed quorum, the Court shall adjourn until the quorum is obtained".

As the state of M. Negulesco's health gave rise to no anxiety, the resumption of the hearings was successively fixed for November 17th, 19th and 21st. When, on the date last mentioned, it had become clear that the state of M. Negulesco's health, though much improved, did not yet permit him to resume his seat, the President found himself obliged to adjourn the hearings *sine die*, and, by an Order made the same day, declared the fifteenth session to be closed. Accordingly, the case will be taken at a subsequent session.

2. — NEXT SESSION OF THE COURT

After the closure of the fifteenth session, the President at once got into touch with those of his colleagues who had not been present at that session, in order to ascertain when, if necessary, it would be possible to hold a new extraordinary session. From the information received it appears that the necessary number of members could not be assembled before February 15th next.

(1) This chapter is based on information furnished by the Registry of the Court.

3. — THE CASE OF THE CHORZOW FACTORY

The Committee of Experts appointed in accordance with an Order made by the Permanent Court on September 13th, 1928, in the case of the Chorzow factory (indemnities), was convened by the President of the Court to meet at the Peace Palace at The Hague on November 10th. The meeting continued until the afternoon of November 12th.

The experts elected M. Hoey as Chairman of the Committee; the Registrar of the Court has detached Mr. G. de Janasz, editing secretary to the Court, to serve with the Committee in the capacity of liaison officer between the Court and that body.

The Committee will meet again at The Hague in the middle of December after making investigations based on the relevant documents or obtaining certain information by a visit to the localities.

The Registrar has approached the Governments of the countries in the territories of which the localities to be visited by the experts are situated, with a view to obtaining the necessary authorisations and facilities, which the German and Polish Governments have agreed in principle to grant.

4. — NEW CASE

By a letter dated November 29th, 1928, the British Legation at The Hague has transmitted to the Registrar of the Court a Special Arbitration Agreement concluded at London on October 30th, 1928, between the Czechoslovak, Danish, French, German, British and Swedish Governments, on the one hand and the Polish Government on the other, for the submission to the Court of a question concerning the territorial limits of the jurisdiction of the International Commission of the Oder.

Article 1 of this Special Agreement is as follows :

The Permanent Court of International Justice is requested to give judgment upon the following questions :

According to the provisions of the Treaty of Versailles, does the jurisdiction of the International Commission of the Oder extend to those portions of the Warta and Netze, tributaries of the Oder which are situated in Polish territory and, if so, what is the law which should govern the determination of the upstream limits to which this jurisdiction extends.

It rests with the President of the Court to fix, as soon as possible, the times for the presentation of the various documents of procedure in the case which has thus been submitted to the Court; the choice of a session at which the case will be dealt with will, under the Rules of Court, depend on the date on which the written proceedings are concluded.

VIII. — New League Publications.

THE AIMS AND ORGANISATION OF THE LEAGUE OF NATIONS

Book for the use of Teachers.

A new volume *The Aims and Organisation of the League of Nations* has just been issued by the League Secretariat.

This question of the instruction of young people in the aims and organisation

of the League has been under consideration for some years. First raised at the 1923 Assembly, the 1924 Assembly followed it up by instructing the Secretariat to investigate means of developing and co-ordinating efforts to "promote contact and to educate the young of all countries in the ideals of world peace and solidarity", and the 1925 Assembly decided on the constitution of a committee of educational authorities to examine the whole question. In 1926 the Assembly considered the report of these experts and approved their recommendations, one of which concerned the preparation of a special reference book on the League for the use of teachers.

The volume just issued is divided into two parts. The first contains a brief commentary on the Covenant, together with a summary statement of the general constitution and aims of the League, the International Labour Organisation and the Permanent Court of International Justice. The three chapters of the second part deal in greater detail with the organisation and working of the League and its political, administrative, technical and advisory organs, and of the International Labour Organisation and the Permanent Court of International Justice.

This publication is intended for teachers in primary and secondary schools. Its object is to provide standard information which educators in all countries can use as a groundwork for such instruction on the League as they may consider suitable for their pupils. No account has been given of the work actually accomplished by the League, as it is thought preferable to leave it to teachers to present this work in the form best suited to each country. Moreover the hope had been expressed by the Committee of Experts that the book written at Geneva might be supplemented by accounts prepared in the various countries of the actual work of the League, emphasis being laid on those particular aspects of the work which were of special national interest ⁽¹⁾.

IX. — Forthcoming Events.

- December 17th : Legal Sub-Committee of Child Welfare Committee, Paris
December 17th : Sub-Committee of Social Medicine of the Joint Committee of Experts for the study of the relationship between Public Health Services and Health Insurance Organisations, Geneva-
January 8th : Sub-Committee of Experts on the Unification of Customs Nomenclature, Geneva.
January 8th : Meeting of Coal Experts, Geneva.
January 14th : Economic Committee, Geneva.
January 17th : Advisory Committee on Traffic in Opium and other dangerous drugs, Geneva.
January 28th : Preparatory Commission for the Conference on Codification of International Law, Geneva.
April 9th : Conference on Counterfeiting Currency, Geneva.
June 17th : Permanent Mandates Commission, Geneva.

(1) The Aims and Organisation of the League of Nations, Geneva, 1928. 71 pages. Price 1 franc (Swiss).

MONTHLY SUMMARY OF THE LEAGUE OF NATIONS

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I. — Summary of the Month.

DECEMBER 1928

The fifty-third session of the Council was held at Lugano from December 10th to December 15th, with M. Briand (France) in the Chair.

Quite unexpectedly, the Council had to deal with a conflict which had broken out some days before its session between two States—Bolivia and Paraguay—both of them Members of the League. The Council's attention was drawn to this matter by a note from the Secretary-General containing press despatches on the subject, though both parties had, in fact, already taken the initiative in addressing communications to the Council.

On December 11th, the Council sent telegrams to both parties expressing its conviction that they would maintain the obligation incumbent on all Members of the League of settling by pacific methods any conflict that might arise between them. In reply to this telegram, the Paraguayan Government informed the Council that it would not refuse any conciliation procedure, and the Bolivian Government confirmed its resolution not to depart from the principles and obligations of the Covenant.

In view of the events that were taking place on the disputed frontier, the Council sent a further telegram to both parties again calling their attention to the obligations of League membership and suggesting that, if any military defensive measures were considered necessary, great care should be taken to avoid any possibility that they might appear to have an aggressive character. Immediately after the close of the session, the President of the Council, who had been requested to follow events, and, if need be, to call an extraordinary session, had interviews in Paris with the Bolivian and Paraguayan Ministers. He also received the *Chargés d'Affaires* of the Argentine and the United States, and informed them that in the view of the Council it was essential that there should be full co-ordination of the efforts that were being made in different quarters to prevent the outbreak of war.

On the same day telegrams were received from the Paraguayan Government informing the Council that it had accepted the good offices of the Pan-American Conference on Conciliation and Arbitration meeting in Washington, and from the Bolivian Government stating that instruction had been given to the military commanders to refrain from any advance or attack; this telegram was followed by another the next day to the effect that the Bolivian Government had, in accordance with the suggestions of the Council, also accepted the good offices of the Pan-American Conference. Thus, on December 19th, just eight days after the Council's first intervention, its President was able to express his gratification at the cessation of the conflict and his desire that the procedure adopted by both parties might lead to a solution of the dispute and the prompt restoration of good understanding and peaceful cooperation between them.

As regards the Polish-Lithuanian negotiations, the Council noted that, although the results of the Koenigsberg Conference had not been such as the parties themselves had expected, peace nevertheless existed between the two countries, and the Polish and Lithuanian Governments were agreed as to the desirability of continuing negotiations for the conclusion of an arrangement regulating trade between their territories. Noting that the documents submitted mentioned obstacles to free communications, the Council, to continue the work of pacification and agreement begun in December, 1927, referred this question to the League Committee for Communications and Transit.

The fifty-third session of the Council—which was the last to be held in 1928—was mainly devoted to the execution of the Assembly resolutions of September. Some were referred to technical committees; in respect of others, new committees

were set up, or experts or commissioners appointed. In this connection, a special mention must be made of the constitution of the Permanent Central Board, as provided for by the 1925 Opium Convention; of an Advisory Commission attached to the High Commissioner for Refugees; of a Special Sub-Committee of the Health Committee to assist the Greek Government in reorganising its health services; of Committees of Jurists to examine the Court Statute with a view to possible amendment and to establish a systematic survey of the questions of international law which the League proposed to codify; and, finally, of the decision to create a fiscal committee for the study of taxation questions, as recommended by the Conference on Double Taxation and Tax Evasion.

The Council referred to the Financial Committee the question of the loan which the Saar Governing Commission proposed to issue for public works. It renewed the appointment of the Chairmen of the military Investigation Committees and of the members of the Saar Governing Commission. It renewed the appointment of Sir John Hope Simpson as Vice-Chairman of the Greek Refugee Settlement Commission. It appointed M. de Chalendar and Sir Otto Niemeyer as trustees for the Bulgarian Stabilisation loan and nominated Count de Penha Garcia to succeed General Freire d'Andrade as a member of the Mandates Commission.

II. — Dispute between Bolivia and Paraguay.

Newspaper despatches concerning the dispute between Bolivia and Paraguay having been submitted by the Secretary-General, the Council, on December 11th, sent both Governments a telegram expressing "its full conviction that the two States which, by signing the Covenant, had solemnly pledged themselves to seek by pacific means the solution of disputes arising between them, would have recourse to such methods as would be in conformity with their international obligations and would appear in the present circumstances to be most likely to ensure the maintenance of peace and the settlement of the dispute".

After this telegram had been despatched the Council received from the Bolivian Government a detailed account of the antecedents of the conflict, and a statement from the Paraguayan Representative in Paris, both despatched before their Governments had received the Council's communication.

On December 12th, the Bolivian Foreign Minister intimated that he had submitted the Council's recommendation to the President of Bolivia. The Paraguayan Foreign Minister replied by a telegram concluding with the statement: "Paraguay does not refuse any conciliation procedure for the settlement of her disputes, still less the procedure laid down in conventions to which she has given her solemn acceptance."

On December 14th, the Council received a telegram signed by the President and Foreign Minister of Bolivia, referring to the communication of December 11th and stating that the Council of the League and its President "might rest assured that Bolivia would not depart from the principles and obligations contained in the Covenant of the League".

This telegram also stated that "in contradiction with the stipulations of Articles 10 and 13 of the Covenant of the League of Nations" Paraguay "had committed an aggression" which the Bolivian Government solemnly denounced to the Council. While declaring that it was its duty "to demand the satisfaction which is due in such cases and to take military measures of a defensive character to safeguard its security, the Bolivian Government requested that the Council would take note of its declaration of its intention to act on the Council's recommendations and to observe the stipulations of the Covenant".

On December 15th, at the close of its ordinary session at Lugano, the Council sent telegrams to the Bolivian and Paraguayan Governments expressing its satis-

faction at having gathered from their communications the conviction of "their attachment to the principles and obligations of the Covenant". It added that it hoped that the parties would carefully abstain from any act "which might aggravate the situation and render a peaceful settlement more difficult". It expressed its firm conviction that the obligations of the Covenant would be respected, and recalled that "when a dispute likely to lead to a rupture arose between two States Members of the League of Nations, they could not, without failing in their obligations, and notably those contracted under Article 12, omit to resort by some method or other to one of the procedures of pacific settlement provided for in the Covenant".

The Council also drew attention to the fact that the Covenant mentioned, among others, "disputes as to the existence of any fact which, if established, would constitute a breach of any international obligations, or as to the extent and nature of the reparation to be made for any such breach". At the same time it emphasised the fact that "in its experience it was most important to confine all military measures of a defensive character to those which could not be regarded as aggressive against the other country, and which could not involve the danger of the armed forces coming into contact, as this would lead to an aggravation of the situation rendering very difficult the efforts at present being made for the maintenance of peace".

The parties were notified that the Council had charged its President to follow the events with a view to any action that might be necessary, consulting, if need be, his colleagues, through the intermediary of the Secretary-General. The telegram previously received from the Paraguayan Government was communicated to the Bolivian Government and that received from the Bolivian Government was communicated to the Paraguayan Government.

On December 16th, the President of the Council received from the Bolivian Foreign Minister a telegram despatched on the 15th, informing him of fresh incidents between Paraguayan and Bolivian troops. "In conformity with its international obligations" the Bolivian Government "hastened to inform the Council of this new development".

The President immediately communicated this telegram to the Paraguayan Government. By telegrams despatched simultaneously to both Governments, he reminded them that the facts reported showed still more clearly "the dangers to peace created by the contact between the military forces belonging to the two countries on the frontier" and the urgency, to which the Council had drawn their attention "of taking measures to prevent further incidents capable of compromising the success of any peaceful procedure". He emphasised further the suggestion made by the Council on receipt of the "solemn assurances" given by both Governments "that they would respect the obligations of the Covenant".

The President of the Council left Lugano on the morning of December 17th, arriving in the evening in Paris, where he was joined next morning by the Secretary-General.

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Replying to the President of the Council, the Bolivian Foreign Minister wired as follows on December 17th :

I have the honour to refer to your telegram of the 16th of this month in which Your Excellency, on behalf of the Council, renews his recommendations with a view to avoiding further incidents that might compromise the success of pacific procedure in the dispute between Bolivia and the Republic of Paraguay. My Government, accepting these suggestions, assures Your Excellency that it has ordered the commanders of military posts to refrain from any advance and any attack as far as they are concerned, and to confine themselves to defensive measures. I notify the Council that Paraguay has decreed the mobilisation of the classes from 18 to 28 years. Bolivia is confining herself to the measures of precaution essential to her security.

By a telegram sent on the same date the Paraguayan Government protested against being accused of any aggression, stating that "Paraguay, keeping strictly to her international obligations, asked from the outset that an investigation should be made into the facts and had accordingly accepted without objection all the suggestions and modes of pacific procedure put before her". It added that it had just "accepted the good offices of the Pan-American Conference".

Meanwhile, the President, after consulting the Secretary-General and notifying his colleagues that he might have to summon them for an extraordinary session towards the end of the week, took further steps with a view to settlement.

On December 18th, he conferred with the Bolivian and Paraguayan Ministers; with the Argentine Chargé d'Affaires, whose Government had also taken steps to persuade the parties to accept mediation; and with the Chargé d'Affaires of the United States, a representative of that Government being President of the Pan-American Conference.

In his conversations with the Argentine and United States Chargés d'affaires, the President of the Council explained that, unless the Bolivian and Paraguayan Governments agreed during the next few days to accept some form of procedure enabling a pacific settlement to be contemplated, the Council would hardly be able to avoid holding an extraordinary session to examine what measures should be taken, as war would either have broken out or be on the point of breaking out between two Members of the League. He added that he would consider as essential the complete coordination of all endeavours to secure a pacific settlement of the dispute.

On the 18th, press despatches reported that Bolivia accepted the mediation of the Pan-American Conference, which had already been accepted by Paraguay as stated in her telegram to the President of the Council. This news was confirmed by the following telegram from the Bolivian Government dated December 18th :

M. Briand, President of the Council of the League of Nations, Paris.

I have the honour to inform Your Excellency that, in accordance with the nobly inspired suggestions of the Council of the League of Nations, the Bolivian Government has now accepted the good offices of the Conciliation and Arbitration Conference at present in session in Washington. Bolivia once more affirms that she maintains her loyal observance of international treaties and that, in accepting the good offices of the Washington Conference, she asks that an investigation should first be made into the attack on Fort Vanguardia, independently of the essential questions in the dispute which are submitted to the principle of arbitration on concrete and specific points. My Government will not cease to declare and reiterate at every opportunity that Bolivia did not provoke the conflict and has throughout observed with the utmost strictness the rules of international law.

In these circumstances the President of the Council, reporting on his mission in the evening of December 19th, informed the Members of the Council that he would not be obliged to convene them for an extraordinary session. In his telegrams to Bolivia and Paraguay he added that the Council, all of whose efforts had been directed towards preventing any aggravation of the dispute and promoting a pacific settlement by any possible method, could not but be gratified at the cessation of a conflict between two Members of the League, and trust that the procedure to which they had agreed might lead to a prompt settlement of their dispute and the restoration of good understanding and peaceful cooperation between them.

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The Belgian, Chinese, Colombian, Costa Rican, Guatemalan, Honduras, Mexican, Nicaraguan, Netherlands, Persian, Siamese, Venezuelan and Uruguayan

Governments acknowledged receipt of the communication of M. Briand's telegram of December 15th, most of them expressing their satisfaction at the steps taken by the Council.

III. — Arbitration, Security and Reduction of Armaments.

1. — SUPERVISION OF THE MANUFACTURE OF ARMS MUNITIONS AND IMPLEMENTS OF WAR

The Special Commission appointed to draw up a preliminary draft convention on the supervision of the private manufacture and publicity for the manufacture of arms, munitions and implements of war, met in Geneva from December 5th to 7th, with Count Bernstorff (Germany) in the Chair.

The preliminary draft convention drawn up by the earlier sessions of the Commission was examined by a Sub-Committee [M. Guerrero (Salvador, Chairman), M. Masigli (France), Mr. Wilson (United States), General de Marinis (Italy), M. Rutgers (Netherlands), Mr. Cadogan (British Empire), M. Sato (Japan), M. Cobian (Spain)], which suggested certain modifications in the text.

The Sub-Committee further took note of explanations given by the Belgian delegate with regard to a reservation made by his Government concerning the drafting of the list of arms, munitions and implements of war to be covered by the Convention. At the invitation of the Sub-Committee, the Belgian delegate submitted detailed proposals.

The plenary Commission was not able to consider the report of the Sub-Committee, as several of its members had to leave for Lugano for the Council session. In these circumstances, the Commission asked its Chairman to inform the Council that it could not submit a report for the moment. It approved a proposal of its Chairman that a Committee of Experts representing the various delegations should be convened to examine the proposals of the Belgian delegate and the date of this meeting was fixed for March 11th, 1929. The plenary Commission will not hold a further meeting until it has received the report of the Committee of Experts.

The December session was attended by : Baron Moncheur (Belgium), Dr. W. A. Riddell (Canada), M. Hsiao Chi-Ying (China), M. Zdenek Fierlinger (Czechoslovakia), Mr. Alexander Cadogan (British Empire), M. Holsti (Finland), M. René Massigli (France), Baron E. Von Weizsaecker (Germany), General de Marinis (Italy), M. Sato (Japan), M. Rutgers (Netherlands), M. François Sokal (Poland), M. Constantin Antoniadu (Roumania), M. J. G. Guerrero (Salvador), M. Eduardo Cobian (Spain), Mr. Hugh R. Wilson (United States).

2. — APPOINTMENT OF THE PRESIDENTS OF THE COMMITTEES OF INVESTIGATION ⁽¹⁾

On December 13th, the Council renewed for one year the appointments of the Presidents of the Investigation Committees set up under the regulations issued by the Council concerning the exercise of its right of investigation.

The Presidents in office are General Baratier, for the Committee of Investigation in Germany; General Calcagno, for the Committee of Investigation in Austria; Colonel Schuurman, for the Committee of Investigation in Bulgaria; General Kirwan for the Committee of Investigation in Hungary.

It was further decided that these appointments should in future be regarded as tacitly renewed each year, unless a Member of the Council requested that the question of the renewal of one or more of them should be formally included in the Council agenda.

(1) Rapporteur : the Roumanian representative.

IV. — Legal and Constitutional Questions.

1. — PROPOSED REDUCTION OF THE NUMBER OF COUNCIL SESSIONS

On the proposal of the Finnish representative, M. Procope, the Council postponed till autumn 1929 its discussion of the question of reducing the number of its sessions.

2. — CODIFICATION OF INTERNATIONAL LAW ⁽¹⁾

In pursuance of a resolution of the ninth Assembly ⁽²⁾ the Council on December 14th appointed a Committee of three jurists to establish a systematic survey of the subjects which the League proposed to cover in its work of codification, and to assemble in the form of a code various international conventions of a general character.

The Committee is composed of M. Diena (Italian), M. Guerrero (Salvador) and M. Schücking (German), members of the Committee for the Progressive Codification of International Law.

V. — The technical Organisations.

1. — THE HEALTH ORGANISATION

a) *The Health Committee.*

The report of the Health Committee on its thirteenth session was considered by the Council on December 11th.

On the proposal of M. Quinones de Leon (Spain), the Council approved the proposal of the Health Committee to ask the Finnish, Polish and Swedish Health Administrations to submit suggestions concerning the details of an international enquiry into the question of the abuse of alcohol.

It requested the Secretary-General to apply the procedure contemplated under Articles 8 and 10 of the Geneva Opium Convention concerning respectively the exemption of certain products from the Convention and the inclusion of certain narcotics within its scope.

The Council approved the plan of the Health Committee for cooperation with the health services of several Latin-American countries.

b) *Cooperation with the Greek Health Authorities.*

On December 13th the Council considered a request from the Greek Government for assistance in the reorganisation of the Greek Public Health Service.

It invited the Health Organisation to place at the disposal of the Greek Government the various technical possibilities of collaboration of the Health Committee in order to insure complete cooperation in the preparation and subsequent development of the plan for the reorganisation of public health in Greece.

(1) Rapporteur : the Italian representative.

(2) See *Monthly Summary*, Vol. VIII, No. 9, p. 289.

The President and Vice-President of the Health Committee Dr. Th. Madsen and M. O. Velghe, Professor L. Bernard and Sir George Buchanan, together with the Chairman of the Malaria Commission, will hold themselves at the disposal of the Greek authorities with a view to studying the situation and furnishing such suggestions and advice as may be required.

c) *Second Conference on Sleeping Sickness.*

The Council drew the special attention of Governments to the recommendation of the Second Conference on Sleeping Sickness concerning the conclusion of bilateral agreements with a view to the application of a programme of preventive measures, sanitary control and medical treatment. Is asked the Health Committee to study as from 1929 the execution of the programme of further research drawn up by the Conference. It expressed the desire that the colonial administrations of the countries represented at the Conference might furnish the Health Organisation with documentation concerning the prevalence and importance of sleeping sickness in relation to other causes of disease as well as the results of the medical and administrative measures undertaken to combat the scourge in different parts of Africa.

2. — THE ECONOMIC AND FINANCIAL ORGANISATION

Conference on economic statistics ⁽¹⁾.

The Diplomatic Conference convened by the League to examine the question of economic statistics came to an end on December 14th, with the conclusion of a convention which was signed on the same day on behalf of twenty-three States, and a few days later by two others.

Forty-two States sent delegations and the International Institute of Agriculture, the International Chamber of Commerce and the League Economic Committee, Transit Organisation and Sub-Committee on Customs Nomenclature were represented. The President of the Conference was M. William Rappard, Professor at Geneva University and member of the Mandates Commission; the Vice-Presidents: Sir Sydney Chapman (Great Britain), M. Colson (France), M. V. Gini (Italy), Professor Kritzmann (U. S. S. R.), and M. Methorst (Netherlands). As Chairmen of the two Committees between which it divided its work, the Conference appointed M. Wagemann (Germany) and Mr. Dana Durand (United States). The Bureau of the Conference was composed of the President, the Vice-President and the Chairmen of the Committees, M. Julin (Belgium), Rapporteur of the Commerce Committee, and the members of the Economic Committee who took part in the work, namely, M. Barboza Carneiro (Brazil), M. Ito (Japan), M. Jahn (Norway), Rapporteur of the Industry Committee, and M. Neculcea (Roumania).

Proceedings. — The general debate brought out clearly the interest which was manifested in this endeavour to improve the comparability of economic statistics not only by the official delegations themselves but also by the representatives of the business world. Indeed, a number of delegations would have desired that the minimum programme of statistics, which it was proposed that all countries should undertake to publish, should have been appreciably expanded. It was felt in the end preferable, however, to lay down a minimum which could be accepted by States whose economic organism was in an early state of development, and to make provision in the recommendations of the Convention for those States which were more highly industrialised.

The Conference divided itself, after a preliminary discussion of the main outlines of the various problems, into two Committees, one of which dealt with statis-

(1) See *Monthly Summary*, Vol. VIII, No. 10, p. 348.

tics of production and the other with statistics of trade. The Bureau of the Conference considered the articles of a general character.

The results. — The Conference concluded a Convention with Annexes, a Protocol, and a Final Act. On the closing day, December 14th, the Convention and Final Act were signed by the plenipotentiaries of Austria, Belgium, Brazil, Bulgaria, Czechoslovakia, Free City of Danzig, Denmark, Egypt, Estonia, Finland, France, Germany, Great Britain, Greece, Hungary, Italy, Japan, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal. On December 15th, the plenipotentiary of Roumania and on Dec. 21st the representative of the Serb-Croat-Slovene Kingdom also signed on behalf of their Governments, bringing the total number up to twenty-five.

The Final Act was signed by the delegates of Australia, Canada, Cuba, Ecuador, Mexico, Sweden, Switzerland, United States of America, Uruguay, Venezuela, who reserved their signatures of the Convention itself. The Final Act was moreover signed on behalf of the organisations represented in an advisory capacity — the International Chamber of Commerce, the International Institute of Agriculture, the Economic Committee, the Transit Organisation and the Sub-Committee on Customs Nomenclature.

The Convention, together with its annexed documents, falls naturally into the followings divisions :

(a) A series of clauses under which the Governments undertake to publish certain classes of statistics at certain defined (or undefined) intervals.

(b) An annex containing stipulations which are obligatory concerning the methods to be applied in the compilation of statistics of international trade.

(c) Five further annexes laying down, as a guide, principles which it is recommended should be adopted in so far as possible in the compilation of statistics of minerals and of fisheries, in the computation of indices of economic activity, and in the taking of censuses of industrial or agricultural production.

(d) Provision for the appointment of a special Committee of Experts to continue the study of the improvement of economic statistics and the ways and means of achieving still greater comparability in the future.

(e) General articles dealing with the date of the entry into force of the Convention, the settlement of disputes, the duration of the Convention, etc.

(f) A series of definitions and recommendations comprised in the Protocol, and Final Act, amongst which may be mentioned as of special interest recommendations proposing that measures should be taken to provide that those countries whose statistics are the most advanced should be developed on comparable lines.

The minimum programme covers statistics of external trade, occupations, agriculture, forestry and fisheries, mining output and metallurgical production, industrial establishments, industrial production, indices of industrial activity and index numbers of wholesale and retail prices. The obligation to publish these classes of statistics is not in all cases absolute, but is dependent either on the importance of the particular economic phenomena to the individual State (e. g. forest resources) or to the practical possibility of obtaining accurate and comprehensive data. The obligation to publish the following classes is, however, obligatory in all cases : annual returns of the area under crops and the quantities of crops harvested, monthly statistics of the production of a given list of minerals and metals whenever they are of national importance, monthly and annual returns of quantities and values of imports and exports, annual returns of the tonnage of vessels entered and cleared at national ports, monthly indices of wholesale, and quarterly indices of retail prices. The publication of certain of the other classes of statistics mentioned above are in addition obligatory, irrespective of the economic organisation of the country; but the date at which the first return should be made is not specifically defined.

The annex dealing with the methods to be employed in the compilation of trade statistics is extremely detailed and comprehensive. Indeed, the only points for which a definite solution has not yet been found are those of the classification of trade statistics by country of origin or destination and the classification by commodities.

At present States follow three different methods in classifying their imports : (a) by countries of origin or production, (b) by countries of consignment or provenance, (c) by countries of purchase; and three different methods of classifying their exports : (a) by countries of consumption, (b) by countries of consignment or destination, (c) by countries of sale. The problem of unification presents particularly serious difficulties, linked as it is with tariff practice and policy. By the Convention, the Contracting Parties undertake to draw up special tables for the purpose of testing various systems for the best practical results. It is hoped that these experiments will result in a satisfactory solution of this extremely complicated question.

The problem of classification of commodities was deliberately adjourned—since trade statistical classification in most countries depends upon tariff classification—until the League Committee on Tariff Nomenclature had reached a more advanced state in its work.

General Provisions. — To supervise the application of its provisions and to encourage the further development of economic statistics the Convention prescribes that a committee of technical experts shall be appointed.

In addition to the particular functions entrusted to it by the Convention, the Committee may make any suggestions which appear useful for improving or amplifying principles and arrangements concerning the classes of statistics dealt with in the Convention and also in regard to other classes of statistics of a similar character in respect of which it appears desirable and practicable to secure international uniformity. It will examine all suggestions to the same end which may be submitted to it by the Governments of the Contracting Parties.

A second Conference may be convened for the revision of the Convention should at any time a desire to that effect be expressed by not less than half the Contracting Parties. It is, moreover, agreed that the statistical services of the signatories shall exchange statistical returns compiled and published by them.

Economic Committee (1).

The work of the Economic Committee was discussed by the Council on December 13th. After noting the measures contemplated by the Committee to give effect to the resolutions of the Economic Conference concerning the reduction of customs tariffs, the Council empowered the Secretary-General :

1. To invite the principal States concerned to send authorised representatives to a preliminary meeting with a view to collective action for the reduction of customs tariffs on cement;

2. To invite the States concerned to the contemplated diplomatic conference for the conclusion of a convention on the treatment of foreigners and to fix the date of the conference.

The Economic Committee having drawn the Council's attention to the slowness of ratification procedure, the latter, with a view to bringing into operation certain international agreements concluded under the League's auspices, requested the Secretary-General :

1. To remind the Contracting Parties to the Protocol on Arbitration Clauses of September 24th, 1923, of the connection between that Protocol and the Conven-

(1) Rapporteur : the German representative.

tion of September 26th, 1927, on the Execution of Foreign Arbitral Awards, the latter being supplementary to the former, so that they might consider the desirability of securing by participation in the new agreement advantages which could not be obtained from the first alone. (This Convention, whose coming into force is conditional upon two ratifications, has so far not been ratified by a single State);

2. To remind the signatories of the Convention for the Abolition of Import and Export Prohibitions and Restrictions of November 8th, 1927, the Supplementary Agreement of July 11th, 1928, and the two Agreements on the export of hides and bones, of the importance which the Council and the Economic Committee attach to the entry into force of these agreements as soon as possible.

On the proposal of M. Scialoja (Italy), the Council requested the Secretary-General, when forwarding these recommendations to Governments, to ask those which abstained from ratifying the Conventions to give their reasons. M. Scialoja thought that delay in ratifying was often due to the slow working of administrations.

Dr. Stresemann (Germany) said that a bill had recently been brought into the Reichstag concerning the execution of the recommendations of the Economic Conference and the ratification of the Convention for the Abolition of Import and Export Prohibitions and Restrictions and the Agreements on Hides and Bones.

The French representative said that a bill of the same character had also been submitted to the French Parliament.

The Thirty-third Session of the Financial Committee. — The Financial Committee sat at Geneva from December 4th to 8th; there were present Count de Chalendar, Chairman (French), M. Janssen (Belgian), M. Melchior (German), M. ter Meulen (Dutch), Sir Otto Niemeyer (British), Sir Henry Strakosch (South African), M. Pospisil (Czechoslovak), Mr. Jeremiah Smith (American), M. Suvich (Italian), M. Tsushima (Japanese) and M. Wallenberg (Swedish).

The principal questions on the agenda were financial assistance to States victims of an aggression, fluctuations in the purchasing power of gold, the progress of the refugee settlement work in Bulgaria and Greece and the report of the Conference on Double Taxation and Tax Evasion.

In regard to the important question of fluctuations in the purchasing power of gold, the Committee came to the conclusion that a systematic international investigation should be made. It accordingly suggested that a special committee should be constituted "to examine into and report upon the causes of fluctuations in the purchasing power of gold and their effect on the economic life of the nations". This body might consist of a total of eight or nine persons, including a few members of the Financial Committee, and other persons of international authority.

On the question of financial assistance to States victims of aggression, the Committee was able to prepare a full draft convention with an explanatory note, which it proposes to submit to the Council at its March session.

The refugee settlement work and the question of double taxation and tax evasion are dealt with in special chapters of this number.

The Council approved the report of the Financial Committee and its proposals regarding the formation of a special committee on fluctuations in the purchasing power of gold.

Both the Council and the Financial Committee paid a tribute to the memory of the late Chairman of the Committee, M. Leopold Dubois (Swiss) who had been a member of the Committee since 1924.

Settlement of Greek Refugees.

The twentieth quarterly report of the Greek Refugee Settlement Commission was considered by the Financial Committee and the Council.

In its statement on the financial situation, the Commission draws attention to the fact that the progress in the settlement work has been somewhat slower owing to the circumstance that only £500,000 of the £3,000,000 Refugee Settlement Loan has so far been available.

Despite these difficulties the work of agricultural settlement has advanced. A large number of agricultural improvement stations are now in operation, their work concerning the production of cereals on a large scale, stock breeding, vine growing, the culture of the silk-worm and arboriculture. The settlement of the refugees and the creation of nurseries by the Commission has given a marked impetus to the cultivation of fruit trees. The report further gives details of the destruction of insect plagues, the instruction of the peasants in the use of artificial fertilisers and experiments in the cultivation of winter wheat, undertaken with the most satisfactory results, an increase in production of 50 to 75 % being registered.

Other chapters deal with the cadastral survey, the cooperative movement among refugees, cultivation of the use of machinery, public health and drainage and irrigation works. In regard to the last point, the Commission draws attention to the fact that the Greek Government has just concluded negotiations with capitalists for an important loan of \$75,000,000 to finance public works which are very closely connected with the work of the Commission and include the construction of roads and the execution of drainage and irrigation works. A portion of the loan will be used for the drainage of the valley of the Axios, another portion for works in the Plains of Serres and Drama, where the Commission has created a large number of well populated settlements. An agreement has been reached between the Government and two foreign companies with a view to the regulation of the course Struma and the drainage of Lakes Boutkovo and Achinos and the marshes of Philippi. These works will extend over a period of six years, will recover for cultivation 1,600,000 stremmas of fertile land and will absorb a sum of about \$20,000,000. The Commission draws attention to the importance of this work, which will render a vast tract of land available for settlement.

The scheme for the settlement of refugees in the islands of the Eastern Aegean and, more particularly, Mitylene and Chios, has now been completed. It provides for the construction of 330 houses in five different parts of Mytilene, 130 for families and 200 for fishing colonies. It also includes the construction of 200 houses at Chios.

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The Council renewed for one year the appointment of Sir John Hope Simpson (British) as Vice-Chairman of the Greek Refugee Settlement Commission.

Bibliographical Note. — Twentieth Quarterly Report of the Refugee Settlement Commission Geneva, November, 1928. 10 pages. Document C. 569. M. 181. 1928. II (F. 591).

Settlement of Bulgarian Refugees and Stabilisation Loan.

The successful issue of the Bulgarian 7 1/2 % stabilisation loan, and progress in the settlement of Bulgarian refugees were noted by the Financial Committee and the Council. The final arrangements for the issue of the loan were made in October and November when the Bulgarian Minister of Finance concluded a loan contract which was ratified by the Bulgarian Parliament on November 15th, this being the last of the legislative acts necessary before the loan could be floated. The loan was finally issued on November 21st and 23rd and December 3rd, in London, Paris and New York respectively.

According to the ninth quarterly report of the League Commissioner in Sofia, M. René Charron, considerable progress was made during this quarter in the allocation of land and in the completion of dwellings. The general impression reported from the settlement colonies was unanimously satisfactory. The harvest, the first many of the refugees had known for years, was, in general, good.

The number of self-contained dwelling houses now completed is 15,026, compared with 620 on August 1st, and it is expected that four or five hundred more will be occupied by refugees during the winter. Buildings are now completed or under construction in 175 villages.

The total amount of land surveyed was 801,773 decares on November 1st. At the same date 588,583 decares had been allotted. The report further contains details concerning the distribution of seed, cattle and material; mechanical ploughing, clearing and draining; means of communication and public health.

The anti-malaria work in the refugee districts is proceeding normally. In September, 1928, Professor Swellengrebel, of the League Malaria Commission visited the districts of Burgas and Petritch, to study the results achieved and the possibility of extending this branch of the work. Following this enquiry it has been decided, subject to the Rockefeller Foundation's agreement, to extend the sphere of action of the health centre of the Rockefeller Foundation at Petritch, by providing a sanitary detachment to operate in a district 20 kilometres north of the Petritch centre.

The Council congratulated the Bulgarian Government on the successful issue of the stabilisation loan. It appointed Count de Chalendar (French) and Sir Otto Niemeyer (British) as trustees to represent the interests of the bond-holders of the loan.

(*Bibliographical Note.* — Settlement of Bulgarian Refugees. Ninth Report of the Commissioner of the League of Nations in Bulgaria. Geneva, November, 1928. 13 p. No. C. 570. M. 182. 1928 II.)

Double taxation and tax Evasion ⁽¹⁾.

The work of the Committee on Double Taxation and Tax Evasion was considered by the Council on December 14th.

On this occasion the Council expressed the hope that conventions and provisions of internal law for the avoidance of double taxation and tax evasion would be widely adopted, and urgently recommended States to begin negotiations for the conclusion of conventions on the subject. On the recommendation of the Conference of Government Experts, it decided to create within the framework of the League organisation a committee for the study of taxation questions, to be known as the Fiscal Committee. This body will consist of some ten members selected on account of their technical qualifications and in such a manner that, as far as possible, the various fiscal systems shall be represented. Corresponding members may be appointed in any State, Member or not of the League, which has no national on the Committee, this decision being based on similar measures adopted in the case of the Economic Committee. In principle the corresponding members will not take part in the proceedings unless specially summoned, but they will receive all documents and thus be kept informed of the work of the Committee.

The Fiscal Committee will meet once a year, its object being to stimulate the campaign against double taxation and to encourage negotiations for the purpose.

3. — COMMUNICATIONS AND TRANSIT

Creation of a League radio-telegraphic station ⁽²⁾.

The question of the creation of the League radio-telegraphic station was considered by the Council on December 11th, when it decided to request the Secretariat

(1) Rapporteur : the Cuban representative.

(2) Rapporteur : the Polish representative.

to make a preliminary study of the legal points involved. The results of this investigation will be communicated to the Swiss Government so that it may forward its observations before the next session of the Council.

The Assembly requested the Council last September to make arrangements for the necessary technical, financial and legal studies in connection with this question; and at its September session the Council referred to the Transit Committee the technical and financial aspects of the matter.

4. — INTELLECTUAL COOPERATION AND INTERNATIONAL BUREAUX ⁽¹⁾

a) *Intellectual Property.*

The question of intellectual property was considered by the Council on December 11th.

The Assembly had asked the Council to cause investigations and consultations to be made regarding the eventual unification, on an international basis, of all laws and measures for the protection of intellectual property.

The Council asked the Committee on Intellectual Cooperation to institute the necessary enquiries.

b) *International Educational Cinematographic Institute.*

The draft general, administrative and financial regulations drawn up by the Governing Body of the International Educational Cinematographic Institute were approved by the Council on December 13th.

The Council noted that the Italian Government had consented to grant the Institute during 1929 a further subsidy of two hundred thousand lire in addition to the ordinary subsidy of six hundred thousand lire and that, at the same time, it had placed a sum of ninety thousand lire at the disposal of the Governing Body and of the Director of the Institute as an entertainment allowance.

The Council instructed the Secretary-General to thank the Italian Government.

In its report the Governing Body of the Institute informed the Council that it had instructed the Institute to keep itself informed and to collect all the material possible on the progress made by television and broadcasting in the service of cinematography.

It was also recommended that the Committee on Intellectual Cooperation should study the question of the relations between educational cinematography, television and broadcasting, and should make suggestions as to the future work of the International Educational Cinematographic Institute.

c) *Communications from non-official organisations.*

The question of communications from non-official international organisations was discussed by the Council on the basis of a memorandum submitted by the Secretary-General.

In virtue of resolutions adopted by the Council in 1923, the Secretary-General prepares a list of communications from international organisations before each session of the Council, so that any Member wishing to examine these communications may do so.

On December 10th, the Council decided that the term "international" should be used only for the structure and organisation of the associations in question but should not refer to the scope or character of their work.

(1) Rapporteur : the French representative.

d) *Request of the International Criminal Police Commission.*

A request of the International Criminal Police Commission at Vienna to be represented at the Conference for the Suppression of Counterfeiting Currency, convened for April 9th, 1929, and on various League Commissions dealing with matters connected with crime (traffic in women, traffic in opium, obscene publications, juvenile crime, etc.) was considered by the Council on December 12th. The request had been transmitted by the representative of the Austrian Government at Geneva.

On the proposal of the Venezuelan representative, M. Zumeta, the Council requested the Secretary-General to invite the International Criminal Police Commission to be represented in an advisory capacity at the Conference for the Suppression of Counterfeiting Currency. It also asked the Secretary-General to communicate the request of the International Criminal Police Commission to such League Commissions as he might think desirable, so that they might, when necessary, call in representatives of the International Criminal Police Commission as criminal experts.

VI. — Administrative Questions.

1. — THE SAAR

a) *The Saar Governing Commission loan.*

The question of the issue of a loan by the Governing Commission of the Saar Territory was considered by the Council on December 13th, when it requested the Financial Committee to examine the plans with the Governing Commission and to submit a report at the next Council session.

The Governing Commission had informed the Council that it had decided, in principle, to issue a loan, the proceeds of which would be used for the execution of urgently necessary public works (improvements in the railway and telephone services, the building of dwellings for government agents, the reconstruction of the road system, etc.). The Governing Commission had felt called upon to communicate on the subject with the Council, owing to the exceptional position of the Saar Territory.

On this occasion, Dr. Stresemann (Germany) noted that the question of the Saar loan had been placed on the Council agenda at very short notice. While recognising that there were very important material reasons for this procedure, he expressed the desire that, as far as possible, longer notice might be given when such items were placed on the agenda. With regard to the procedure recommended by the Council, he expressed the opinion that the Financial Committee, when examining the question, should take steps to ensure that the conditions for the proposed loan were determined in such a way as not to create any difficulties or complications in the settlement of the Saar problem as a whole.

b) *Appointment of the Saar Governing Commission.*

On December 13th, the Council proceeded to the appointment of the members of the Saar Governing Commission. It appointed for one year from April 1st, 1929, M. Ehrnrooth (Finnish), M. Kossmann (Saar), M. Morize (French), M. Vezensky (Czechoslovak), Sir Ernest Wilton (British). Sir Ernest Wilton was appointed Chairman of the Commission for the same period.

The Council decided to fix the salaries of the members of the Commission at 180,000 French francs a year and the entertainment allowance of the Chairman at 120,000 French francs a year, with retroactive effect as from July 1st, 1928, the date of the stabilisation of the French franc.

2. — MANDATES ⁽¹⁾

Appointment of a new Member. — To succeed M. Freire d'Andrade (Portuguese) who had resigned from the Mandates Commission on account of his health, the Council appointed Count de Penha Garcia, doctor of laws of Coimbra University, former Minister of Finance, President of the Lisbon Geographical Society, Director of the Higher School for Colonial studies, Member of the Supreme Council of the Colonies, Vice-President of the Brussels International Colonial Institute, Portuguese delegate to the Peace Conference and to the ninth Assembly of the League of Nations.

The Council paid a tribute to the distinguished services rendered by M. Freire d'Andrade, and expressed its wishes for his prompt and complete recovery.

VII. — Political Questions.

1. — THE HUNGARIAN OPTANTS

Nothing that direct negotiations were about to begin on the subject of the Hungarian optants, the Council, on its President's proposal, postponed the question in the stage then reached till its next session.

It expressed to both parties its best wishes for the success of the direct negotiations.

2. — THE POLISH-LITHUANIAN RELATIONS

The state of the negotiations between Poland and Lithuania was considered by the Council on December 12th. The representatives of the parties made statements showing that the Königsberg negotiations, whilst furthering the conclusion of a provisional arrangement giving facilities to the population on either side of the Polish-Lithuanian administrative line, had not produced all the results that might have been expected. Nevertheless, since the Council's intervention in December, 1927, a state of peace had existed between the two nations and the Polish and Lithuanian Governments concurred as to the advisability of continuing direct negotiations for the conclusion of an agreement regulating trade between their territories.

On the report of M. Quinones de Leon (Spain), the Council adopted, on December 14th, two resolutions, the first recalling the solemn declarations made before it in December, 1927, that Lithuania did not consider herself in a state of war with Poland and Poland fully recognised and accepted the political independence and the territorial integrity of Lithuania.

The Council then urged the parties to be guided in their future negotiations by the letter and spirit of its resolution of December 10th, 1927, and by the report submitted in September by M. Beelaerts van Blokland. Further, noting that the documents submitted mentioned obstacles to free communications, the Council referred this question to the League Committee for Communications and Transit, with a view to continuing the work of pacification and agreement begun in December, 1927.

(1) Rapporteur : the Finnish representative.

This resolution is based on Article 23 of the Covenant, which stipulates that "subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League will make provisions to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League", and on a resolution passed by the Assembly on December 9th, 1920, charging the Transit Committee "to consider and propose measures calculated to ensure freedom of communications and transit at all times".

The Lithuanian representative, M. Voldemaras, said that, as he was convinced that Lithuania had fulfilled all her international obligations, he did not see any objection to this resolution, but would, on the contrary, welcome its adoption by the Council. While noting that the action of the League had not brought about a final solution of the Polish-Lithuanian relations, he assured the Council that its exhortation to continue negotiations in the spirit in which they had been begun would be followed to the letter.

The Polish representative, M. Zaleski, said that, in accordance with the letter and the spirit of the resolution of December 10th, 1927, the use of the term "Polish-Lithuanian administrative line" in the arrangement concluded between Poland and Lithuania on local traffic could in no case be interpreted as implying the abandonment by Poland of her territorial rights.

VIII. — Protection of minorities ⁽¹⁾.

The following minority questions—most of them concerning educational matters in Polish Upper Silesia—were considered by the Council at its fifty-third session on the report of the Japanese representative.

1. Appeals from the *Deutscher Volksbund* concerning the situation of the minority schools at Janow and Nowa Wies and the private minority schools at Swierklaniec, Nowa Wies and Lipiny;

2. Petitions regarding : (a) property rights over the St. Julius Hospital at Rybnik; (b) entries for primary minority schools in the Voivodship of Silesia; (c) closing of certain minority schools; (d) the German minority school at Brzezinka; (e) the failure to open an elementary German minority school at Koszecin; (7) the minority school at Giszowiec.

As regards the petition concerning property rights over the St. Julius Hospital the rapporteur drew attention to the strictly legal character of this question in regard to which proceedings had been instituted in the Polish Courts. Dr. Stresemann, while appreciating this point of view, asked that the Polish Government should exercise its influence with the Courts so that they might take a definite decision as soon as possible.

With regard to entries for primary minority schools, the Polish representative observed that the principal difficulties met with in the normal working of the minority schools arose from the fact that, on the one hand some declarations as to the children's mother-tongue were not in conformity with the actual facts, and that on the other hand the Polish authorities could neither verify nor contest these declarations. He recalled that last June he had expressed regret that the Council had not contemplated practical means of settling this question. M. Zaleski added that recent reports from Polish school inspectors showed that in a considerable number of minority schools instruction could not be given under normal conditions owing to the fact that a large percentage of the children did not know German at

(1) Rapporteur : the Japanese representative, M. Adatci.

all or knew it very imperfectly. To conclude, he stated that if this situation were to be prolonged he would have to ask the Council to take the necessary measures.

The German representative, Dr. Stresemann, pointed out that the question of languages in Upper Silesia was an extremely complicated, difficult and delicate one as it was a territory in which mixed languages were spoken. He thought that the substance of the question might be fully discussed when Poland thought fit to bring the matter before the Council.

At the request of the rapporteur, the Council decided to adjourn to its next session the examination of two of the points raised in this petition concerning (1) the obligation imposed upon the persons responsible for the education of children belonging to the minority to appear in person when entering them for the minority schools, and (2) the formation of special enrolment Committees for minority schools. The Council agreed to ask its President to appoint jurists to assist the rapporteur in studying these points.

As regards the Brzezinka school, the rapporteur asked that the Polish Government might give favourable consideration to the request of the *Deutscher Volksbund* as soon as the technical conditions made this possible. M. Zaleski said that the Polish Government would not fail to give effect to the Council's recommendation as soon as circumstances permitted.

Dr. Stresemann noted M. Zaleski's statement and expressed the hope that this question would be settled in conformity with the interests of the minority.

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At the meeting of December 15th, which the Council devoted to the examination and adoption of the reports submitted by M. Adatci, statements were made by the Canadian, Polish and German representatives and by the President.

M. Dandurand referred to the debate which took place last September at the Assembly and notified the Council that he would raise the question of the procedure to be followed in regard to minority petitions at its next session.

The Polish representative, M. Zaleski, drew attention to the fact that a considerable number of petitions and appeals, often quite groundless or insignificant, were submitted to the Council without following the local procedure set up under the Geneva Convention on Upper Silesia. In these circumstances, he added, it was difficult to avoid the impression that, in submitting claim after claim to the supreme court of the League, the petitioners' object was not so much to satisfy the desiderata of the minority as to persuade world opinion that the rights of the German minority were disregarded and that the Geneva Convention had been infringed.

He drew attention to the fact that, for a German population of about two hundred thousand souls in Polish Upper Silesia, there existed ninety elementary minority schools, attended by 20,500 school-children. In these circumstances, it was impossible to state that the position of minority education in Polish Upper Silesia was deplorable. He added that, since part of Upper Silesia had been attached to Poland, this district had entered upon a period of remarkable economic development. The conflict between nationalities in Polish Upper Silesia, he asserted, would not exist if the *Volksbund* were to abstain from constantly stirring up the population against the present status of the country and from creating political agitation with a view to undermining the authority of the Polish Government. He drew attention to the extreme liberalism shown by the Polish Government in tolerating the existence of an organisation some of whose members had notoriously committed the crime of high treason. He observed that the minority treaties and the minority provisions of the Upper Silesian Convention had been established in order to afford minorities equitable treatment on the part of the authorities and the free enjoyment of their rights, but should not be used as a legal basis for the

activity of a minority association whose objects were directed against the State. That the Council's agenda should be overburdened with questions of secondary importance was a State of affairs calculated to impair its authority.

Dr. Stresemann said that he had heard with the greatest amazement the speech of the Polish representative, which appeared to him to have been prompted by a spirit of hatred towards the German minority. He considered that the question at issue—the education of the minority—formed part of the rights accorded and guaranteed by the League to minorities, and he could not conceive how the submission of minority petitions to the Council could be regarded as an abuse. He expressed his astonishment at M. Zaleski's allusion to the industrial development of Upper Silesia and wondered what was his reason for referring to a question which had no connection with that of minority schools, the more so as the economic prosperity of Upper Silesia was largely due to German cooperation. He asked if this speech was intended to reopen old wounds.

Dr. Stresemann then examined the criticisms made by M. Zaleski with regard to the Volksbund, declaring that minorities had most certainly a right to form associations and to bring certain questions before the Council and that this right could not be regarded as undermining the authority of the State to which they belonged.

Dr. Stresemann was glad to note that the Canadian representative intended to ask that the question of minority procedure should be placed on the agenda of the Council. He considered that if the League endorsed the Polish view, its authority would be diminished. Observing that it was on account of the protection of minorities that many people had placed their hopes in the League, Dr. Stresemann said that, if the League did not defend minorities and their rights, certain Powers might ask whether the League still represented the ideal which had induced them to joint it.

Dr. Stresemann then stated that he would request that the whole question of minorities should be included in the agenda of the next session.

The President, M. Briand, remarked that this exchange of views had led the Council somewhat far from the problems actually before it, in particular those dealt with in the reports of the Japanese representative.

It would be unfortunate, he added, if a bad impression were to subsist at the moment of the Council's dispersal. It would be unfortunate if observations that have been offered were to result in any misrepresentation on the part of public opinion. I wish to say as clearly as possible that there can be absolutely no ground for assuming that, in any possible way, the League of Nations or the Council can at any time in the future become indifferent to the sacred cause of minorities. That cause is one of the fields of the League's activity and is bound in honour to occupy our attention whenever our notice is drawn to it either by the Assembly or in the Council.

Whatever explanations may be exchanged between us, therefore, it is certain that at no time can there be any possibility of our becoming indifferent to the sacred rights of minorities. The truth of that has been shown to-day by the large number of cases that have been brought before the Council, by the scrupulous attention with which the rapporteur has examined the questions involved and by the care he has taken to investigate the most minute details with the constant desire to submit satisfactory solutions. The task has been an arduous one and our rapporteur has discharged it in a way which deserves our unanimous congratulations and thanks. This discussion and examination of delicate questions must not convey the impression that we have any intention of neglecting the interests of the minorities.

It may perhaps be desirable to find a more expeditious procedure but in any case—I wish to say this with particular emphasis and I am sure I am voicing the feelings of the entire Council—the rights of the minorities will not be disregarded. Every time that the League and the Council are required to deal with a question bearing on their rights, they may be sure that the matter will be considered with the deepest respect for the sacred interests of the minorities and that the organs of the League will endeavour to discharge their duties to the satisfaction of those concerned.

IX. — Social and Humanitarian Questions.

1. — TRAFFIC IN OPIUM

Two questions concerning the opium traffic were considered by the Council—the appointment of the Permanent Central Board provided for in the Geneva Convention of 1925 and the British proposal to appoint a Commission to enquire into the control of opium smoking in the Far East.

a) Appointment of Permanent Central Board.

On December 14th, the Council appointed the following eight persons to sit on the Permanent Central Opium Board: Dr. O. Anselmino (German), M. C. J. J. Bonin (French), Prof. Giuseppe Gallavresi (Italian), Mr. L. A. Lyall (British), M. H. L. May (American), M. M. Miyajima (Japanese), Sir B. K. Mullick (Indian), M. Henrik Ramsay (Finnish).

These eight candidates were selected from a list of seventeen nominated by the members of the Council and the signatories to the Geneva Convention. The choice was made by a Sub-Committee composed of the Canadian, Finnish and Japanese representatives, which was guided in its selection by the provisions of Article 19 of the Convention ⁽¹⁾.

It was decided that the Permanent Central Board should hold its first meeting on January 15th, 1929, and that it should make arrangements and suggestions for its work for consideration by the Council at its March session.

In this connection the Council considered the communication from the United States Government ⁽²⁾ declining its invitation to take part in the appointment of the Central Board and expressing certain criticisms of the Geneva Opium Convention.

In its reply the Council expressed its regret that the United States Government had not found it possible to accept its invitation, while cordially welcoming the statement that Government, in addition to observing its obligations under the Hague Convention, would endeavour to furnish the information required by the Board.

In response to the criticisms of the Convention, the Council pointed out that its provisions regarding limitation of production represented the maximum obtainable in 1925 by a Conference of forty-one States, after discussions lasting three months. The opinion expressed by the United States Government that the Geneva Convention tended in some respects to nullify the provisions of the Hague Convention was not shared by the Council, which considered that the former should be regarded as supplementary to the latter, and that the best method of securing effective control of the drug traffic was to press for the widest possible ratification of the Geneva Convention, in addition to the strictest enforcement of the Hague Convention.

The Geneva Convention, it was further emphasised, represented the accumulated experience of several years effort—such as, for instance, the import certificate system and the extension of the system of control to crude cocaine, ecgonine, coca leaves and Indian hemp, etc.—and had been definitely ratified or acceded to by twenty-seven States as offering a valuable advance on the Hague Convention.

Returning to the point most strongly emphasised by the United States—that the drug traffic could only be controlled by international cooperation—the

(1) For Article 19 see *Monthly Summary*, Vol. VIII, No. 9, p. 276.

(2) See *Monthly Summary*, Vol. VIII, No. 10, p. 359.

Council expressed its appreciation of the cooperation already given by the United States, and its earnest hope that, even if there were not complete agreement on all points, this collaboration might be continued.

b) *Opium Smoking in the Far East.*

Following the discussion on this question at the ninth Assembly, the British Government consulted the States concerned in the investigation—the French, Netherlands, Siamese, Portuguese and Japanese Governments—on the subject of financial provision for the enquiry, the hospitality they were prepared to extend to the Commission and the territories to be visited. The United States Government informed the Secretary-General that it was prepared to welcome the Commission to the Philippine Islands and that the Governor General of those islands would render it all possible assistance.

The rapporteur, M. Dandurand (Canada) suggested that if the Commission started on its journey in September, 1929, instead of early in the year as anticipated, this would enable detailed financial and other arrangements to be made and would leave the Commission six months of cooler weather for its investigations.

He also submitted that the Conference of the signatories to the Geneva Convention of 1925, timed to take place not later than 1929, for which this enquiry had been planned as a preparation, might possibly be postponed until 1930.

In view of these reasons, and also of the fact that the British Government had not yet received all the replies, the Council adjourned its decision to its March session.

2. — PROTECTION AND WELFARE OF CHILDREN AND YOUNG PEOPLE

Request of the Union internationale des Ligues féminines catholiques.

The request of the *Union internationale des Ligues féminines Catholiques* to be represented on the Advisory Committee for the Protection and Welfare of Children and Young People was granted by the Council on December 13th. The Council, nevertheless, decided to draw the attention of the Committee to the fact that the steadily increasing number of delegates and assessors might be detrimental to its work, and to ask it to devise some scheme by which assessors should only attend its meetings when subjects of special interest to their organisations were discussed.

3. — REFUGEES

In pursuance of an Assembly resolution of September 25th, 1928 ⁽¹⁾ the Council invited the Governments of Bulgaria, China, Czechoslovakia, Estonia, France, Germany, Greece, Italy, Japan, Lithuania, Poland, Roumania, the Kingdom of the Serbs, Croats and Slovenes and Switzerland to be represented on the Advisory Commission for Refugees which is to be attached to the High Commissioner.

The Secretary-General was authorised to summon the Commission, in consultation with Dr. Nansen, for such time as might seem desirable.

X. — The Permanent Court of International Justice ⁽²⁾.

1. — THE CHORZOW FACTORY

On November 12th, an agreement was concluded between the Polish Treasury and the German Companies mainly interested, which, if approved by the Govern-

(1) See *Monthly Summary*, Vol. VIII, No. 9, p. 296.

(2) Nos. 1, 2, 3 and 4 of this chapter have been prepared with the assistance of the Registry of the Permanent Court.

ments concerned in the Case before the Permanent Court, would render purposeless the continuance of the proceedings in progress before that tribunal. This agreement of November 12th was in effect approved by the Governments concerned by means of an exchange of notes dated November 27th.

The foregoing was brought to the knowledge of the Court by means of letters from the Agents of the Parties dated December 6th and 13th, which letters announced that the Parties had "concluded an agreement", in accordance with the terms of Article 61 of the Rules "regarding the settlement of the dispute".

The President, whilst leaving it to the Court when it meets "officially to record the conclusion of the agreement", in accordance with the same Article, has made an Order, dated December 15th, terminating the expert enquiry ordered as already stated.

2. — BRAZILIAN FEDERAL LOANS FLOATED IN FRANCE

In conformity with the terms of the Special Agreement under which this case was submitted to the Court for decision, it has been ready for hearing since December 1st, 1928.

3. — INTERNATIONAL AGREEMENTS RELATING TO THE JURISDICTION OF THE COURT

The name of Venezuela should be added to the list of States having agreed to communicate such agreements to the Registry. This list now comprises thirty-three States.

4. — CASE CONCERNING THE ODER COMMISSION

By an Order dated December 24th, the President of the Court, under the powers conferred upon him by the Rules of Court, fixed as follows the time-limits for the filing of the documents of the written procedure in this case :

for the filing of the Cases : Friday, March 1st, 1929;
for the filing of the Counter-Cases : Wednesday, May 1st, 1929 :
for the filing of the replies, Saturday, June 1st, 1929.

This decision was taken subject to the right of the Parties, under Article 32 of the Rules, jointly to propose a different course.

The time-limits so far fixed will enable the case to be ready for hearing in the course of the Ordinary Session of the Court, to be held in June next.

5. — REVISION OF THE COURT STATUTE ⁽¹⁾

On December 14th, the Council appointed as follows the Committee of Jurists charged with the preliminary study of the question raised by the ninth Assembly ⁽²⁾ regarding the eventual amendment of the Court Statute : M. Fromageot (French), M. Gaus (German), Sir Cecil Hurst (English), M. Ito (Japanese), M. Politis (Greek), M. Raestad (Norwegian), M. Rundstein (Polish), M. Scialoja (Italian), M. Urrutia (Colombian), M. Van Eysinga (Dutch).

The Council requested its President and the Rapporteur to appoint an American jurist to sit on the Committee. The President and Vice-President of the Court, M. Anzilotti and M. Huber, were also invited to take part in the work.

(1) Rapporteur : the Italian representative.

(2) See *Monthly Summary*, Vol. VIII, No. 9, p. 288.

6. — PROCEDURE REGARDING ADVISORY OPINIONS (1)

The question of the procedure for seeking the advisory opinion of the Permanent Court came before the Council on December 10th, when it invited each of its Members to study the subject individually, with a view to discussion at a future session.

A resolution of the ninth Assembly invited the Council to study, circumstances permitting, whether the Council or the Assembly might seek the advisory opinion of the Court by a simple majority.

XI. — Other Questions.

PROCEDURE FOR THE ELECTION OF THE SUPERVISORY COMMISSION

On the report of the Persian representative, the Council decided on December 11th to propose that the Assembly should follow, in regard to the nomination of the Supervisory Commission, the procedure adopted for the constitution of the Committee of Five, appointed in 1927 to choose a plan for the League buildings.

This Committee was set up by the Assembly on the basis of the proposals submitted by its General Committee.

XII. — Forthcoming Events.

- January 15th : Permanent Central Opium Board, Geneva.
- January 17th : Advisory Committee on Traffic in Opium and Other Dangerous Drugs, Geneva.
- January 18th : Supervisory Commission, Geneva.
- January 28th : Preparatory Committee for the Codification Conference, Geneva.
- February 8th : Technical Committee on the Buoyage and Lighting of Coasts, Genoa.
- February 20th : Committee for Ports and Maritime Navigation, London.
- February 25th : Committee on Private Law in Inland Navigation, Geneva.
- March 4th : Fifty-fourth Session of the Council, Geneva.
- March 11th : Special Commission for the drafting of a Convention on the Manufacture of Arms, Munitions and War Material, Geneva.
- April 9th : Conference on Counterfeiting Currency, Geneva.
- April 15th : Preparatory Commission for the Disarmament Conference, Geneva.
- June 17th : Permanent Mandates Commission, Geneva.

(1) Rapporteur : the Italian representative.

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THE RATIFICATION OF CONVENTIONS

On 29 February 1928, the total number of ratifications of Draft Conventions registered with the Secretary-General of the League of Nations was 256.

At the same time the number of Draft Conventions of which ratification had been authorised by the competent authority in the country concerned, but had not yet been registered with the Secretary-General, was 35.

The International Labour Office was informed during the month of the formal ratification by Belgium of the International Convention concerning the Simplification of the Inspection of Emigrants on Board Ship.

THE THIRTY-EIGHTH SESSION OF THE GOVERNING BODY

The Governing Body of the International Labour Office held its Thirty-Eighth Session at Geneva from 1 to 4 February 1928, under the chairmanship of Mr. Arthur Fontaine.

Sir James Lithgow, British employers' representative, having resigned, the employers' group had appointed Mr. Forbes Watson to take his place. The German Government had announced that, in consequence of internal rearrangements in the German Ministry of Labour, the place of its representative, Mr. Feig, would be taken as from the Thirty-Ninth Session by Mr. Weigert.

In announcing these changes, the Chairman expressed the regret which the Governing Body felt at the decision of Sir James Lithgow and the departure of Mr. Feig. He paid a tribute to the personal qualities of both these members, and said how much their collaboration had been appreciated by their colleagues. He extended a welcome to their successors, Mr. Forbes Watson and Mr. Weigert. Representatives of the three groups on the Governing Body associated themselves with the remarks of the Chairman.

THE DIRECTOR'S REPORT

The Governing Body, passing to the discussion of the Report which the Director submits at each Session on the work of the International Labour Office, noted with satisfaction the progress made in the ratification of Conventions. The number of ratifications officially registered amounted to 255 on 31 January, and there was ground to hope that the increase in ratifications would continue to improve up to the next Session of the

Conference. The Director drew attention to the delicate situation which might be created by an extension of the practice of conditional ratification.

On behalf of the Workers' Group, Mr. Poulton emphasised the danger of this policy of conditional ratification which, if it became general, would lead Governments to wait for each other to take action and would thus impede ratifications. He expressed the hope that the movement in favour of ratification to which the Director had drawn attention would soon become more pronounced, and he expressed his personal disappointment that Great Britain had not yet ratified the Hours Convention. "If industrial peace is desired", he added "the best way of obtaining it would be to secure the application of the Washington Convention."

The question of the eight-hour day, thus introduced during the discussion of the Director's Report, was to become the subject of a special debate which, because of its importance, was soon seen to be the dominant event of the Session.

THE EIGHT-HOUR DAY AND THE PROCEDURE FOR THE REVISION OF CONVENTIONS

Mr. Betterton, Parliamentary Secretary to the British Ministry of Labour, having to reply to Mr. Poulton on the attitude of the British Government to the ratification of the Washington Convention, asked to deal with this question at the same time as the question, on the agenda of the Session, of the procedure to be followed in connection with proposals for the possible revision of Conventions.

In the name of the Workers' Group, Mr. Jouhaux stated that there was no connection between the question of the eight-hour day and the general question of the procedure for the revision of Conventions. But having made this reserve on the question of principle, he did not raise any objection to Mr. Betterton's proposal to make a statement.

In these circumstances, the Chairman opened the discussion of the Report prepared by the Office on the general problem of the possible revision of Conventions. This problem exists for all the Conventions adopted by the International Labour Conference, because they all include a clause providing for the submission by the Governing Body to the Conference of a Report on the application of the Convention, and the decision by it whether the question of revision should be placed on the Agenda of the Conference.

To this general problem the Report of the Office proposed that a general solution should be found susceptible of application to the various special cases that may arise. It did not envisage the possibility of starting the procedure of revision for any Convention until after the general rules for this procedure had been established.

Mr. Betterton, on the other hand, on behalf of the British Government, requested the Governing Body to put in hand immediately the procedure for the revision of the Washington Convention on the Eight-Hour Day. He pointed out that the difficulties which had been encountered in securing ratifications, and which had led to the Conferences at Berne and London for the purpose of interpreting the Convention, showed that it was not generally acceptable in its present form. The question of its revision would have to be considered within the next two or three years, and the British Government therefore considered it preferable that this revision should be undertaken as soon as possible, in order that a workable Convention might be produced which would be generally accepted. Their intention was to work towards the framing of a Convention which, while adhering to the principles of the Washington Draft Convention, would be free from the difficulties encountered in that Draft. If such a Convention was obtained, they would be prepared to stand in line with other industrial States by ratifying it and putting it into operation.

In conclusion, Mr. Betterton made two definite proposals to the Governing Body :

(1) The Governing Body should decide to place the question of the revision of the Hours Convention on the Agenda of the Ordinary Session of the Conference to be held in 1929;

(2) The Office should be at once instructed to prepare a draft Report on the working of the Convention, to be submitted to the Governing Body at its next Session. After having been examined and adopted by the Governing Body, this Report would be communicated to all the States Members of the Organisation in order that they might express their opinion on the matter and submit such proposals for revision as might seem to them necessary.

Mr. Jouhaux stated that the Workers' Group was unanimous in its opposition to the point of view of Mr. Betterton. That was why he had emphasised that there could be no question of connecting the ratification of the Eight-Hour Convention with the revision of the Convention. The Workers' Group did not agree that the special problem of the Washington Convention should be substituted for the general problem of the procedure for the revision of Conventions. Mr. Jouhaux added that, as representative of the French workers, he had to express the profound disappointment occasioned by the British

proposal. The French workers, he stated, had agreed that the ratification by France of the Hours Convention should be made conditionally on ratification by the British Government and by the German Government, because they were convinced that the British Government, which had called the London Conference, would not hesitate to ratify the Convention. He also emphasised that the Convention had already been ratified by a certain number of countries which were confronted by economic difficulties at least as great as those confronting the great industrial countries, in particular Great Britain. They had surmounted these difficulties in order to ratify and apply a Convention that Great Britain had contributed to draw up and to have adopted. What would now be their position if faced by the refusal of England to ratify? Mr. Jouhaux quoted official texts which he maintained there was reason for considering as successive undertakings on the part of the authorised representatives of Great Britain. He concluded by asking that the British Government should honour its signature.

Mr. Lambert-Ribot, French employers' representative, who had raised at the previous Session of the Governing Body the question of the possible revision of the Washington Hours Convention, stated that the principle of the eight-hour day could not be questioned. The only points to be considered were the adjustments required as regards the methods of application of the Convention. These adjustments should take account of an experience of nearly ten years of the working of the Convention and their adoption would be calculated to facilitate ratifications. Mr. Lambert-Ribot observed that the eight-hour question could not be left out of account, but he added that there was also the general question of the procedure for the possible revision of the various Conventions. He requested the Governing Body not to take a hasty decision on these matters and to weigh the *pros* and *cons* with care.

Mr. Mahaim, representative of the Belgian Government, expressed the anxiety which the unexpected British proposals caused him. Belgium was one of the countries which had unconditionally ratified the Washington Convention, and it would not envisage without anxiety the situation that would result from the refusal of Great Britain to ratify prior to revision. He emphasised the fact that Belgium had experienced and had overcome the difficulties advanced in support of the refusal to ratify the Convention. It would experience a sense of bitterness in seeing that others would not agree to make the same endeavours. Mr. Mahaim added that no international social legislation was possible if there were no guarantee that its provisions would not constantly be discussed afresh. If the question of possible revision was, in fact, raised in respect of all the Conventions, it would be necessary to secure that the procedure established would not throw to the ground the legislative monument set up by the Organisation.

After a discussion in which various members of the Governing Body took part, the representative of the British Government stated that he had appreciated the arguments submitted against his proposals, particularly by Mr. Mahaim, and that he did not press for an immediate decision by the Governing Body concerning the inclusion in the Agenda of the 1929 Conference of the question of the revision of the Hours Convention. While maintaining his opinion as to the advantages of revising the Convention in the very near future, and reserving the freedom of the British Government to submit again its proposal for revision to the next Session of the Governing Body, he agreed that the matter should be postponed to the next Session of the Governing Body, in agreement with the proposal of Mr. Picquenard, French Government delegate. (The texts of Mr. Picquenard's proposal are given below.)

The Director drew the following conclusions from the discussion. He emphasised the fact that the principle of the eight-hour day was not touched by the discussion which had taken place. The eight-hour day was almost universally recognised, and no State existed which could adopt a negative attitude to it. On the contrary, all Governments were seeking the possibility of securing the ratification of the Washington Convention.

In his opinion, however, the British Government's proposal was premature. It was premature because it was impossible for the International Labour Organisation to proceed to revision before having previously defined the general rules to be observed in the procedure for revision. The general rules must first be fixed, apart from preoccupation with any particular Convention. After these general rules had been determined, they could be applied to such and such particular proposals for revision. The British proposal was also premature in that it did not indicate the precise points on which modification was requested. There could be no question of a general revision which would cause the whole Convention to be discussed afresh. If revision was to be envisaged, it could only be upon particular points clearly specified. It was important that this principle should be clearly indicated in the general rules of the procedure to be followed in the possible revision of Conventions.

Before the close of the discussion, Mr. Jouhaux stated that the Workers' Group was unanimous in maintaining its attitude of absolute opposition to any revision of the Eight-

Hour Convention and to any action which might directly or indirectly lead to its revision. "Thousands of workers throughout the world", he said, "have the will to maintain in its integrity the eight-hour day. If difficulties of application exist, let us see them. We will try to assist in solving them, but without entering upon the path of revision."

Finally, the Governing Body adopted two Resolutions submitted by Mr. Picquenard, French Government delegate.

The first of these Resolutions, which was adopted by 15 votes to 6 (those of the Workers' Group), with one declared abstention (that of the representative of the Polish Government), is as follows :

The Governing Body instructs the Standing Orders Committee to submit to it, at its next Session, a Report on the procedure to be adopted with regard to proposals for the possible revision of Conventions, taking into account the terms both of the Conventions themselves and of the constitution of the International Labour Organisation.

The second Resolution is as follows :

The Governing Body decides to place on the Agenda of its next Session, after the consideration of the general procedure for revision, the question whether the revision of the Hours Convention, proposed by the British Government, should be placed on the Agenda of the 1929 Conference.

The words "proposed by the British Government" were introduced in the text at the request of Mr. de Michelis, representative of the Italian Government.

Mr. Arthur Fontaine pointed out that this second Resolution was simply intended to specify the order in which the questions would be considered, and left members of the Governing Body quite free to vote either for or against revision of the Hours Convention.

The second Resolution was adopted by 13 votes to 7, with 4 abstentions. The 6 members of the Workers' Group and the representative of the Norwegian Government voted against. The 4 abstentions are those of the representatives of the Governments of Belgium, Germany, Japan, and Poland.

THE AGENDA OF THE 1929 CONFERENCE

The Governing Body had various decisions to take with regard to the programme of work of the 1929 International Labour Conference. It will be remembered that the 1928 Session of the Conference will open on 30 May and that its Agenda includes two questions : (1) Methods of Fixing Minimum Wages (2nd discussion); and (2) Prevention of Industrial Accidents, including Accidents due to Coupling on Railways (1st discussion).

In 1929 the Conference will hold two Sessions : (1) a session specially devoted to questions of maritime labour (the Agenda had been previously determined; it embraces the regulation of hours of work on board ship, the protection of seamen in case of sickness, including the treatment of seamen injured on board ship, and the promotion of seamen's welfare in ports); (2) a Session of a general character (the Governing Body in October in Berlin had decided to place on the Agenda of this General Session of 1929 the question of Forced Labour; it reserved the possibility of completing this Agenda at its following Session by adding to it either the question of Unemployment Insurance or one or two questions concerning Salaried Employees).

During the discussion on the subject, the Governing Body had to consider a proposal that no other questions should be added to the Agenda. This proposal obtained 12 votes to 12 and was not adopted. By 13 votes to 11, the Governing Body then decided to add a question to its Agenda. After a series of votes on the various questions that might be included, it chose, by 12 votes to 9, the question of Hours of Work of Salaried Employees. As some difficulties had arisen in connection with the interpretation of some of these successive votes, the Governing Body unanimously adopted the following Resolution :

The Governing Body, considering that the drawing up of the Agenda of the Conference is one of its most important duties, and that it is essential that every possible step should be taken with a view to ensuring that its opinions in regard to every proposed item should be clearly expressed, requests the Standing Orders Committee to introduce such provisions into the Standing Orders as may be necessary to this end.

The decision of the Governing Body with regard to the question of Hours of Work of Salaried Employees is particularly interesting, because this will be the first time that the International Labour Conference will directly approach with a view to international

regulation a problem concerning salaried employees. This will, therefore, constitute an initial satisfaction of the wishes expressed by this important category of workers.

The Agenda of the General Session of the 1929 Conference will therefore include the following questions : the Prevention of Industrial Accidents (final discussion); Forced Labour (first discussion); Hours of Work of Salaried Employees (first discussion). A General Report of the Director on the question of Unemployment will also be submitted to this Session.

The Governing Body decided that the Maritime Session of the Conference would follow immediately upon the General Session.

REFUGEES

For the organisation of the programme of the Refugee Service, the Governing Body adopted the recommendations of its Sub-Committee for Refugees, on the basis of which the Office will submit in April a draft budget for this work. The Governing Body decided to transform its Refugee Sub-Committee into a permanent Committee.

THE "LOTUS" INCIDENT

The Governing Body considered a request which had been made to it by the International Association of Mercantile Marine Officers, in consequence of the collision which occurred at sea between the French vessel *Lotus* and the Turkish vessel *Boz Kourt*. The request was to the effect that the Governing Body should submit to the International Maritime Conference in 1929 the question of the laying down of international rules for the penalties to be imposed and the competent courts to deal with offences of an occupational character committed at sea and the certificates of occupational capacity required for officers of the watch. The object of the proposal was not to question the decision given by the Permanent Court of International Justice, but to remedy by international provisions certain gaps in international law which had been found to exist on the occasion of the *Lotus* incident.

The Governing Body took note of the request of the Mercantile Marine Officers. The Director was invited to study the problems of competence which arise out of the request and will confer with the Secretariat of the League of Nations on the procedure to be adopted.

OFFICIAL LANGUAGES

The Governing Body referred to its Standing Orders Committee a proposal submitted by the Workers' Group to the effect that the German language should be recognised as an official language in the Governing Body and at the International Labour Conference, in view of the large number of workers who knew German.

ADVISORY LABOUR COMMITTEE FOR UPPER SILESIA

The Governing Body was called upon to appoint for a further period of three years the Chairman and two of the assessors on the Advisory Labour Committee for Upper Silesia set up by the German-Polish Convention of 16 May 1922. On the proposal of the Polish and German Governments, the Governing Body unanimously re-elected as Chairman of this Committee Mr. Albert Thomas, Director of the International Labour Office. It re-elected as German assessor Mr. Sitzler, Director in the German Ministry of Labour, and as Polish assessor Mr. Sokal, Polish Government representative on the Governing Body.

COLLABORATION OF THE OFFICE IN THE WORK OF THE COMMITTEE FOR INTERNATIONAL CO-OPERATION IN AGRICULTURE

The Governing Body accepted the invitation addressed to it by the President of the International Institute of Agriculture at Rome for the participation of the International Labour Office in the work of an international "co-operation" committee, to be entrusted with the co-ordination of the work of the various official and unofficial institutions dealing wholly or partly with agricultural questions. Under the Standing Orders of this committee, the delegate of the Office is assigned the position of vice-chairman. Mr. Arthur Fontaine, Chairman of the Governing Body and representative of the French Government, was appointed as the delegate of the Office.

The Governing Body adjourned to its next Session a certain number of questions, in particular the question of the relation of the Office to the economic organs of the League,

the question of the meeting of a Conference of Experts on War Pensions, and the consideration of the report of the preparatory meeting held in December in Brussels with a view to the final constitution of the Advisory Committee of Intellectual Workers.

The Governing Body decided to hold its next Session in Geneva in the week 23 to 29 April 1928.

RUSSIAN AND ARMENIAN REFUGEES

At its last meeting the Governing Body of the International Labour Office decided to make its Sub-Committee on Refugees into a Permanent Committee which would meet periodically and keep the Governing Body informed as to progress made in the finding of employment for refugees. This new Committee met for the first time at Geneva on 27-28 February.

In the first place, though the Committee agreed that the finding of employment for Russian and Armenian refugees is of a temporary character and should end as soon as possible in the course of the next few years, it did not agree to accept the proposal that had been made to transfer back the Refugees Service to the League of Nations. It felt that the right course was to proceed prudently on the lines already laid down for dealing with the refugee problem, and draw up the 1929 budget in accordance with the plans approved.

The Committee adopted several recommendations dealing with the distinction that should be made between refugees in general and those who for special reasons require the assistance of the Refugees Service. In order to reach a progressive reduction in the numbers to be dealt with, refugees who obtain employment of a permanent character will be considered as no longer having any claim to help from the International Labour Office except in cases where they are affected by some general refugee problem. The Committee examined in detail the possibilities of finding employment for refugees in Bolivia, France, Peru, and Tunis. They also investigated the steps that had been taken for the settlement of Armenian refugees in Syria.

MONTHLY SUMMARY

OF THE

INTERNATIONAL LABOUR ORGANISATION

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THE RATIFICATION OF INTERNATIONAL LABOUR CONVENTIONS

On 25 April 1928, the total number of ratifications of International Labour Conventions registered with the Secretary-General of the League of Nations was 300.

At the same date, the number of Conventions of which ratification had been authorised by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League of Nations, was 22.

The International Labour Office was informed, in the period 1-25 April, of 35 new ratifications.

France has ratified the Convention concerning workmen's compensation in agriculture, adopted by the International Labour Conference at its Third Session (Geneva, 1921) the Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, adopted by the International Labour Conference at its Seventh Session (Geneva, 1925); and the Convention concerning seamen's articles of agreement, adopted by the International Labour Conference at its Ninth Session (Geneva, 1926).

Hungary has ratified the Convention concerning the employment of women before and after childbirth, the Convention concerning the employment of women during the night, the Convention concerning the night work of young persons employed in industry, all adopted by the International Labour Conference at its First Session (Washington, 1919); the Convention concerning workmen's compensation for accidents, the Convention concerning workmen's compensation for occupational diseases, the Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents, all adopted by the International Labour Conference at its Seventh Session (Geneva, 1925); and the Convention concerning sickness insurance for workers in industry and commerce and domestic servants, adopted by the International Labour Conference at its Tenth Session (Geneva, 1927).

Special mention must be made of *Luxemburg* which, making a notable effort to develop its national legislation in harmony with the provisions of international labour legislation, has ratified the 25 Conventions adopted by the International Labour Conference since the establishment of the Organisation.

THE THIRTY-NINTH SESSION OF THE GOVERNING BODY

The Governing Body of the International Labour Office met at Geneva on 25 April for its thirty-ninth session.

An account of the proceedings of this session will appear in the next number of the *Monthly Summary*.

THE MEMBERSHIP OF THE GOVERNING BODY

The International Labour Office has been informed of the ratification by Luxemburg of the amendment to Article 393 of the Treaty of Versailles. This amendment was adopted by the International Labour Conference at its Fourth Session at Geneva in 1922.

Article 393 fixes the number of members of the Governing Body of the International Labour Office at twenty-four, twelve of whom represent Governments, six employers', and six workers' organisations. In order to ensure the representation of a larger number of extra-European countries, and thus give the Governing Body a character more in accordance with its universal sphere of action, the amendment adopted by the Conference increases the number of members to thirty-two, sixteen to represent Governments, with eight employers' and eight workers' representatives.

So far the amendment has been ratified by thirty-five countries, including Luxemburg. Two others, those of Uruguay and Salvador, are reported. When they have been registered, only five further ratifications will be required to reach the total of forty-two necessary for giving effect to the amendment.

The Governing Body is elected for periods of three years, and the last election took place in 1925. The next will be held during the International Labour Conference to meet at Geneva on 30 May. If by then the forty-two ratifications required for putting the amendment to Article 393 into effect have not yet been obtained, the Governing Body will necessarily be re-elected on its present basis, that is to say that for a further three years it will consist of only twenty-four members. It is hoped that before 30 May the five ratifications that are still required will have come to hand, and that consequently the new Governing Body will contain an additional eight members and thus realise the desire frequently expressed by various countries, and in particular by the countries of South America.

MEETING OF EXPERTS OF THE CORRESPONDENCE COMMITTEE ON INDUSTRIAL HYGIENE

A number of members of the Correspondence Committee on Industrial Hygiene met at the International Labour Office from 16 to 18 April 1928.

The meeting was attended by the following members : Dr. Bauer, Councillor to the Federal Ministry of Labour, Berlin; Dr. Brezina, Councillor to the Federal Ministry for Social Affairs, Vienna; Dr. Bridge, Senior Medical Inspector of Factories, Great Britain; Dr. Collis, Professor of Preventive Medicine at the University of Cardiff; Dr. Cristiani, Director of the Hygiene Institute of the City of Geneva; Dr. Glibert, General Medical Inspector, Chief of the Industrial Medical Service in Belgium; Dr. Kœlsch, Chief of the Industrial Medical Service at Munich; Dr. Kranenburg, Medical Councillor to the Labour Inspectorate at The Hague; Dr. Lorange, Director of Factory Inspection at Oslo; Dr. Loriga, Chief of Medical Factory Inspection in Italy; Dr. Martin, Professor of Forensic Medicine and Social

Medicine in the Faculty of Medicine at Lyons; Dr. Pierracini, Professor of Industrial Medicine at Florence.

Mr. Albert Thomas welcomed the members and thanked them for their assistance to the Office.

Mr. Lecocq, joint representative with Mr. Findlay of the Governing Body of the Office, spoke of the interest with which the Governing Body follows the work of the experts in industrial hygiene.

Dr. Glibert was unanimously elected chairman.

The experts first examined the question of the possible revision of the list of occupational diseases figuring in the Convention adopted by the International Labour Conference in 1925.

This Convention, which provides that workmen's compensation for occupational diseases should be assured on the same general principles as workmen's compensation for accidents, has been ratified by nine States : Belgium, Finland, Great Britain, Hungary, India, the Irish Free State, Luxemburg, Kingdom of the Serbs, Croats and Slovenes, and Switzerland. Ratification has been authorised by the Parliament of the Netherlands. It has been recommended to the competent national authorities in six States : Estonia, Greece, Japan, Latvia, Poland and Portugal. Legislation for the application of the Convention has been voted or is in course of preparation in seven other States : Austria, Czechoslovakia, France, Germany, Italy, Norway and Sweden.

The question of workmen's compensation for occupational diseases is therefore a living issue in 23 countries. There is also a general movement in favour of wider measures of protection than those assured by the present provisions. The extension of the system of workmen's compensation to cover other occupational diseases and forms of poisoning is demanded by public opinion, by workers' organisations or by the medical profession. This problem involves scientific questions the importance of which gave a special interest to the work of the experts of the Correspondence Committee on Industrial Hygiene.

The experts were of opinion that the following list of occupational diseases might be added to the list figuring in the 1925 Convention : Poisoning by phosphorus and its compounds and their sequelae; Poisoning by arsenic and its compounds and their sequelae : (1) Poisoning by benzene, its homologues, their amino and nitro derivatives and their sequelae, (2) Poisoning by hydrocarbides of the aliphatic series and their chlorinated derivatives and their sequelae; Pathological manifestations due to : (a) Radium and other radio-active substances, (b) to X-rays; Epitheliomas of the skin, due to the handling of tar, pitch, bitumen, mineral oils, paraffin or all compounds, products, or residues of these substances.

The Committee decided not to retain the mention of "recurring dermatitis due to the action of dusts and liquids", and it was unanimously decided to resume the study of this question at the coming session, adding to dermatitis "irritations of the mucous membrane", and to dusts and liquids "irritant gases and fumes".

With regard to silicosis, the experts, after a detailed discussion, adopted, by ten votes with two abstentions, the following resolutions :

"Silicosis is an occupational disease which, in English-speaking countries and in Germany, has been made the object of a very precise scientific discovery in order to determine accurately the diagnosis of the disease in its advanced form.

"At the present time this disease has been made subject to compensation in the English-speaking countries.

"Scientific research, however, is still necessary in the various industries in all countries in order to enable the pulmonary lesions caused by this form of pneumoconiosis and the incapacity which they involve to be specified with precision.

"It is therefore indispensable to request the completion of investigation and study in the different countries in regard to the process of diagnosis of silicosis in the various industries in which workers are exposed to atmospheres with a silica content."

The experts then examined the measures to be considered in certain industries (hides and skins, hair, bone, horns and hoofs) for the prevention of anthrax infection. They closed their session on 18 April, after the examination of a particularly important question, that of the investigation of standard regulations in relation to industrial hygiene.

The Preamble to Part XIII of the Treaty of Versailles assigns to the International Labour Organisation the protection of the worker against sickness, disease and injury arising out of his employment. In order to assure this protection, the International Labour Office has dealt with the measures to be taken with a view to safeguarding workers exposed to specific dangers, such as poisoning and infection. In this field it has studied the special questions of anthrax, white lead, etc. It is, however, none the less important to lay down the main lines of the principles which should constitute the basis of the hygiene of work-places in general. The problem to be solved is the safeguarding not only of the life and health of limited categories of workers, but the life and health of the hundreds of millions of workpeople who labour in workshops or factories.

With a view to the study of this problem, the International Labour Office has examined the legislation of the most advanced countries with regard to industrial hygiene, and has extracted the measures of a general character. It has begun to bring together the principles of a sort of standard of industrial hygiene regulations involving the minimum of indispensable measures to be applied in industrial establishments.

The experts proceeded to an exchange of views on the draft report submitted, and they appointed a special sub-committee to assist the Hygiene Service by correspondence in the study of this wide question.

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THE RATIFICATION OF INTERNATIONAL LABOUR CONVENTIONS

On 21 July 1928, the total number of ratifications of International Labour Conventions registered with the Secretary-General of the League of Nations was 313.

At the same date, the number of Conventions of which ratification had been authorised by the competent authority in the country concerned, but had not yet been registered with the Secretary-General of the League of Nations, was 29.

The International Labour Office was informed, in the period 21 June to 20 July, of the registration of 8 new ratifications :

The registration of the ratification by *Cuba* of the Convention concerning the use of white lead in painting, the Convention concerning the minimum age for the admission of young persons to employment as trimmers or stokers, and the Convention concerning the compulsory medical examination of children and young persons employed at sea, adopted by the International Labour Conference at its Third Session (Geneva, 1921); the Convention concerning seamen's articles of agreement, and the Convention concerning the repatriation of seamen, adopted by the International Labour Conference at its Ninth Session (Geneva, 1926).

The registration of the ratification by *Esthonia* of the Convention concerning the repatriation of seamen, adopted by the International Labour Conference at its Ninth Session (Geneva, 1926).

The registration of the ratification by *Portugal* of the Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week, adopted by the International Labour Conference at its First Session (Washington, 1919), and the Convention concerning the application of the weekly rest in industrial undertakings, adopted by the International Labour Conference at its Third Session (Geneva, 1921).

THE LEGAL STATUS OF REFUGEES

From 28 to June 1928, a Conference of Government representatives met in the International Labour Office to discuss chiefly the legal status of refugees.

This Conference had been convened by the High Commissioner for Refugees of the League of Nations, in accordance with a resolution of the Assembly of the League of Nations held in September last.

The officers of the Conference were : Mr. Delaquis (Switzerland), President, and Messrs. de Navailles (France) and Fotitch (Serb-Croat-Slovene Kingdom), Vice-Presidents. The following Governments were represented : Austria, Belgium, Bulgaria, Czechoslovakia, Egypt, Estonia, Finland, France, Germany, Greece, Latvia, Poland, Rumania, the Serb-Croat-Slovene Kingdom, and Switzerland.

The Conference decided to admit Russian and Armenian legal experts to take part in its deliberations in an advisory capacity. It also decided that the sittings at which the general discussions on the items on the agenda would take place should be public.

The Conference adopted an Arrangement relating to the legal status of Russian and Armenian refugees, in which it was recommended that the High Commissioner for Refugees should, through the appointment of representatives in as large a number of States as possible, assure the following services so far as they are not performed by the national authorities :

- (a) Certifying the identity and the status of the refugees;
- (b) Certifying as to the situation of the refugee's family and their civil status in so far as these result from events which occurred in the refugee's country of origin;
- (c) Attesting the regularity, legality, and conformity to the old law of of the country of origin of the refugees of documents issued in such countries.
- (d) Certifying the signatures of refugees, the copies and translations of papers drafted in their language;
- (e) Attesting *vis-à-vis* the authorities of the country the respectability and the good conduct of the refugee, his previous service, his occupational qualifications, his university or academic qualifications;
- (f) Recommending the refugee to the competent authorities, in particular for questions of visa, *permis de séjour*, admission to schools, libraries, etc.

The representatives are to be appointed and to carry out their duties by agreement with the Governments concerned. In countries where such duties are already carried out by semi-official bodies, the High Commissioner may have recourse to these bodies.

Each Government will decide whether documents drawn up by these representatives shall be officially recognised. It is recommended, in any case, that Governments take account of such documents as far as possible.

It is understood that the activities of these representatives will not be of a political nature, and will not involve any interference in the functions of the authorities of the country of residence.

It is further recommended that in countries where the former Russian and Armenian law is no longer recognised, refugees should be governed by the law of their place of domicile or habitual residence, or, failing such, by the law of their place of residence.

It is recommended that the enjoyment of certain rights and benefits granted to foreigners by reciprocal agreements should not be withheld from refugees, that regulations relating to foreign labour should not be strictly applied to Russian and Armenian refugees in their country of residence, and that for purposes of taxation refugees should be subject to the same treatment as nationals of their country of residence.

It is further recommended that measures of expulsion or similar measures should be avoided or suspended, in regard to Russian and Armenian refugees, when

the refugee with regard to whom such a measure is proposed is unable to enter in a regular manner into a neighbouring country. This regulation does not cover the refugee who has penetrated a territory, intentionally infringing national provisions. On the other hand, it is recommended that in no case should the identity cards be withdrawn.

Finally, it is recommended that the identity certificates of refugees should be visaed and prolonged by the simplest possible procedure, and with a minimum of formalities, and that refugees should be subject to no special regulation as regards their movements within their country of residence.

The Conference recommended the adoption of these resolutions to the States represented at the Conference, to the Members of the League of Nations, and also to States that are not Members of the League of Nations. It expressed the desire that representatives of the Governments at the forthcoming session of the Assembly of the League of Nations should be in a position to give information with regard to the action to be taken in respect of the measures included in this Arrangement.

In addition to the question of the legal status of Russian and Armenian refugees which the Conference had been instructed to consider by the Assembly of the League of Nations, the Conference had brought to its attention, by a resolution of the Council of the League of Nations, the question of the extension to other categories of refugees of certain measures taken in favour of Russian and Armenian refugees. In this connection it adopted a second Arrangement containing the following resolutions :

(1) The measures taken in favour of Russian and Armenian refugees, provided for by the Arrangements of 5 July 1922, 31 May 1924, and 12 May 1926, shall be extended to Turkish, Assyrian and Assyrian-Chaldean refugees, and refugees assimilated thereto.

(2) With regard to the definition of "refugee", the Conference adopted the following definitions :

Assyrian, Assyrian-Chaldean, and Assimilated Refugees. — All persons of Assyrian or Assyrian-Chaldean origin, together with, by assimilation, all persons of Syrian or Kurdish origin who do not enjoy or no longer enjoy the protection of the State to which they belong and have not acquired or do not possess another nationality.

Turkish Refugees. — All persons of Turkish origin, formerly subjects of the Ottoman Empire, who, in virtue of the Protocol of Lausanne of 24 July 1923, do not enjoy or no longer enjoy the protection of the Turkish Republic and who have not acquired another nationality.

The Conference recommended the adoption of this Arrangement to the States represented at the Conference, to Members of the League of Nations, and to States not Members of the League of Nations.

SOME RECENT PUBLICATIONS OF THE INTERNATIONAL LABOUR OFFICE

In addition to its periodical publications, which include, among others, the *International Labour Review*, the *Industrial and Labour Information*, the *Official Bulletin*, the *Monthly Record of Migration*, and the *Industrial Safety Survey*, the International Labour Office has recently published a number of important Studies and Reports. Special mention may be made of the following :

SICKNESS INSURANCE AND PUBLIC HEALTH IN GERMANY

A study entitled "Benefits of the German Sickness Insurance System from the Point of View of Social Hygiene", prepared by two eminent specialists—Dr. Franz Goldmann (Research Member of the Principal Health Office of the Municipality of Berlin) and Dr. Alfred Grotjahn (Professor of Social Hygiene at the University of Berlin)—has just been published by the International Labour Office ⁽¹⁾.

The study describes the part played by sickness insurance benefits in the vast organisation of social health institutions in Germany. It gives an account of the benefits, estimates their value from the point of view of public health, and analyses the work done and results obtained by insurance in reducing the risks of infection, preventing disablement, and maintaining the health of the insured persons and their families, who together form half the total population of Germany. Finally, the authors draw the outlines of a national health programme for the State, and examine the relations which exist or ought to exist between insurance institutions and public health services.

It is hoped that this volume will prove a valuable contribution to the study of the problems of co-ordination and collaboration between public health authorities and social insurance institutions for the prevention of disease, which, in accordance with a decision of the Sixth Assembly of the League of Nations, has been undertaken conjointly by the Health Section of the League and the International Labour Office, with the help of an international committee of experts in social insurance and in public health.

FREEDOM OF ASSOCIATION

The second of the five volumes of the study on "Freedom of Association", which is being published by the International Labour Office, has just appeared ⁽²⁾. The present volume contains monographs on the history, legal status, and actual position of trade unions in Great Britain, the Irish Free State, France, Belgium, Luxembourg, the Netherlands, and Switzerland.

It will be remembered that the first volume, which appeared in December 1927, was devoted to a comparative international survey of trade union law.

In the various monographs, a uniform method has been followed so far as possible. The first part traces the history of the trade union movement and trade union law; the second part is devoted to the present legal status of associations; the third part deals with the possible forms of action by trade unions in the various departments of social and economic life, and the limits of such action. The conclusion deals with the position of trade unions in law and in fact. An effort has been made to study not only the national legislation relating to trade unions but also the relevant legal decisions and administrative practice and the actual position of trade unions.

(1) *Studies and Reports*, Series M (Social Insurance), No. 8. Price : 4s.; \$1.

(2) *Studies and Reports*, Series A (Industrial Relations), No. 29. Price : 5s.; \$1.25.

