

Geneva, May 22nd, 1930.

LEAGUE OF NATIONS

**ADVISORY AND TECHNICAL COMMITTEE
FOR COMMUNICATIONS AND TRANSIT**

MINUTES OF THE FOURTEENTH SESSION

Held at Geneva from March 10th to 15th, 1930.

(WITH ANNEXES)

The Committee is at present composed as follows :

- M. R. HEROLD (appointed by the Government of Switzerland), Chief of District of the Federal Railways (*Chairman*).
- M. A. POLITIS (appointed by the Government of Greece), Technical Adviser of the Greek Legation in France (*Vice-Chairman*).
- M. F. L. SCHLINGEMANN (appointed by the Government of the Netherlands), Chief Engineer, Director of the *Rijkswaterstaat* (*Vice-Chairman*).
- Dr. Raúl AMADOR (appointed by the Government of Panama), Counsellor of Legation, Chargé d'Affaires of Panama in Paris.
- Sir John BALDWIN (appointed by the Government of Great Britain), Representative of Great Britain on the International River Commissions.
- M. B. DJOURITCHITCH (appointed by the Government of the Kingdom of Yugoslavia), Director-General of the Royal State Railways.
- M. Silvain DREYFUS (appointed by the Government of France), Vice-President of the General Council of Roads and Bridges and of the High Council of Public Works.
- His Excellency M. Charles DUZMANS (appointed by the Government of Latvia), Minister Plenipotentiary ; Permanent Delegate accredited to the League of Nations.
- Dr. J. ENCISO (appointed by the Government of the Argentine), Counsellor of Embassy.
- Dr. H. GRÜNEBAUM (appointed by the Government of Austria), Ministerial Counsellor at the Federal Ministry for Commerce and Communications.
- His Excellency Dr. J. G. GUERRERO (appointed by the Government of Salvador), former Minister for Foreign Affairs ; Envoy Extraordinary and Minister Plenipotentiary in France.
- M. P. G. HÖRNELL (appointed by the Government of Sweden), Member of the Swedish Academy of Technical Sciences, former Professor at the Royal Polytechnic University, Stockholm.
- M. N. ITO (appointed by the Government of Japan), Counsellor of Embassy ; Assistant Director of the Imperial Japanese Office of the League of Nations.
- His Excellency Phya Abhibal RAJAMAITRI (appointed by the Government of Siam), Envoy Extraordinary, Minister Plenipotentiary in Italy.
- His Excellency Dr. A. J. RESTREPO (appointed by the Government of Colombia), Permanent Delegate accredited to the League of Nations.
- His Excellency Dr. A. SEELIGER (appointed by the Government of Germany), Minister Plenipotentiary.
- M. G. SINIGALIA (appointed by the Government of Italy), former Chief Inspector and Adviser to the Board of Directors of the Royal State Railways.
- His Excellency Dr. A. DE VASCONCELLOS (appointed by the Government of Portugal), Minister Plenipotentiary, Secretary-General of the Portuguese Service of the League of Nations.

Secretariat :

M. R. HAAS, Secretary-General of the Advisory and Technical Committee ; Chief of the Communications and Transit Section of the League of Nations.

PERMANENT COMMITTEES

I. Permanent Committee for Ports and Maritime Navigation.

Sir Norman HILL, Bart. (*Chairman*).

(a) *Committee for Ports :*

Mr. G. E. BAKER, Assistant Secretary of the Board of Trade, London.

M. HÖRNELL.

M. G. INGIANNI, Director-General of the Italian Mercantile Marine.

M. ITO.

Dr. F. E. ROBINOW, Ministerial Counsellor of the German Ministry for Communications.

M. P. H. WATIER, Counsellor of State ; Director of Navigable Waterways and Maritime Ports in the French Ministry of Public Works.

(b) *Committee for Maritime Navigation :*

Sir Alan ANDERSON, Vice-President of the Chamber of Shipping of the United Kingdom.

M. M. BOEGER, President of the Shipowners' Association of Hamburg.

M. G. BRETON, Shipowner (France).

M. Léon DENS, Senator (Belgium).

M. A. G. KROELLER, Member of the Economic Council of the Ministry for Foreign Affairs of the Netherlands.

M. Arthur H. MATHIESEN, Vice-President of the Norwegian Shipowners' Association.

M. A. PALANCA, Naval Architect ; Representative of the Navigazione Generale Italiana, Genoa.

II. Permanent Committee for Inland Navigation.

M. Silvain DREYFUS (*Chairman*).

Sir John BALDWIN.

M. DELMER, Secretary-General of the Department for Roads and Bridges at the Belgian Ministry of Public Works.

M. G. POPESCO, Engineer ; Professor at the Polytechnic School, Bucharest.

Phya Abhibal RAJAMAITRI.

His Excellency M. C. ROSSETTI, Minister Plenipotentiary ; Representative of Italy on the International River Commissions.

His Excellency M. A. DIETRICH VON SACHSENFELS, Minister Plenipotentiary ; Hungarian Delegate of the International Danube Commission.

M. SCHLINGEMANN.

Dr. SEELIGER.

M. Milan YOVANOVITCH, Director of Inland Navigation in Yugoslavia.

III. Permanent Committee for Transport by Rail.

M. HEROLD (*Chairman*).

M. DJOURITCHITCH.

Dr. GRÜNEBAUM.

M. POLITIS.

M. SINIGALIA.

(*Administrative Section*).

General R. DE CANDOLLE, former Managing Director of the Great Southern Railway Company, Buenos Aires.

Sir Francis DENT, former 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. J. KALFF, Director-General of the Netherlands Railways.
 Dr. O. LANKAS, Director at the Czechoslovak Ministry of Railways.
 Dr. G. LEGUIZAMON, Secretary-General of the South American Railway Congress, Buenos Aires.
 M. F. MOSKWA, Head of Division at the Polish Ministry of Communications.
 M. OUANG-HANG, Railway Engineer ; Technical Secretary to the Chinese Legation in Paris.
 M. C. M. GRIMPRET, Director-General of Railways at the French Ministry of Public Works.
 Sir Henry THORNTON, Chairman of the Board of Directors and President of the Canadian National Railways.
 Dr. VOGEL, Geheimer Oberregierungsrat at the German Ministry of Communications.
 Colonel T. A. HIAM, Assistant to the President of the Canadian National Railways.
 M. A. POURCEL, Assistant Chief Engineer of the Paris-Lyons-Mediterranean Railway Company ; Assistant Secretary-General of the International Railway Union.
 M. P. WOLF, Director of the German State Railway Company.

(*Technical Advisers
 assisting the Chairman.*)

IV. Permanent Committee on Electric Questions.

- M. HÖRNELL (*Chairman*).
 Dr. DE VASCONCELLOS (*Vice-Chairman*).
 Sir John BROOKE, Electricity Commissioner, Electricity Commission, London.
 M. J. CHUARD, Civil Engineer ; Director of the “Banque pour entreprises électriques”, Zurich.
 M. COLSON, Chief of the Roads Department, of Hydraulic Power and Distribution of Electric Energy at the French Ministry of Public Works.
 Dr. R. HAAS, Director of the Kraftübertragungswerke, Rheinfelden, Germany.
 M. Oreste JACOBINI, Engineer, Chief of the Main Service of the Italian State Railways.
 The Chairman of the International Executive Council of the World Power Conference.
 A Representative of the “Conférence des grands réseaux à haute tension”.
 A Representative of the “Commission électrotechnique internationale”.

V. Permanent Committee on Road Traffic.

- Dr. A. STIÉVENARD, former Member of the Communications and Transit Committee (Belgian) (*Chairman*).
 M. GRÜNEBAUM.
 M. F. AMUNATEGUI (Chilian), Engineer of Bridges and Roads ; Secretary-General of the Mixed Courts of Arbitration.
 M. O. BILFELDT, Head of Section at the Ministry of Justice of Denmark.
 M. E. CHAIX, President of the Conseil central du Tourisme international, Paris.
 M. S. CRESPI, Vice-President of the International Federation of Automobile Clubs ; President of the Royal Italian Automobile Club.
 M. E. DELAQUIS (Swiss), Professor at the Hamburg University.
 Dr. ENCISO.
 Mr. P. C. FRANKLIN, of the Roads Department, Ministry of Transport of Great Britain.
 M. E. MELLINI, Chief Inspector of Railways, Tramways and Automobiles of the Kingdom of Italy.
 M. PFLUG, Ministerial Counsellor of the German Ministry of Communications.
 M. J. F. SCHÖNFELD, Administrator at the Department of Communications of the Netherlands.
 M. WALCKENAER, Inspector-General of Mines at the French Ministry for Public Works.

VI. Permanent Legal Committee.

His Excellency Dr. F. J. URRUTIA, Envoy Extraordinary and Minister Plenipotentiary of Colombia in Switzerland (*Chairman*).

Dr. GUERRERO (*Vice-Chairman*).

M. A. BAGGE, Conseiller référendaire at the Swedish High Court of Justice.

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

M. DUZMANS.

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

M. J. HOSTIE, Secretary-General of the Central Commission for Rhine Navigation ; former Legal Adviser at the Belgian Department of Marine.

M. KÖNIGS, Head of Section at the German Ministry for Communications.

M. René MAYER, Maître des requêtes honoraire au Conseil d'Etat (France).

M. M. PILOTTI, Counsellor at the Court of Cassation, Rome.

Dr. SCIE TON-FA, of the Chinese Legation at Paris.

M. B. WINIARSKI, Deputy, Professor of the Faculty of Law at the University of Poznań.

PERMANENT OR TEMPORARY SUB-COMMITTEES

I. Budget Sub-Committee.

M. POLITIS (*Chairman*).

M. AMADOR.

Sir John BALDWIN.

M. Silvain DREYFUS.

M. DUZMANS.

M. GUERRERO.

M. RESTREPO.

M. SINIGALIA.

M. DE VASCONCELLOS.

II. Sub-Committee on Questions of Communication and Transit raised by the Council during its Examination of Polish-Lithuanian Relations.

M. DE VASCONCELLOS (*Chairman*).

Sir John BALDWIN.

M. DJOURITCHITCH.

M. Silvain DREYFUS.

M. GUERRERO.

M. HEROLD.

M. SEELIGER.

M. SINIGALIA.

(a) Committee on Legal Questions :

M. GUERRERO (*Chairman*).

Mr. BECKETT.

M. VAN EYSINGA.

M. KÖNIGS.

M. René MAYER.

M. PILOTTI.

(b) Committee on Economic and Technical Questions :

M. HEROLD (*Chairman*).

M. DE CANDOLLE.

M. KROELLER.

TEMPORARY COMMITTEES

I. Technical Committee for Buoyage and Lighting of Coasts.

- M. WATIER (*Chairman*).
M. P. VAN BRAAM VAN VLOTEN, Director of the Technical Lighthouse Service of the Netherlands.
M. E. HÄGG, Director-General of the Royal Administration of Pilotage, Lighthouses and Buoys of Sweden.
M. ITO.
M. JOSÉ HERBELLA Y ZOBEL, Assistant Chief Engineer in the Central Service for Maritime Signals of Spain.
Admiral L. LANGLOIS, former Director-General and Chief of the Chilian Naval General Staff.
Colonel A. LURIA, Military Engineer of the Italian Navy.
M. G. MEYER, Ministerial Counsellor of the Navigable Waterways Section in the German 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 :

The President of the Directing Committee of the Bureau.

II. Technical Committee for Maritime Tonnage Measurement.

- M. A. VAN DRIEL, Advisory Naval Architect to the Netherlands Navigation Inspection Service (*Chairman*).
M. L. AALL, Principal Surveyor for Tonnage in Norway.
Mr. F. W. BICKLE, Principal Surveyor for Tonnage, Board of Trade, London.
M. BRETON.
M. P. A. LINDBLAD, Commercial Adviser, Chief of the Shipping Inspector Service of the Central Administration of Trade and Industry in Sweden.
M. PALANCA.
M. ROBINOW.
M. Y. SAITO, representing the Nippon Yusen Kaisha in London.
Mr. C. SKENTELBERY, European Manager of the Maintenance and Repair Department of the United States Shipping Board, London.

Drafting Committee :

- M. VAN DRIEL (*Chairman*).
M. AALL.
Mr. BICKLE.
M. BRETON.
M. J. F. RICHARD, Head of Section of the Customs Department of the French Ministry of Finance assisting M. Breton.

III. Committee on the Unification of River Law.

- M. B. WINIARSKI (*Chairman*).
M. E. BONAKI, First President of the Court of Appeal of Galatz.
M. P. CHARGUÉRAUD-HARTMANN, Secretary of the International Oder Commission ; Legal Adviser to the French Ministry of Marine.
M. J. HOSTIE.
M. E. DE JARMAY, Director of the Royal Hungarian River and Maritime Navigation Company, Ltd. (M.F.T.R.)
M. G. NAUTA, Barrister at Rotterdam.
M. R. RICHTER, Head of Department at the German Ministry of Justice.
M. ROSSETTI.
M. F. SITENSKY, Chief Counsellor at the Ministry of Commerce of Czechoslovakia.

IV. Committee on Competition between Railways and Waterways.

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

V. Committee on Combined Transport.

- M. Umberto BROCCA, Director-General of the Società Italiana dei Servizi Marittimi.
Jonkheer VAN DEN BERCH VAN HEEMSTEDÉ, General Director of the International Air Traffic Association, The Hague.
M. LANKAS.
M. Gaston LEVERVE, Secretary-General of the International Railway Union, Paris.
M. Anton MENS, Director of Freight Service of the firm W. M. Müller & Co., Rotterdam.
M. Henri NIEMACK, Ministerial Counsellor in the German Ministry of Communications.
M. RIPERT, Professor at the Faculty of Law of Paris.
Mr. Walter Leslie RUNCIMAN, of Runciman & Co., Shipowners, London, representing the International Chamber of Commerce.

VI. Committee on the Unification of Transport Statistics.

(a) Maritime Navigation Section :

- M. CLAESSENS, Director of Commercial Statistics, The Hague (*Chairman*).
Mr. A. W. FLUX, Head of the Statistical Department of the Board of Trade, London.
M. GAYON, Head of the Commercial Statistical Department of the General Directorate of French Customs.
M. S. GIACHETTI, of the Directorate of the Italian Mercantile Marine.
Mr. GRENING, Director for Europe of the U.S. Shipping Board Merchant Fleet Corporation, London.
M. HOSTIE.
Dr. W. TEUBERT, Ministerial Counsellor at the Prussian Ministry for National Economy.

(b) Inland Navigation Section :

- M. J. H. F. CLAESSENS (*Chairman*).
M. P. DEMETRIAD, Engineer ; Inspector-General ; Director of the Docks at Braila.
General Wm. W. HARTS, U.S. Army, Military Attaché, American Embassy in France.
M. HOSTIE.
M. H. HOUEURT, Chief Engineer of Bridges and Roads ; Director of the French National Office of Navigation.
M. PIEKALKIEWICZ, Head of Section of the Polish Central Statistical Office.
M. TEUBERT.
M. F. VILFAN, Delegate of Yugoslavia to the International Danube Commission.

(c) Railways Section :

- M. C. COLSON, Member of the Institut de France (*Chairman*).
Mr. W. Fayette ALLPORT, Commercial Attaché, U.S. Embassy in France.
M. HONDL, Ministerial Counsellor at the Czechoslovak Ministry for Railways, Head of the Department for Statistics and Organisation.
Mr. A. E. KIRKUS, Director of Statistics, Ministry of Transport of Great Britain.
M. MUSELLE, Chief Engineer, National Society of Belgian Railways.
M. STEUERNAGEL, Director of the Reichsbahngesellschaft.
M. TOSTI, Engineer of the Italian State Railways.

Drafting Committee :

M. CLAESSENS.
Mr. FLUX.
M. TEUBERT.
M. WATIER.

VII. Experts on the Question of Facilities for the Landing of Aircraft in the Neighbourhood of the Seat of the League of Nations.

M. A. DUVAL, Head of the Airways Section of the Air Navigation Service at the Ministry of Commerce and Industry of France.
Commander Antonio MARESCALCHI, Manager of the Aeronautical Construction Company, Ltd., Genoa.
M. MILCH, Member of the Board of Directors of the Deutsche Lufthansa, Berlin.
M. NIEUWENHUIS, General Manager of the Koninklijke Luchtvaart Maatschappij Works, Amsterdam.

VIII. Advisory Committee on Wireless Technical Questions.

General FERRIÉ, Commander-in-Chief of the Transmission Troops and Services at the French Ministry of War; Member of the Paris Academy of Sciences; President of the International Wireless Telegraph Committee (*Chairman*).
Dr. KOOMANS, Chief Engineer of Posts and Telegraphs; Head of the Radio Laboratory at The Hague.
Dr. P. JAEGER, Chief Counsellor at the German Ministry of Posts.
Colonel A. G. LEE, of the General Post Office of Great Britain.
Professor VALLAURI, of the Royal Naval Academy, Leghorn.

IX. Special Committee on the Question of the Jurisdiction of the European Commission of the Danube.

M. W. BURCKHARDT, Professor at the University of Berne (*Chairman*).
M. HOSTIE.
M. KROELLER.

*
* *

Experts appointed to assist the Chairman and the Secretary-General of the Committee in the Examination of Questions regarding Communications at Times of Emergency.

M. Georges BONNET, former member of the French Delegations at the Postal Conferences and at the Conferences on Communications and Transit; Deputy; former Minister.
M. JAEGER.

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FIRST MEETING

Held on Monday, March 10th, 1930, at 11 a.m.

Chairman : M. SEELIGER ; later, M. HEROLD.

Present : All the members of the Committee, except M. Guerrero, and Phya Abhibal Rajamaitri, who was replaced by Prince VARNVAIDYA, Minister of Siam in Rome.

The following were also present :

For the Central Commission for Rhine Navigation :

M. J. HOSTIE, Secretary-General ;

For the International Danube Commission :

M. A. BAULE, Secretary-General ;

For the International Commission for Air Navigation :

M. A. ROPER, Secretary-General ;

For the International Technical Committee of Legal Experts for Air Navigation :

M. E. SUDRE, Secretary-General ;

For the International Chamber of Commerce :

M. J. LACOUR-GAYET, Representing the Chamber ;

M. P. WOHL, Director of the Transport and Communications Section of the Chamber.

Secretariat : M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and M. TOMBS.

I. COMMUNICATIONS BY THE CHAIRMAN.

The CHAIRMAN declared open the fourteenth session of the Advisory and Technical Committee for Communications and Transit, and welcomed all those who had come to assist in its work.

He had great regret in informing his colleagues of the death of M. Hansen, Swedish member of the Committee, who had been well known to all. His pleasant character and the great competence which he had always put at the service of the Committee were highly valued.

The Committee would also deplore the loss of His Excellency Phya Chammong Dithakar, the Siamese member, who had loyally co-operated in its work.

The Chairman wished to express the deep regret of the members of the Committee and requested the members to rise in their seats as a sign of respect for the memory of their departed colleagues.

He welcomed the four new members : M. Hörnell (Sweden), Prince Varnvaidya (Siam), M. Grünebaum (Austria) and M. Amador (Panama).

He informed the Committee that M. Guerrero regretted his inability to attend the present session. He had been obliged to go to The Hague to take part in the Conference on the Codification of International Law.

Finally, he reminded the Committee that Colonel Hiam had left the Secretariat, of which he had been a member for many years. The Committee would regret his departure, but would wish to congratulate him on the important and brilliant position which he was now called upon to fill. He would ask the Secretary-General of the Committee to be good enough to address a letter to Colonel Hiam in that sense.

II. ELECTION OF THE BUREAU.

The CHAIRMAN invited the Committee to appoint the Chairman and two Vice-Chairmen.

Sir John BALDWIN proposed that the Committee should elect as President M. Herold, who was the member appointed by the country which gave the League its home. M. Herold had been entrusted with many difficult tasks and had always discharged them in a markedly able manner.

M. HEROLD was elected Chairman by acclamation.

M. SINIGALIA proposed as Vice-Chairmen M. Politis and M. Schlingemann, whose competence and personal qualities well fitted them for such a position.

M. POLITIS and M. SCHLINGEMANN were elected Vice-Chairmen by acclamation.

The CHAIRMAN thanked the members of the Committee for the confidence which they had shown in him, thus making it very easy for him to carry out his duties. In particular he wished to thank the Secretary-General of the Committee and the members of the Secretariat for their excellent co-operation in the work of the Committee.

M. HEROLD *took his place as Chairman.*

He thanked the Committee for the honour conferred upon him. He would endeavour to justify the confidence shown in him and would appeal to all the members for their co-operation and indulgence.

He had the pleasant task of congratulating M. Seeliger for the brilliant manner in which he had carried out his duties as Chairman and was sure that all the members would wish to associate themselves with him in expressing their thanks.

III. FLOODS IN THE SOUTH OF FRANCE: CONDOLENCES OF THE COMMITTEE.

M. DE VASCONCELLOS was sure that the Committee would desire to express to the French Government, through the intermediary of the French member of the Committee, the deep emotion with which they had heard of the terrible disasters due to floods in the south of France.

The CHAIRMAN warmly endorsed M. de Vasconcellos' suggestion and, in the name of the Committee, asked M. Dreyfus to express to the French Government the regret and sympathy of the Committee.

M. Silvain DREYFUS thanked the Committee, whose condolences he would not fail to transmit to his Government.

IV. PROGRAMME OF WORK.

The SECRETARY-GENERAL of the Committee then passed in review the different points on the agenda, explaining why, in his opinion, certain points should be examined later. He proposed that the Committee should begin immediately to study the other questions.

The CHAIRMAN approved these proposals.

The Committee adopted the draft agenda (see Annex 1).

V. WORK RELATING TO ROAD TRAFFIC (Item 2 of the Agenda).

The SECRETARY-GENERAL of the Committee pointed out that the replies to the questionnaires addressed to European Governments on the subject of frontier visas and the triptych system had been comparatively satisfactory, although some of them contained only a statement of the present position (see Annexes 2 and 3). The Committee would have to await the results of the next meeting of the Permanent Committee on Road Traffic which would be held in May 1930. A first study of the question of the exemption from fiscal taxation of automobiles remaining only a short time in a foreign country had been undertaken by a Mixed Committee.

M. GRÜNEBAUM asked for further information regarding that Committee.

The SECRETARY-GENERAL of the Committee replied that this Committee had been constituted from among the members of the Permanent Committee on Road Traffic — which represented, to a certain extent, the users — and the Fiscal Committee of the League of Nations, which was competent in respect of the substance of the question.

Sir John BALDWIN pointed out that in his opinion it would be useful to draw up for each of the points of the agenda a resolution summarising the conclusions to which the discussion had led.

M. Silvain DREYFUS approved the proposal. The resolution should, if possible, contain a very short summary which would render the Committee's resolution comprehensible to everyone, thus eliminating the necessity of referring to other documents.

M. SEELIGER pointed out that in certain cases it would be very difficult to draw up a brief summary of that kind.

M. Silvain DREYFUS recognised that it would be undesirable to establish too rigid a rule. Each case should be considered separately.

The CHAIRMAN *approved the proposal* that had been made, specifying that each case should be taken as an individual case.

VI. WORK RELATING TO INLAND NAVIGATION (Item 3 of the Agenda).

The SECRETARY-GENERAL of the Committee summarised the purport of the Memorandum on the work relating to inland navigation (see Annex 4). He emphasised that the work had principally dealt with social questions (conditions of labour, etc.). Endeavours to reach an international settlement on this subject had already been made by the International Labour Office, which had completed its information by sending out a questionnaire to the various Governments concerned. The Committee for the Unification of River Law had considered that it would be useful if these questions could be studied by experts. A Mixed Committee of representatives of the International Labour Organisation and of the Transit Organisation had been set up with this object and had put forward proposals concerning an investigation to be carried out by experts, to which proposals the Governing Body of the International Labour Office had given effect at its last session. The experts appointed by the Governing Body of the International Labour Office were M. HOUEURT (France), M. SITZLER (Germany), M. KONOPKA (Poland), M. WESTHOFF (Netherlands) and M. BOTEZ (Roumania). The representatives appointed by the Employers' Group were M. CORT VAN DER LINDEN (Netherlands), M. VOGEL (Germany) and M. VANEK (Czechoslovakia). The representatives of the Workers' Group had not yet been nominated.

The result desired by the Committee for the Unification of River Law had therefore been obtained. The report of the experts would be submitted to the Mixed Committee and forwarded to the Governing Body of the International Labour Office and to the Committee for Communications and Transit. The latter, and likewise the Committee for the Unification of River Law, would have an opportunity of submitting any observations they might wish to make on this report.

M. GRÜNEBAUM asked whether the letters from the President of the Central Commission for Rhine Navigation (see Annex 5) and from the International Danube Commission (see Annex 6) had been communicated to the Mixed Committee.

The SECRETARY-GENERAL of the Committee replied that they had been communicated to the Mixed Committee and to the International Labour Office and would be forwarded to the experts as well.

Sir John BALDWIN asked whether the members of the Conference for the Codification of International Law to be held at The Hague had been informed of the resolution adopted by the Committee at its previous session concerning the codification of international law relative to territorial waters.

The SECRETARY-GENERAL of the Committee replied that the resolution in question had been communicated to all the Governments and that consequently the Hague Conference would have knowledge of it.

Sir John BALDWIN hoped that the Secretariat of the Committee would keep in touch with the discussions at The Hague on the subject of territorial waters.

On the proposal of Sir John BALDWIN, *the Committee decided to adopt a resolution to that effect.*

VII. RESULTS OF THE EUROPEAN CONFERENCE ON CARDS FOR EMIGRANTS IN TRANSIT.

The SECRETARY-GENERAL of the Committee explained that the European Conference on Transit Cards for Emigrants had drawn up an Arrangement (document C.L.180.1929.VIII, Annex). The list of signatory States was to be found in document C.4.1930.V. Certain important countries had not yet signed.

M. SEELIGER had reasons for thinking that the future was not altogether black in this matter.

M. GRÜNEBAUM informed the Committee that the Austrian Cabinet had, on January 17th, 1930, decided to adhere to the Arrangement.

The SECRETARY-GENERAL of the Committee added that the League of Nations had been informed on February 3rd, 1930, of the Austrian Government's adhesion, and added that the following countries had definitely signed the Arrangement: Austria, Belgium, Spain, Finland, France, Great Britain and Northern Ireland, Italy, Poland, Roumania, Governing Commission of the Saar Territory. The following had signed only *ad referendum*: Free City of Danzig, Greece, Hungary, the Netherlands, Switzerland.

The Committee took note of the foregoing information.

VIII. QUESTION OF INTERPRETATION OF THE TELEGRAPHIC CONVENTION OF ST. PETERSBURG (Item 12 of the Agenda).

The SECRETARY-GENERAL of the Committee observed that the extract from the proceedings of the Council circulated to members of the Committee (see Annex 7) indicated the conditions under which the questions arose if Governments, in virtue of the Telegraphic

Convention of St. Petersburg, could obtain facsimiles of telegrams despatched in connection with the smuggling of narcotics. The question would be submitted for examination by the Legal Committee of the Communications and Transit Organisation. The Committee would no doubt consider that the results of this study might be submitted to the Council by the Chairman of the Committee.

It was decided that a draft resolution be prepared to that effect.

IX. CODIFICATION OF INTERNATIONAL LAW IN MATTERS OF COMMUNICATIONS AND TRANSIT (Item 13 of the Agenda).

The SECRETARY-GENERAL of the Committee drew attention to the fact that on the invitation of the Assembly the Council had taken a resolution to submit the question of the codification of certain categories of Conventions to the Committee for examination (see Annex 8). The resolution adopted by the Assembly on September 24th, 1929, read as follows :

“

“ Is of opinion, in particular, that it would be necessary first to proceed to codify the various successive Conventions which deal with certain particular subjects, so as to determine what precisely are the texts in force and the States which are parties thereto ;

“ Requests the Council to call the attention of the technical organisations of the League to the possibility that it might be desirable to make an effort in this direction, with the assistance of the Secretariat and in collaboration, where desirable, with the international bureaux, with a view to having the results of their work eventually brought into force by appropriate international conferences.”

The Committee would thus, no doubt, have to examine conjointly the Conventions concluded under the auspices of the League and the other general Conventions relative to communications, in particular postal and telegraphic Conventions, Conventions on aerial navigation and certain maritime Conventions and to see whether they contained any uniform principles which would make their codification possible.

He thought, moreover, that the question should be referred to the Legal Committee which might work in co-operation with other bodies if it thought fit.

M. Silvain DREYFUS thought that the Legal Committee's terms of reference should be clearly defined. Could the Legal Committee take the initiative by declaring in favour of codification, or must it first consult the Advisory Committee ?

The SECRETARY-GENERAL of the Committee replied that in his view the Legal Committee should consider which were the Conventions that were suitable for codification and submit a report on this subject to the Committee.

The CHAIRMAN shared this view.

M. GRÜNEBAUM thought that it might perhaps be expedient to recommend that the Legal Committee should study, in addition to multilateral Conventions, certain bilateral Conventions concerning, in particular, railways.

The SECRETARY-GENERAL of the Committee was of opinion that this should be done, provided the bilateral Conventions in question were Conventions which were sufficiently important and general in character.

M. SEELIGER drew attention to the danger of imposing in this way on the Legal Committee a task which it would be impossible to fulfil owing to the enormous number of Conventions. The Legal Committee should confine itself to studying certain major questions and pass over all minor administrative questions which might have been dealt with in Conventions.

M. Silvain DREYFUS pointed out that M. Seeliger's view was in conformity with the intentions of the Council, as expressed in its resolution.

The SECRETARY-GENERAL of the Committee thought that, without going into details too deeply, the Legal Committee might indicate the general provisions which were to be found in a number of bilateral Conventions. The point was to bring into harmony the partial codifications which had been achieved in various fields.

The Legal Committee should submit the results of its study to the Advisory Committee, which would then determine what codification should be proposed.

The CHAIRMAN also thought that the Legal Committee's terms of reference should not be limited too strictly and said that he agreed with the Secretary-General of the Committee.

X. ANNUAL REPORT OF THE MEMEL HARBOUR BOARD
(Item 14 of the Agenda) (see Annex 9).

The SECRETARY-GENERAL of the Committee said that he had no further information to give.

Sir John BALDWIN asked whether M. Widding, member of the Memel Harbour Board appointed by the Chairman of the Transit Committee, was expected to come to Geneva during the present session.

The SECRETARY-GENERAL of the Committee replied that arrangements had been made for M. Widding to meet the new Chairman of the Committee, but that it had not been thought necessary for their meeting to take place during the present meeting of the Committee.

M. Ito asked when the report for 1929 would be received.

The SECRETARY-GENERAL of the Committee replied that the report could not yet be regarded as late and that it would probably be received in the course of the summer. The report for 1928 existed in only a small number of copies. He thought that it was useless to have the report printed among the documents of the Communications and Transit Organisation ; the report would, moreover, become more voluminous every year.

XI. DISPUTE RELATING TO THE COMPETENCE OF THE EUROPEAN COMMISSION
OF THE DANUBE (Item 16 of the Agenda).

The SECRETARY-GENERAL of the Committee observed that there had been no great change in the position. An agreement had been achieved (see Annex 10). The regulations to be annexed to the draft Convention were under consideration.

A letter had been addressed by the Chairman of the Communications and Transit Committee to the Council, which had decided to communicate to the Powers who were parties to the Convention establishing the definitive statute of the Danube, the draft declaration annexed to the above letter.

It had not yet been possible to effect this communication as certain purely formal points had still to be settled.

He hoped that it would be possible to despatch the letter within a month, and that the replies of the Powers would be received in September 1930.

The Committee took note of the foregoing statement.

SECOND MEETING

Held on Monday, March 10th, 1930, at 5 p.m.

Chairman : M. HEROLD.

Present : All those present at the preceding meeting.

Secretariat : M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

XII. DRAFT REPORT OF THE ADVISORY COMMITTEE PRESENTED BY THE SUB-COMMITTEE
ON QUESTIONS RAISED BY THE COUNCIL CONCERNING THE FREEDOM OF COMMUNICATIONS
AND TRANSIT DURING THE EXAMINATION BY THE COUNCIL OF THE STATE OF
NEGOTIATIONS BETWEEN POLAND AND LITHUANIA (Item 10 of the Agenda).

M. DE VASCONCELLOS informed the Committee that the Sub-Committee instructed to study this question had met at the beginning of the afternoon. After an exchange of views, it had considered that it would perhaps be useful to give a certain amount of supplementary information to the proposed report, and it had proposed eventually to hear the experts of the two parties concerned if the Sub-Committee so wished. He hoped that this hearing might take place during the present session. He therefore asked that the discussion on this point should be adjourned.

This was agreed.

XIII. EFFECT GIVEN TO THE DECISIONS OF THE COMMITTEE RELATING TO THE CONVOCA-
TION OF A COMMITTEE OF ENQUIRY ON CIVIL AIR TRANSPORT CO-OPERATION
(Item 17 of the Agenda).

The SECRETARY-GENERAL of the Committee recalled that, at its last meeting, the Advisory Committee had decided to summon the Committee of Enquiry in the autumn of 1929: it had, however, been urged that this meeting should be postponed in order to make it possible for a collection of general information to be undertaken bearing particularly on the economic aspects of the problem, this being necessitated by the contemplated enquiry. The reason why a fairly early date for the meeting of this Committee had originally been chosen was because of the necessity of examining, especially in the case of European countries, the situation in regard to the international organisation of aerial navigation. The Committee which had been set up by the Convention of 1919 only comprised representatives of certain European States. These reasons were no longer so imperative. Negotiations had taken place, the position was still being examined, and the question dealt with by a somewhat different procedure. The Committee's main task would be to examine the problems of organisation and economic development in connection with aerial navigation, which were very important questions. For these various reasons the meeting of the Committee was less urgent, but it was all the more necessary to prepare a sufficiently large amount of information. It would doubtless be possible to complete this documentation, which would be published, in the form of a collection of information, in two months' time, and for the Committee to meet either towards the end of June or, at latest, in July. The Secretary-General of the Committee added that he did not think that the Advisory Committee had for the moment any decision to take in the matter. He wished merely to explain why no action had been taken in regard to the decision adopted at the last session in respect of the meeting of the Committee of Enquiry.

Sir John BALDWIN asked whether the question would come before the Advisory Committee once more after the proposed Committee had met.

The SECRETARY-GENERAL of the Committee thought that this would be the case. For the moment, however, it was impossible to judge whether other meetings of the Committee of Enquiry would be necessary.

XIV. COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS AT TIMES OF EMERGENCY
(Item 19 of the Agenda): FACILITIES TO BE GRANTED TO AIRCRAFT.

The SECRETARY-GENERAL of the Committee recalled that the Committee must examine the question of facilities to be granted to aircraft. It had before it the resolution of the Assembly (document A.82.1929.IX.) and the conclusions reached by the International Commission for Air Navigation. The matter had also been placed on the agenda of the Committee on Arbitration and Security, which was shortly to meet (see Annexes 11 and 12). In view of the fact that the International Commission for Air Navigation had made a close study of the problem, and since the question would be dealt with by the Committee on Arbitration and Security from the political point of view, and in so far as the decisions to be taken were concerned, he thought it useless for the Advisory Committee to begin discussion of the substance of the problem. Further, in forwarding to the Secretary-General of the League the observations of the International Commission for Air Navigation, the Chairman of the Advisory Committee pointed out that he reserved the right to communicate any observations which that Committee might make at a future date.

There was one point — mainly formal — in regard to which the Committee might assist the future work of the Committee on Arbitration and Security. The latter had received the proposals of the International Commission for Air Navigation in the form of amendments to the Convention of 1919 (see Annex 11). This procedure might perhaps be excellent in so far as the States parties to the Convention of 1919 were concerned. The work, however, would take a long time, and perhaps the possibility of adopting another procedure which would give more rapid results, and which would apply uniformly to all States, whether or not they were parties to the Convention, might be contemplated. If the resolutions prepared by the International Commission for Air Navigation were examined, it appeared to the Secretary-General of the Committee that it would be possible to achieve, if not an identical result, at any rate one which very closely approached their suggestions by incorporating the ideas put forward by the International Commission for Air Navigation in a text which would form the basis of a draft resolution of the Assembly. This proposal would make it possible to open the negotiations contemplated in the Convention between the Secretary-General of the League and the countries concerned without having to wait — which would be very unfortunate — for the Convention to be ratified by all States. At the same time, a sounder legal basis would be secured. Every Member of the League was equally interested in questions of communication, especially with the seat of the League, and a resolution of the Assembly could be prepared containing special reference to the characteristics of aircraft, and inviting the Secretary-General of the League and the Governments concerned to reach an understanding on the practical measures necessary to secure application to aircraft of principles of freedom of circulation. The Advisory Committee might authorise the Secretariat to prepare, before the end of the session, a draft resolution for the Assembly which would be forwarded to the Committee on Arbitration without the Advisory Committee expressing

any opinion as to the substance of the matter, more especially as this draft would not differ in principle from the text prepared by the International Commission for Air Navigation. He would add that he in no way intended, in making this proposal, to diminish the great importance of the work undertaken by the International Commission for Air Navigation.

M. ROPER recalled that, after the session of the Assembly, the International Commission for Air Navigation had been called upon to prepare a draft Convention on the matter. The only basis which it could take had been that of the Convention of 1919, the application of which it was the duty of the International Commission for Air Navigation to secure. For that reason that Committee had studied the provisions to be inserted in that Convention, though these would naturally be binding only on States which were parties to it. It was clear, however, that the problem was considerably wider and there would certainly be an intermediate period during which the League would have to take a decision. Perhaps a draft resolution of the Assembly, in the form proposed by the Secretary-General of the Committee, would make it possible to widen the scope of the matter and for the Secretary-General of the League to begin the negotiations provided for in the Convention itself. The Advisory Committee would certainly be right in presenting in a somewhat wider form the conclusions reached by the International Commission for Air Navigation after two years of investigation.

M. SEELIGER entirely agreed with the suggestions made by the Secretary-General of the Committee and supported by M. Roper. He thought, however, that the Advisory Committee could not usefully discuss the matter until it had before it the text prepared by its Secretary-General, which would constitute a useful basis for discussion, should any discussion be necessary.

The SECRETARY-GENERAL of the Committee replied that this had been his idea. The draft which he would put forward would merely draw the attention of the Arbitration Committee to the usefulness of employing a procedure whereby the Assembly would adopt a resolution. The Advisory Committee would abstain from examining the substance of the ideas put forward by the International Commission for Air Navigation in order to avoid discussing the same matter three times over.

Sir John BALDWIN thought that the suggestion of the Secretary-General of the Committee would be more practical than the procedure, which consisted of the amendment of the Convention of 1919. Difficulties would only arise if the text prepared by the International Commission for Air Navigation contradicted the terms of that Convention.

M. ROPER considered that there could be no contradiction between the proposals of the International Commission for Air Navigation and the Convention of 1919, for it had always been understood that any amendment must be kept within the scope of that Convention.

The SECRETARY-GENERAL of the Committee did not think that any difficulty would arise in practice. The contemplated procedure would in no way prevent States parties to the Convention of 1919 from making amendments to that Convention. States would be perfectly free to bring their legislation into harmony with any arrangements adopted.

M. Silvain DREYFUS thought that in order to prevent any possible contradiction it should be stated in the draft resolution that the arrangements to be concluded must remain within the scope of the Convention of 1919.

M. ROPER recalled that it would be somewhat difficult to refer in a general resolution to a Convention to which certain States had not adhered. It would be better to refer to the general opinion which the International Commission for Air Navigation had been asked to give.

M. SEELIGER urged that the discussion should not be repeated when the Committee had before it the draft resolution to be prepared by the Secretariat.

The SECRETARY-GENERAL of the Committee said that, in his view, the matter was purely one of drafting and it was not for the Advisory Committee to discuss whether the texts drawn up by the International Commission for Air Navigation were well founded. That would be within the competence of the Committee on Arbitration and Security.

XV. RESOLUTIONS ADOPTED BY THE FIFTH CONGRESS OF THE INTERNATIONAL CHAMBER OF COMMERCE (Item 21 of the Agenda).

I. Comments by M. Lacour-Gayet on the Resolutions of the International Chamber.

M. LACOUR-GAYET briefly explained the recommendations voted by the International Chamber of Commerce at its Fifth Congress held at Amsterdam from July 8th to 13th, 1929 (see Annex 13).

Highway Transport.

Triptych System.

The Congress had supported the recommendations of the Highway Traffic Committee and had noted with great satisfaction the proposal that the views of Governments should be requested. It hoped that this consultation of Governments would achieve positive results in order that the system of triptychs might be made general.

Restrictions on Motorists.

The Congress had asked that all foreign motorists should be exempted from any tax, at least during the first two months which they spent in a foreign country. The International Chamber of Commerce had noted with great pleasure the still more extensive request of the Fiscal Committee to the effect that this period should be extended to ninety days. The International Chamber of Commerce would be glad to receive the draft Convention, if the Advisory Committee took the same view, in order that it could be examined, if necessary, by all its National Committees. Their approval would constitute a further element in support of that Convention.

Highway Statistics.

The International Chamber of Commerce had prepared a second edition for this year of the information it possessed on this subject. Further information was being collected, particularly by the Advisory Committee, and the Congress had expressed the hope that all the information would be co-ordinated.

Highway Finance.

The International Chamber of Commerce had submitted its recommendations merely for information. M. Lacour-Gayet would draw attention to the fact that business men were showing a far greater interest in this question owing to the development of motor traffic.

Sea Transport.

This was the most important part of the recommendations which the International Chamber of Commerce was forwarding to the Advisory Committee.

Customs and Consular Formalities in regard to Maritime Navigation.

While recognising the necessity for Customs and consular formalities, the International Chamber of Commerce urgently requested that their number should be reduced and that they should be simplified. These were administrative formalities which were very vexatious in so far as international commerce was concerned. A draft report which would be submitted to the Advisory Committee for their information had been drawn up by M. Whol and approved by the Maritime Transport Committee of the International Chamber of Commerce. It had not, however, been submitted to the National Committees. The report consisted of an impressive list of all the formalities which interfered with shipping in too large a number of countries. In regard to all these points there were considerable improvements to be made, and the International Chamber of Commerce would warmly welcome any effort made by the Organisation for Communications and Transit to discover and do away with such unfortunate practices as far as it was possible to do so. He thought it would be of great use if an organisation such as the Transit Organisation would submit each year to the Council a programme of what could be achieved in this respect.

Flag Discrimination.

The International Chamber of Commerce had, for a long time, protested against the excesses committed in regard to flag discrimination. It urgently asked for the ratification and the strictest possible application of the Convention on Maritime Ports as well as that concerning the Simplification of Customs Formalities. The report of the International Chamber of Commerce contained a very large number of examples of abuses connected with flag discrimination.

Rail Transport.

Combined Transport.

The International Chamber of Commerce was following with much sympathy the work of the Transit Organisation in this matter. Side by side with it, it was studying the question of through traffic documents, and a Sub-Committee, of which the speaker was the Chairman, was at the moment endeavouring to bring into closer touch the League experts on Customs Nomenclature and the experts belonging to the International Railways Committee.

Negotiable Transport Documents.

M. Lacour-Gayet added that the International Chamber of Commerce was following with great attention the work undertaken by the Transit Organisation on the question of negotiable transport documents. In that connection, a very useful reform for international commerce might be introduced, but, as yet, the full adhesion of the railway administrations had not been obtained.

The International Railways Union was studying the question, and the International Chamber of Commerce would submit it to its Banking Committee. The International Chamber of Commerce would be very glad if the Transit Organisation would support its efforts.

Question of Containers.

Finally a competition had been organised under the patronage of the International Chamber of Commerce with a view to the establishment of an improved system of containers for the transport of goods. He thanked the Communications and Transit Organisation for being good enough to facilitate this competition through the appointment of M. Sinigalia, General de Candolle and M. Stievenard as members of the jury on the best system of containers. The judging would take place in the summer, and it was hoped that, as a result, a mode, acceptable both by international trade and the railways, would be discovered. M. Wohl was at the disposal of the Advisory Committee for the purpose of giving further information on the subject.

In conclusion, M. Lacour-Gayet stated that the International Chamber of Commerce would be very glad to co-operate with the Advisory Committee and to inform it whenever possible of the solutions put forward by its organisations.

The CHAIRMAN thanked M. Lacour-Gayet, and stated that the Advisory Committee would be glad to co-operate as far as possible with the International Chamber of Commerce.

He proposed to examine the recommendations of the Congress of Amsterdam one by one, for the purpose of discovering whether the various questions had not already been studied or whether they should be studied by the various committees of the Advisory Committee.

II. General Discussion.

Highway Transport.

Triptych System.

The SECRETARY-GENERAL of the Committee stated that the questionnaire which had been circulated had, on the whole, given encouraging results (see Annex 2) with a few exceptions, and that the work should be continued.

M. SEELIGER proposed that the recommendation of the Congress of Amsterdam should be forwarded to the Permanent Committee on Road Traffic for its opinion.

The SECRETARY-GENERAL of the Committee explained that the question of triptychs was dealt with by that Committee from a more general point of view. It would be desirable to call the attention of the International Chamber of Commerce to the usefulness of considering the problem in a more general manner than had been done in the recommendation from Amsterdam. The triptych was, in fact, only a kind of *acquit à caution*. It was important, particularly in certain conditions, to ensure freedom of circulation for commercial automobiles without in all cases the necessity of applying the triptych system, which was intended in particular for tourist traffic. In the light of the above observations, it would be interesting to forward the recommendation of the Congress of Amsterdam to the Permanent Committee on Road Traffic.

M. LACOUR-GAYET observed that the triptych system had the merit of being in existence.

The SECRETARY-GENERAL of the Committee replied that that was equally the case with the *acquit à caution*. As to the triptych, it was open to certain objections owing to its origin. In emphasising the question of the triptych, it would be necessary to avoid furnishing Governments who wished to reply in the negative with a good reason for so doing.

Sir John BALDWIN stated that certain Governments refused to accept the proposed assimilation.

Restrictions on Motorists.

The SECRETARY-GENERAL of the Committee recalled that in questions concerning international trade, the International Chamber of Commerce had always been invited to attend the meetings of the various committees of the Advisory Committee. Although the question was essentially one connected with tourist traffic, if the International Chamber of Commerce desired it would not be impossible to invite it to be represented on the Committee on Road Traffic when this question was under discussion. The International Chamber of Commerce should certainly be in a position to know the text of the convention which would be drawn up.

Highway Statistics.

The SECRETARY-GENERAL of the Committee said that the present documentation collected by the Advisory Committee was somewhat succinct; consequently, only a minimum co-operation could at present be offered. On the other hand, the Committee would be glad to receive the very interesting documentation of the International Chamber of Commerce. He would ask whether the latter was collecting documentation, though it was a difficult task, on the plans for the construction of new highways.

M. WOHL replied that the International Chamber of Commerce had some documentation on that subject which it would place at the disposal of the Committee.

M. Silvain DREYFUS asked what was meant by the words "plans for the construction of new highways." The French Government had recently deposited with the Bureau of the Chamber of Deputies a plan for the transformation of 40,000 kilometres of departmental or communal roads into national roads, in order to improve them for tourist traffic. He believed that that plan could, in great measure, be assimilated to construction of new highways and that the text of the International Chamber of Commerce should be completed in that sense.

Highway Finance.

The SECRETARY-GENERAL of the Committee said that the Advisory Committee would wish to know the results of the work done in this connection by the International Chamber of Commerce; they would, of course, be transmitted to the Permanent Committee on Road Traffic.

The CHAIRMAN added that the Advisory Committee had not yet taken up this question.

Sir John BALDWIN asked whether the Advisory Committee would confine itself to taking note of the recommendation by the International Chamber of Commerce.

The CHAIRMAN replied in the affirmative. For the moment the Advisory Committee would leave the question to the International Chamber of Commerce, while asking it to forward any information in due course. It did not seem that the Committee could co-operate in a more effective manner.

Sea Transport.

Customs and Consular Formalities in regard to Maritime Navigation.

The SECRETARY-GENERAL of the Committee thought that this very important recommendation should be forwarded to the Committee on Ports and Maritime Navigation for examination and for an opinion on the action to be taken. Pending the meeting of this Committee it would be useful to have further information so that the Chairman of the Committee might be able at once to arrange for a first study to be made so far as was possible.

The CHAIRMAN pointed out that the Committee was confining itself to taking note of the recommendations made on this subject by the International Chamber of Commerce, without, for the moment, going into the substance of the question.

Flag Discrimination.

M. DE VASCONCELLOS wished to make a reservation on this point. Certain countries still had, for a variety of reasons, the system of flag discrimination as a basis for the protection of their mercantile marine, and it would be very difficult for them to waive the exercise of this privilege immediately. Setting aside, for the moment, the principle of the question of flag discrimination, he was obliged to make every reservation as to its immediate abolition.

M. SEELIGER asked whether the Portuguese Government had ratified the Maritime Ports Convention.

M. DE VASCONCELLOS replied that this had not yet been done.

The SECRETARY-GENERAL of the Committee thought it useless to take any decision on this subject and to reopen the question. In so far as the League was concerned, all the work which could be done had been achieved, and it was unnecessary to make a new recommendation urging the ratification of the Convention. The Advisory Committee could not, of course, do otherwise than hope that the largest possible number of conventions would be ratified by the largest possible number of countries. What still remained to be done was the business of the Governments. He thought that it would suffice for the moment if the Committee took note of the recommendation.

M. SEELIGER approved this suggestion.

Railway Transport.

Combined Transport.

The SECRETARY-GENERAL of the Committee said that the question, although under examination, might be said to be in abeyance, pending more especially the examination of the problem of negotiable transport documents.

M. SEELIGER thought that the study of the question would once more be actively pursued.

The CHAIRMAN observed that the committee on negotiable transport documents was to be nominated shortly.

M. LACOUR-GAYET, in reply to a question by the Secretary-General of the Committee, said that the Banking Committee of the International Chamber of Commerce would meet on April 2nd, 1930.

The SECRETARY-GENERAL of the Committee thought that, in these circumstances, the committee, which it had been decided in 1929 to set up, might meet at the beginning of the summer or in the autumn.

M. DJOURITCHITCH said that the question had been placed on the agenda of the International Railways Union for the end of the current month.

The SECRETARY-GENERAL of the Committee thought it essential that, when the Committee met to make a fresh examination of the question, it should not be bound by any decision which might have been taken. For instance, the position the Union might take up could not definitely bind all the railways in Europe. The value of the meeting would be to make it possible to establish contact between countries where the system in question existed and countries where it did not exist. The Committee must not merely agree to say: "This is what the European countries can do", as if the enquiry would then be terminated. It should be possible to reopen the discussion on the positions which had been taken up.

M. POLITIS asked whether the Committee had yet met.

The SECRETARY-GENERAL of the Committee replied in the negative. The International Chamber of Commerce was making a first study of the question from the financial point of view. The Committee was to consist of a sufficient variety of elements to take into account both the financial aspect of the question and the experience of the European railways and likewise of the countries where no difficulties had been encountered in the application of the system.

M. SEELIGER suggested that the recommendation by the Chamber of Commerce should be transmitted to the Committee for information.

The CHAIRMAN approved this suggestion, but added that the recommendation contained nothing new and only confirmed what had been done in the previous year.

Uniform Nomenclature of Goods.

The CHAIRMAN reminded the Committee that this question was being studied. It would suffice if the recommendation of the International Chamber of Commerce was brought to the notice of the Committee on Transport by Rail.

The SECRETARY-GENERAL of the Committee added that this recommendation might also be communicated to the Committee on the Unification of Transport Statistics. Further, some sort of liaison with the Economic Organisation on the work of Customs nomenclature seemed to be necessary, although it was not always easy.

M. LACOUR-GAYET, in reply to a question by M. Sinigalia, said that the experts on Customs nomenclature would probably finish their work towards August 1930.

M. SINIGALIA, in regard to the question of containers, after thanking M. Lacour-Gayet for what he had said, thought that the only thing to do for the moment was to await the results of the competition which had been organised under the patronage of the International Chamber of Commerce.

M. POLITIS reminded the Committee that the matter had been placed on the agenda of the International Railways Union.

THIRD MEETING

Held on Tuesday, March 11th, 1930, at 3.30 p.m.

Chairman : M. HEROLD.

Present : All those present at the preceding meeting with the exception of M. Lacour-Gayet, M. Roper and M. Sudre, and M. POPPIUS, temporary member appointed by the Government of Finland, Director-General of the Finnish Customs.

Secretariat : M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

XVI. SMUGGLING OF ALCOHOL (Item 11 of the Agenda).

(M. Poppius came to the table of the Committee.)

M. POPPIUS thanked the Committee for the honour done to Finland and to himself in inviting him to take part in the discussion on the smuggling of alcohol. He recalled that the Finnish Government had had distributed a memorandum which gave an account of the question (see Annex 14). The conclusion of that memorandum showed clearly "that this is a special case which does not in any way affect the general legal position with regard to territorial waters or their extent and which consequently can and ought to be settled without prejudice to this position". The Finnish Government was not asking for the creation of a new law, but for the opinion of the Advisory Committee on the moral and practical effect of the suppression of certain abuses committed against the law.

The CHAIRMAN recalled that the essence of the Finnish proposals was summarised in two recommendations which Finland hoped would be adopted by the Council. Those recommendations were as follows :

"The Council,

"Having had its attention drawn to the special difficulties encountered by certain countries in their campaign against the smuggling of certain products, and particularly alcohol, owing to the fact that, in order to baffle pursuit, ships engaging in the illicit traffic in these products fly the flags of countries which are not contracting parties to the agreements concluded with a view to suppressing this traffic, although in most cases the owner and the greater part of the crew are nationals of the contracting parties :

"Recommends the Governments of Members of the League of Nations to instruct their consular agents abroad not to issue documents certifying a change in the nationality of ships until they have procured sufficient information to satisfy themselves that this change is not intended to facilitate the committing of breaches of the laws of other States, particularly with regard to smuggling."

"The Council recommends (expresses the hope) that the Governments not parties to Conventions providing for a special zone in which the laws of the riparian country can be applied to smugglers' ships should refrain from opposing the application of the provisions of these treaties also to vessels flying their flags and manifestly engaged in smuggling ; on condition that the requisite supervision should never affect ordinary navigation (in the waters and ports of the Baltic Sea)."

M. POPPIUS cited some examples to show how smugglers worked. They did not hesitate to resist the Finnish Customs officials, if need be, by arms. Some of the vessels engaged in smuggling flew flags of European countries which had no sea-coasts ; others flew no flag. On one occasion a ship was held up by the Finnish authorities because it bore neither name nor flag. That all went to show that the methods employed by the smugglers in Baltic waters recalled the days of piracy. Their activity was not only directed against the public authority of Finland, but undermined generally the principles and customs on which her social life and international trade were based. Finland believed that the most elementary idea of equity would lead the other nations to support her efforts in repressing that smuggling. She firmly believed that no State careful for the maintenance of its dignity would adopt an attitude which, in the long run, would amount to the protection of such enemies to international order.

The CHAIRMAN recalled that the question had been submitted in the first place to the Economic Committee of the League of Nations, which had decided to ask the Communications and Transit Section of the Secretariat of the League of Nations for its opinion on the Finnish recommendations.

Sir John BALDWIN asked what exactly were the Advisory Committee's terms of reference as regards this question.

M. ROMEIN replied that it was defined in the note by the Secretariat of the Economic Committee (see Annex 15), which contained, in particular, the following statement :

"The Economic Section was accordingly instructed by the Economic Committee to ask the Transit Section to obtain the Communications and Transit Committee's opinion, more especially regarding the consequences which the rule formulated in the Finnish Government's proposal might involve as regards freedom of navigation, particularly if applied in seas where the shores are in close proximity to each other or where there are islands lying between the shores, so that the practical effect would be to prevent access to the sea without entering the territorial waters of the riparian States."

M. ITO, who was a member of the Economic Committee, pointed out that the latter had discussed the question several times. At its last session it had examined the Finnish proposals. The first recommendation had given rise to no objections. The second, on the other hand, had led to certain observations. On the one hand, there were legal objections which the Committee was unable to solve, and on the other practical objections. One member

of the Economic Committee in particular had pointed out that, if the Committee approved the proposal of the Finnish Government, there would perhaps be a risk of affecting the freedom of navigation in the Baltic Sea and the principles relative thereto. The Economic Committee had therefore decided to consult the Advisory and Technical Committee for Communications and Transit. M. Ito considered that the rôle of the latter was to say whether or not the recommendations of the Finnish Government would injure freedom of communication in the Baltic Sea. It was a question of the extension of the Helsingfors Convention signed in 1925. In his opinion, the Advisory Committee was not called upon to pronounce on the principle of the prevention of smuggling in general.

M. DUZMANS asked whether the Economic Committee had expressed any opinion on the matter.

M. ITO replied that certain members had feared that the Finnish proposal would lead to a restriction of the freedom of navigation.

M. SEELIGER approved M. Ito's observations. The Economic Committee examined the question in January 1930 and several suggestions were made. One of them was to the effect that it should be suggested to the Council that it might forward to the Members of the League of Nations the following recommendation :

"The Council recommends (or hopes, or considers that it would be desirable) that Governments which are not parties to the Conventions prescribing a special zone in which the laws of the riparian State may be applied to vessels engaged in smuggling should at once decide not to object to the application of those provisions of such Conventions to vessels flying their respective flags, particularly in the case of storeships which are clearly engaged in smuggling, provided always that such surveillance can in no case interfere with ordinary navigation (in the waters and ports of the Baltic Sea)."

That recommendation raised the question of the freedom of navigation, and the matter was therefore referred to the Committee for Communications and Transit.

The SECRETARY-GENERAL of the Committee observed that the Advisory Committee had sufficient real freedom of action in defining its terms of reference. In whatever manner it was approached, whether from the practical point of view or even from certain legal aspects, the matter concerned maritime navigation, and the competent organ of the League of Nations was the Advisory and Technical Committee. The Economic Committee could only be thanked for having recognised that fact. Since the Economic Committee had asked for the opinion of the Advisory Committee on what was primarily an economic and Customs question, the latter Committee could examine not only the recommendation submitted to the Economic Committee but also the question as a whole, with a view to discovering the most satisfactory solution. It would be difficult to separate the practical from the legal aspect, leaving the latter on one side. Moreover, the Economic Committee had asked the Legal Section of the Secretariat to study the question. The Secretary-General of the Committee had received the notes prepared by the Legal Section and would communicate them to the Committee. He considered that it would be interesting for the Committee to send the Economic Committee a short report on the whole question.

The Economic Committee had discussed, not only the recommendation, but also certain problems regarding the flag. The Committee on Ports and Maritime Navigation had also been consulted, on the question of the changing of the flag, by the Advisory Committee on the Traffic in Opium. The Transit Committee could, if it desired, examine to what abuses the regulations regarding the nationality of vessels might lead.

M. SCHLINGEMANN agreed with M. Ito and M. Seeliger that the Transit Committee was not asked to combat smuggling and that it should confine itself to considering whether the measures proposed would strike a blow at freedom of navigation. The idea of the freedom of navigation, however, was somewhat complex and might give rise to abuses. For that reason the Advisory Committee, in examining the Finnish proposal, could not limit itself *a priori* to the study of one side of the question only.

M. DE VASCONCELLOS considered the situation of the Committee somewhat embarrassing. Its opinion had been asked on one aspect — one side of a general question — and M. de Vasconcellos was very reluctant to admit that that question was within the competence of the League of Nations. If the League of Nations were to be induced to take special measures against the smuggling of this or that product because certain countries had passed special laws restricting or prohibiting its consumption, it would be impossible to say where such action would lead. To-day certain countries restricted or prohibited the consumption of alcohol; to-morrow they might take similar measures in regard to tobacco. Could the League of Nations be asked to admit exceptions to international laws in order to combat smuggling? Certainly, if it so desired, it might study the question of the changing of the flag, but the general question should be left on one side, for it was not within the competence of the Committee.

The SECRETARY-GENERAL of the Committee replied that it would be very difficult for the Committee to refrain from examining the question. It had been referred to the Economic Committee as the result of an Assembly resolution concerning the prevention of smuggling in general and the smuggling of alcohol in particular.

M. ITO could understand M. de Vasconcellos' point of view. The Assembly resolution envisaged the question of smuggling as a whole, but the Advisory Committee had been asked to study it simply in connection with the smuggling of alcohol.

M. DJOURITCHITCH considered that it would be difficult for the Committee to say that the question of smuggling was outside the scope of the League of Nations. It had been put on the agenda because smuggling could not be prevented without, to some extent, affecting the question of communications. It was the second recommendation particularly that the Committee should study.

The CHAIRMAN replied that, as a matter of fact, only the second recommendation concerned it.

The SECRETARY-GENERAL of the Committee observed that the first recommendation formed part of the documentation and the Committee was not prohibited from considering it, for the question of the nationality of vessels could certainly affect that of navigation.

M. Silvain DREYFUS asked whether there were other Conventions on the same lines, analogous to that of Helsingfors.

The SECRETARY-GENERAL of the Committee replied that, apart from that Convention, there existed only a series of Conventions between the United States of America and a certain number of States. Those Conventions were not altogether identical, but provision was made in all of them for police surveillance within a zone of twelve nautical miles from the coast of the signatory States.

M. Silvain DREYFUS asked whether the Conventions could be said to come within the framework of the Finnish recommendation.

The SECRETARY-GENERAL of the Committee drew attention to the Finnish recommendations contained in the Finnish memorandum (see Annex 14), which mentioned navigation "in the waters and ports of the Baltic Sea". If that wording was accepted, the only Convention concerned would be that of Helsingfors.

M. Silvain DREYFUS stated that the Transit Committee could hardly take decisions concerning only one particular sea.

The SECRETARY-GENERAL of the Committee replied that nevertheless regional problems could be considered.

M. ROMEIN added that the bilateral Conventions concluded between the United States of America and a certain number of other countries dealt only with the right to inspect and the right of seizure, whilst the Helsingfors Convention was concerned with measures for supervision which the contracting States undertook to put into force at their ports in regard to vessels carrying alcohol. Vessels of less than 160 tons had no right to accept cargoes of alcohol, and vessels of less than 500 tons net were submitted to certain restrictions.

M. Silvain DREYFUS considered that the question which concerned the Committee more especially was that of the zone of supervision.

Sir John BALDWIN stated that if the Committee decided not to confine itself strictly to the terms of the Economic Committee's resolution, but to examine the question in its entirety, the Committee would propose measures which went further than the recommendation. The Committee might consider that the application of the recommendation would not, in fact, have the desired result, and that freedom of navigation would be hampered. In that case, it would be acting within its rights in making another suggestion in regard, for example, to the supervision of the shipment of alcohol in neighbouring countries.

Referring to the observations of M. Silvain Dreyfus, Sir John Baldwin stated that it would be a mistake to take into account treaties other than those concerning the riparian countries of the Baltic Sea. If, however, the Committee found that the Finnish Government's proposal decreased the facilities for communication, those concerned should take account of the fact and not act in such a way as to hamper freedom of navigation.

Sir John Baldwin recalled that M. Romein had said that the Conventions concluded by the United States of America did not provide for the supervision of lading in the ports. He believed, however, that the convention now being concluded between Canada and the United States provided for such supervision.

M. DE VASCONCELLOS reminded the Committee that the question of the smuggling of alcohol had been submitted by the Assembly to the Economic Committee in the following terms:

"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 to the Council any proposals arising out of its conclusions.”

Thus, the Assembly had forwarded the question to the Economic Committee for consideration. Whether the problem was within the competence of the League of Nations had not been decided. In his opinion, the Advisory Committee should declare that it was not one which concerned the League of Nations. The latter had many other delicate tasks to fulfil. It was possible that to-morrow the Economic Committee might decide that it was not within the scope of the League. Why, then, should the Committee consider one particular case in a problem which might be outside the competence of the League of Nations ? Obviously certain points of detail, such as those relating to the flag, could be usefully examined. For that purpose, it would be desirable to appoint a sub-committee which would study them.

The SECRETARY-GENERAL of the Committee agreed that it would perhaps be desirable to appoint a sub-committee which could first deal with the questions concerning the freedom of navigation. At the same time, it was not certain that its investigations would not lead it further. It would no doubt be difficult and dangerous to limit the field of action of that sub-committee too strictly.

M. ITO approved the proposal, but considered that, if certain useful suggestions were made in regard to the changing of the flag, the Committee should be in a position to take them into account.

M. SEELIGER repeated that the problem had been referred to the Economic Committee, which had been faced with a question coming within the scope of the Transit Committee. That was why it had addressed itself to the latter, which had in fact been asked : Is it possible to act in a certain manner without hampering the freedom of communication ? That was the first question to be solved. At the same time, M. Seeliger believed that discussion would lead to certain other questions. The Advisory Committee could point out that fact to the Economic Committee, and the latter would judge for itself whether to take account of the suggestions made by the Advisory Committee. The fact must not be lost sight of that, in the last analysis, it was the Economic Committee which had been called upon to deal with the question.

M. DUZMANS understood that the sub-committee would be asked to study both aspects of the problem — the practical and the legal. It would perhaps be advisable to lay down certain precise indications to guide it in its work. So far it had not been made clear whether the measures laid down in the Finnish proposal related only to the Helsingfors Convention or to all other Conventions. Moreover, it would be desirable to discuss whether the Members of the League of Nations should adhere to the Conventions or should simply authorise their application although they were not parties to them. That constituted the first series of questions. It would then be necessary to see if the problem was considered to be within the competence of the League of Nations, and what would be the legal results of the Finnish proposal.

M. Duzmans considered that the question was within the competence of the League of Nations, and that it was the duty of the Committee to study it, but he did not know whether the practical object proposed by the Finnish Government could be attained.

M. SCHLINGEMANN thought that it was not for the Committee to say whether the question was within the competence of the League of Nations. That should be decided by the Assembly, and the Assembly had asked the Economic Committee to examine the question.

The SECRETARY-GENERAL of the Committee added that it was impossible to examine the problem of the smuggling of alcohol without considering the legal point of view. By that he did not mean that the sub-committee should establish a legal doctrine ; that was one of the questions to be dealt with by the Conference for the Codification of International Law at The Hague, which was sitting at present. The Conference would consider whether it was possible to establish certain zones in territorial waters, or whether the States should exercise certain supervisory rights. The sub-committee, however, should endeavour to follow the work of the Conference and take account of it.

M. POLITIS considered that it would be unwise for the sub-committee to consider only the smuggling of alcohol ; that would create a precedent and would lead to the raising of the question in connection with other contraband goods. The question should be considered from a general point of view.

The SECRETARY-GENERAL of the Committee replied that even the manner in which the problem had been put implied that the Committee and the sub-committee could not but examine all the questions raised in regard to the prevention of smuggling.

M. DJOURITCHITCH observed that the question of the international suppression of the smuggling of alcohol differed from others. It presented a moral aspect which did not enter into other cases of smuggling — an aspect which had perhaps been taken into consideration when the investigation of the problem had been instituted.

M. POLITIS replied that it was very difficult to say whether a product was harmful or not. That depended on the point of view. In the United States of America, for instance, wine and beer were also considered harmful.

M. POPPIUS pointed out that, if the Committee wished to confine itself to the Helsingfors Convention, it was not a question of the smuggling of wine or beer. That Convention only covered an alcoholic strength of 18 degrees but, as a matter of fact, the smuggled alcohol seized by Customs officials had nearly always a strength of 96 degrees, and could not be considered a desirable product, even by wine-producing countries. Moreover, the question was not whether or not the drinking of alcohol should be permitted, but whether the smugglers should be allowed to continue their trade, if need be by force, or whether the task of the Finnish Government should be facilitated. M. Poppius added that it would be very difficult for Finland to solve the question without the moral support of the League of Nations. She did not ask for the establishment of a law, but only that the League of Nations should recognise that the methods employed by the smugglers were undesirable and that, in consequence, the Governments should facilitate the action of the Finnish Government.

Sir John BALDWIN considered that it was not the business of the Committee to discuss the injurious or non-injurious effects of alcohol. He himself would be prepared to say that meat might be as dangerous as alcohol. He did not, however, suppose that, on that account, the Advisory Committee would make a suggestion regarding the comparative value of meat and alcohol. The Committee was by chance faced with the problem of the smuggling of alcohol. Its rôle was to see what would be the effect on the freedom of navigation of certain measures which this or that Government might wish to see adopted.

Appointment of a Sub-Committee.

The CHAIRMAN proposed that the Sub-Committee asked to study the question should be composed as follows: M. SCHLINGEMANN (Chairman), Sir John BALDWIN, M. HORNELL, M. POPPIUS and M. ITO. He would ask M. HOSTIE to replace M. Guerrero on the Sub-Committee as a member of the Legal Committee. M. Guerrero would undoubtedly have been appointed had he been present.

The SECRETARY-GENERAL of the Committee defined the terms of reference as follows:

“The Sub-Committee is requested to consider whether the measures studied by the Economic Committee are such as to hamper unduly the freedom of communication and to suggest, if necessary, what measures should actually be taken.”

He pointed out that the second part of the terms of reference would enable the Sub-Committee to examine the first recommendation of the Finnish Government if it considered that it had anything to say in regard to that recommendation.

Sir John BALDWIN interpreted the second part in the following manner. If the Sub-Committee should find that the second recommendation of the Finnish Government could not be adopted without hampering the freedom of navigation, it could suggest other measures for giving satisfaction to the Finnish Government. Such measures might be quite different from any previously suggested. It might perhaps be a great deal easier, for instance, to control the shipment of alcohol in the ports of embarkation.

The SECRETARY-GENERAL of the Committee remarked that Sir John Baldwin had correctly interpreted the meaning of the proposal which had been submitted.

The proposals of the Chairman and of the Secretary-General of the Committee were adopted.

The CHAIRMAN thanked M. Poppius for the assistance which he had been good enough to give to the Advisory Committee.

(M. Poppius left the table of the Committee.)

XVII. COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS AT TIMES OF EMERGENCY (*continued*) (Item 19 of the Agenda).

1. Wireless Station.

The SECRETARY-GENERAL of the Committee recalled that the Committee had received documents showing the present state of the question (see Annex 12). The latter had been decided in principle by an Assembly resolution. Negotiations were in progress between the Swiss Government and the Secretary-General, who were on the point of signing an agreement.

The Advisory Committee could only congratulate itself on the co-operation of the League of Nations, on the one hand, and the Swiss Government and the Société Radio-Suisse on the other. The Secretary-General of the Committee would forward a copy of the Convention to the members of the Committee as soon as it had been signed. In order to gain time, and in view of the fact that it seemed clear that the negotiations would be successful, the Technical Committee on Radio-Electricity had been called, in order to discuss with the Société Radio-Suisse the technical specifications needed for the station. The Secretary-General of the League would doubtless make these specifications known, in the course of the month, to the undertakings desirous of tendering for the construction of the station, which would doubtless be ready towards the spring of 1931.

The Secretary-General of the Committee considered that, in regard to the working of a short-wave station, the Secretary-General would need technical advice. He thought the Committee would agree that assistance should be given by the Advisory Committee on Wireless Technical Questions, presided over by General Ferrié. It would be necessary, moreover, for the Secretary-General to have the advice of an advisory committee on radio-electricity, though it was impossible at the moment to give the names of those who would form the Committee.

In regard to the relations of the Advisory and Technical Committee and the Advisory Committee charged with the duty of giving information to the Secretary-General, the Committee would understand that it would not be necessary for the Advisory Committee to report to the Committee, for it would be responsible to the Secretary-General. At the same time, it would be of interest to the Committee to follow its work and to be able to express its own point of view. The reports of the Committee could be communicated to the Committee for Communications and Transit in order that the latter might be informed at each of its sessions of the state of the question. The Secretary-General of the Committee wondered whether it would not be desirable to appoint a member of the Committee to whom reports could be rapidly forwarded in the intervals between sessions.

The Secretary-General of the Committee attached a certain importance to the question. If such provisions were not made, the Secretary-General of the League would find himself in a somewhat delicate situation. He would receive reports only from committees of technicians, whereas certain questions might present aspects which were not entirely technical.

M. GRÜNEBAUM considered the suggested procedure excellent, but asked whether it would not be necessary to give it a legal basis. It might be possible to lay down rules in the new internal regulations of the Committee.

The SECRETARY-GENERAL of the Committee did not consider that any such modification in the internal regulations was necessary. The Committee's responsibility in the matter was very limited. In his opinion, it should confine itself to laying down in a resolution the methods for co-operation.

The CHAIRMAN stated that *the Committee took note of the declaration of its Secretary-General*, and congratulated itself on the agreement reached between the League of Nations and the Swiss Government.

2. Construction of an Aerodrome near the Seat of the League.

It was decided that the Chairman should consult experts on the new proposals submitted, and should forward their report to the Secretary-General of the League for submission to the Assembly.

XVIII. COMMUNICATION BY RAIL WITH THE SEAT OF THE LEAGUE (Item 18 of the Agenda).

1. Report by the Representative of the Committee at the European Time-table Conference.

M. POLITIS made the following declaration :

In a letter dated September 4th, 1929, from the Federal Political Department to the Secretary-General of the League of Nations, the League of Nations was invited, on the request of the Administration of the Swiss Federal Railways, to take part in the European Time-table and Direct Service Conference, which met at Warsaw from October 21st to 26th, 1929. The Secretary-General of our Committee was good enough to forward to us on September 13th, 1929, the letter from the Federal Political Department together with his reply. He informed the Political Department that I had been appointed by the Committee to represent it at the Conference on Time-tables and Direct Services. I at once replied to the Secretary-General of the Committee that I accepted this mission. I went to Warsaw and represented the Committee at the European Time-table Conference.

Since our Organisation had not placed any question on the agenda of the Conference, I was not called upon to play an active part. At the same time, I followed the work of the Conference with the greatest interest and shared in the hospitality which the public and railway authorities of the Polish Republic were good enough to offer to the delegates. I would add that, as a representative of the League of Nations, I received the greatest attention and was specially honoured by those authorities.

M. Politis pointed out that the next Time-table Conference would take place at Copenhagen in October 1930.

The Committee took note of M. Politis' declaration.

2. Establishment of a Direct Sleeping-car Service between Geneva and Berlin.

The CHAIRMAN recalled that the Advisory Committee had asked him to request the Federal Railways Administration to take the necessary action for the establishment of a direct sleeping-car service between Geneva and Berlin.

In the first place, it had been necessary to decide whether the Mitropa or the Compagnie Internationale de Wagon-lits would provide the sleeping accommodation. That delicate question was settled in favour of the Mitropa, and a direct Berlin-Geneva service was instituted from August 31st to October 3rd, 1929, that was to say, during the last Assembly, and from January 13th to 31st, 1930, during the Council session. Unfortunately, the number of passengers was altogether insufficient. In September, on only one or two days were there more than ten passengers in the sleeping-car. On certain days during the Assembly, there were only one or two passengers. Slightly more use had been made of the service from Geneva to Berlin than of that from Berlin to Geneva. Between Berlin and Geneva there was an average of one first-class and four second-class passengers a day. In the other direction, the average was two first-class and four second-class passengers. During the last session of the Council, the average was 3.7 passengers from Berlin to Geneva and three in the opposite direction. It was to be feared that, apart from meetings and the Assembly and Council, the service would not be sufficiently utilised.

M. POLITIS asked whether the public had been notified of the service. He reminded the Committee that the direct sleeping-car service between Berlin and Athens had hardly been used at all during the first year. The experiment having been continued, however, the situation had improved from year to year. He considered that the experiment between Berlin and Geneva had been insufficient. The public should be given time to become accustomed to the new service.

M. SEELIGER stated that there was no opposition on the part of the Reich Railways, which were prepared to continue the service. He suggested that a new effort should be made over a period, for instance, of six months.

M. DJOURITCHITCH asked whether the figures given by the Chairman referred only to the Swiss part of the journey.

The CHAIRMAN replied in the affirmative.

Sir John BALDWIN asked at what time the Basle-Geneva part of the journey was made.

The CHAIRMAN pointed out that the train left Basle at 7.45 a.m. and reached Geneva at mid-day. In his opinion, all that the Committee could do was to recommend that the Federal Railways should persevere in their effort.

The SECRETARY-GENERAL of the Committee supported the proposal.

This was agreed.

XIX. RESULTS OF THE EUROPEAN CONFERENCE ON TRANSPORT OF NEWSPAPERS AND PERIODICALS (Item 7 of the Agenda) (see Annex 16).

1. System of Transport for Daily Newspapers in International Traffic.

The SECRETARY-GENERAL of the Committee pointed out that the Conference on the Transport of Newspapers and Periodicals had been very successful. The results of the negotiations between the International Union of Railways in regard to the transport of newspapers were now awaited. The Conference was in agreement on the principle that newspapers should be transported under the same conditions as passengers' luggage under the legal system of the transport of goods, that was to say, by the suppression of intermediaries at the frontiers. The main difficulty arose from the postal monopoly existing in certain countries. It would be desirable that the transport should come under the same system, whether it was undertaken by rail or by the postal administration. The International Union of Railways would hold a meeting at Nice on March 27th, 1930, to discuss the transport of newspapers. Certain legal difficulties would probably arise. Nevertheless, agreement might be expected.

The Secretary-General of the Committee recalled that, according to the Final Act of the Conference, the Committee should keep itself informed of the manner in which the above-mentioned measures were carried out and should report to the Council accordingly. If, in the application of these measures, difficulties arose which could be overcome by the conclusion of an agreement between Governments, the Committee would propose to the Council suitable steps to bring about the conclusion of such an agreement.

It seemed to him that the Committee should ask the Chairman to report to the Council if any difficulty arose; if not, the preparation of the report could be entrusted to the Administrative Section of the Permanent Committee on Transport by Rail, with the assistance, if necessary, of the members of the Permanent Legal Committee.

The CHAIRMAN considered that it would be advisable to give the Bureau the necessary powers for submitting to the competent committee any difficulties which might arise; it should also be given full powers to present a report.

2. Customs and Fiscal Duties applicable to Newspapers.

The SECRETARY-GENERAL of the Committee pointed out that Customs and fiscal duties applicable to newspapers gave rise to a certain number of delicate questions. It would be desirable to adopt a procedure similar to that employed for the study of the question of the exemption of transports by motor from taxation; the Fiscal Committee could be charged with the study of this question, with a view to forming a mixed committee, which, so far as the Transit Organisation was concerned, should include one or more members of the Advisory Committee and a few specialists to represent firms engaged in the distribution and transport of newspapers.

The Committee approved the suggestion of its Secretary-General.

3. International Definition of the Term "Periodical".

The SECRETARY-GENERAL of the Committee considered that the best procedure would be to forward this question to the Legal Committee, which would probably appoint a temporary sub-committee recruited among persons belonging to the circles interested. A documentation should, moreover, be collected by the Secretariat.

M. SINIGALIA thought that the definition of the term "periodical" was very simple; everyone knew what a periodical was. What it was important to know, however, was what the railways understood by "periodicals". The most delicate question was not the distinction between periodicals and newspapers, but that between periodicals and certain books, such as year-books, for example.

M. GRÜNEBAUM pointed out that, in Austrian Press law, a definite distinction was made between periodicals and books; it might perhaps be useful to refer to that law.

FOURTH MEETING

Held on Thursday, March 13th, 1930, at 10 a.m.

Chairman : M. HEROLD.

Present: All those who attended the preceding meeting, except M. Poppius. There were also present: M. E. F. HECKSCHER, Professor at the University of Stockholm, Chairman of the Special Committee on Competition between Railways and Waterways, and M. J. DE RUELLE, Legal Adviser to the Ministry of Foreign Affairs, temporary member appointed by the Belgian Government.

Secretariat: M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and MR. TOMBS.

XX. REPORT OF THE SPECIAL COMMITTEE ON QUESTIONS OF COMPETITION BETWEEN RAILWAYS AND WATERWAYS¹ (Item 9 of the Agenda).

(M. Heckscher and M. de Ruelle came to the table of the Committee.)

M. HECKSCHER pointed out that the question was raised for the first time in a report by Mr. Walker D. Hines², who had received from representatives of river navigation on the Rhine and the Danube numerous complaints against the competition of the railways. He had pointed out that the question was too complex for him to study in detail. The Advisory Committee had then appointed a Committee to examine it. That Committee had collected

¹ Document C.127.M.43.1929.VIII.

² Documents C.444(a).M.164.1925.VIII and C.444(a).M.164(a).1925.VIII.

the opinions of those concerned, and had itself taken account of the facts, drawing to a great extent on the existing statistics. The main points of its enquiries and the conclusions at which it had arrived were contained in the report now before the Committee.

Unfortunately, the Committee had been obliged to limit its examination; on account of the lack or inadequacy of certain information. The statistics for the Danube were extremely meagre and in general were not comparable with pre-war statistics owing to the frontier changes which took place after the war. For the Rhine, the Committee had only inadequate information for France and Belgium. In addition, it was very difficult to base any conclusion on the statistics of those two countries, since they had been rendered unreliable by reason of fluctuations in exchange. The Committee was thus obliged to confine itself to studying the situation in Germany. It was there, however, that the problem was most urgent, though doubtless the situation in Germany had its counterpart on the other side of the Rhine.

The Committee had also confined itself, but in that case voluntarily, to questions of an international character. Competition between German navigation companies on the Rhine and the Reich Railways did not concern the League of Nations. The Committee had concentrated its attention on competition between German seaports and the seaports of other countries, which appeared to be the crux of the situation.

M. Heckscher pointed out that the relative position of waterways and railways had not changed to any great extent since the war. A comparison of the tonnage showed that the waterways had a slight advantage. At the same time, if the details were examined, a certain number of changes could be observed. The number of kilometric tons transported by water had decreased. The transport of coal down the Rhine had increased considerably, it was true, but upstream traffic had decreased generally; and between Bremen and Hamburg and southern Germany a new railway traffic had sprung up.

It seemed clear that the German railways and, to some extent the French and Belgian railways, preferred direct rail traffic to combined rail and water traffic. The situation at the river port of Rotterdam remained good, but the river ports of southern Germany, and in particular Mannheim, had suffered greatly and had protested strongly. All those concerned in the prosperity of river traffic in the above districts considered that the unfavourable position in which they found themselves proved that the policy followed by the railways was bad.

The Committee did not adopt that point of view. It could not admit that there existed any indefeasible right to a position once acquired. The fact that the traffic at such ports was not what it had been in 1913 was not enough to condemn the measures taken by the railways. The only general rule which would enable the fairness of any particular measure to be judged could be expressed as follows: tariffs should be calculated in such a manner as to give the best possible result in transportation; in all cases they should cover the additional cost of transport; the tariffs should ensure the same surplus to the railway in either case. On that basis of calculation the trader would be able to choose the least expensive, when each offered the same advantages from the point of view of transport and, if one route offered greater advantages, account could be taken of that fact.

That principle would not appear to be difficult to apply. It simply involved a great knowledge of the real costs of transport. The German railways had studied the question very closely, but only very general figures had been published, and in the absence of certain information the Committee had experienced numerous difficulties in arriving at practical conclusions. The Committee had examined one instance of competition which could be considered characteristic, since attention had been drawn to it in a memorandum of the Chamber of Commerce of Mannheim and it had been later criticised by Dr. Spiess, one of the Directors of the German Reich Railways. It was the case of the transport of paper from Albbbruck on the Baden-Swiss frontier to Bremen on the one hand and Mannheim on the other. The distance between Albbbruck and Bremen was 836 kilometres and that between Albbbruck and Mannheim 305 kilometres. Nevertheless, the absolute amount (not only the amount per kilometre) to be paid for transport by rail was higher via Mannheim than via Bremen. The explanation of the railway administration was that, even if transport via Mannheim were facilitated on such a basis as would give the railway company the same surplus on that line as on the competing one, the port of Mannheim would not be able to acquire the traffic because the combined transport by rail and water would, in fact, be more expensive than on the all-rail route to Bremen. It was difficult, at first sight, to accept that assertion; and, if it were correct, no harm would be done by quoting a rate which would give the same surplus on both routes. Why were not traders given the choice?

It seemed obvious that the policy followed was not in the interest of the German railways. It had been said that the Dawes Plan involved the Reichsbahngesellschaft in the necessity of carrying as much traffic as possible. Its interest, however, and that of reparations, was to earn as much as possible, which was quite a different proposition, *e.g.*, wagons employed for transport between Albbbruck and the North Sea ports were used for a longer period for the same goods than if they were used on the route to Mannheim, and no railway interest appeared to be favoured by that.

The real reason was that the German railway authorities were not actuated only by commercial considerations, but also, and above all, by considerations of national policy, which had nothing to do with the working of the railways. It was not a question of competition between railways and waterways, but of competition between German seaports and the ports of other countries where the railway problem did not arise. The attitude of the German authorities in favouring German seaports was no doubt legitimate. It was

none the less true that that should be done, if at all, in a way which made it clear to everyone what was going on ; and that could only be achieved by granting actual bounties to traffic passing through them, instead of directing traffic over a more expensive route with the aid of railway rates not based upon additional cost of carriage.

The Committee recommended :

(1) In rate-making, the self-cost of working should always be considered (Germany was in an exceptional situation in that connection, as she had the benefit of the work of several experts — in particular, Dr. Tecklenburg) ;

(2) The users should be able to employ the cheaper route if it offered the same commercial advantages ;

(3) If it was desired to lead traffic in a certain direction, it should be done by means of bounties and not by railway tariff modifications.

M. Heckscher did not wish to dwell on the question of competition between railways and waterways from the point of view of France and Belgium. There was little exact information on that subject, and the situation was not serious. It could therefore be left on one side.

The CHAIRMAN desired to thank M. Heckscher and to congratulate him on the excellent work he had accomplished in collaboration with Mr. Dillon and M. Eberhardt.

M. SEELIGER congratulated Professor Heckscher on the report of the Special Committee over which he had presided and on the very clear statement which he had just made. He appreciated its complete objectivity, and his sole regret was that, owing to the lack of the necessary information, the report only dealt with the problem of competition between the Rhine river navigation and the railways from the German side.

He recalled that the question was raised in Mr. Walker D. Hines' report which was based on complaints coming from the navigation undertakings.

Competition between railways and waterways had existed from the time when the first railways had begun to function. Everywhere and at all times inland navigation had complained of the railways. It was somewhat amusing to recall that in 1850 the Rhine navigation had complained that, if the railways continued to develop to the same extent as hitherto, the navigation companies would be obliged to suspend operations.

M. Seeliger was very glad to note that in studying the question of competition between railways and waterways, the Committee had recognised in general that that competition was in reality a national question. Obviously it could have international repercussions, but the international interest was not injured by the fact that a railway administration, by introducing reduced tariffs, established a second possibility in addition to traffic by waterways, and in fact opened up the possibility of greater activity. What, in fact, was it desired to protect ; the interests of the means of transport or the interest of the traffic itself ? The policy followed by the railways had given a new impulsion to goods traffic. Competition between seaports and river-ports had contributed to the development of trade at those ports, in spite of competition. Moreover, in regard to railway rate-making the administrations had not as free a hand as M. Heckscher's statement might lead one to suppose. Tariff reductions on one line had to be compensated by increases on another. No railway administration could, in the long run, afford to lose its running expenses. But, whenever railways raised their tariffs, they were faced with the competition of other means of transport ; inland navigation, the coasting trade, and, at the present time, motor transport. When the railways wished to increase certain rates excessively, they came up against the barrier of competition. The railways were thus obliged to act with prudence.

In regard to national policy which had been so much criticised by the Committee, M. Seeliger said that every State must endeavour to obtain for itself as large a share as possible in world traffic by encouraging the exchange of goods. But, in the first place, it was imports and exports which were benefited by preferential rates granted to the seaports. The German railway policy had never been designed to injure foreign seaports. The present situation was not the result of any particular measure taken ; it was rather a consequence of the fact that the economic system of a country formed one whole.

M. Seeliger then considered the suggestion made in the report that tariffs should in all cases cover the additional cost of transport and that, in that connection, it was necessary to choose, as between two routes, the one which gave the best result for the lowest cost. He stated that the German railway administration would never contemplate attracting traffic to certain lines by means of special tariffs. It was obliged to publish all its tariffs, and the criticisms from economic circles to which it was always exposed made necessary the explanation, for the benefit of public opinion, of the motives which had actuated it in fixing these tariffs.

M. Seeliger was unable to admit the justice of the arguments in all their details raised in the report and by M. S. Heckscher in his statement. It was natural that even so eminent an expert, who was so well qualified and so rich in experience, should find difficult the extremely complicated machinery of the German railways. That admitted, however, his report was a very valuable contribution to the study of the problem of competition between railways and waterways.

M. DJOURITCHITCH associated himself with the words of the Chairman and M. Seeliger in expressing gratitude to the Committee for its useful and conscientious work. He hoped that the Committee would not make reservations on the value of the statistical and other

information contained in the report. It was a tradition that it should accept the work of the committees of competent experts which it constituted. On the other hand, it was for the Committee to see whether or not it could adopt as its own the conclusions of the Special Committee's report.

The first of those conclusions and the most important for the Committee was that inland navigation had not greatly suffered from the competition of the railways, which thanks to a system of decreasing tariffs had succeeded in attracting a certain amount of traffic. The establishment of those tariffs, however, was justified in view of the fact that the self-cost was much smaller when the distances traversed were longer. The rates might be based on incorrect computations, but it would be impossible to verify them in each case. Thus changes from one route to another had affected in particular certain river ports, but those changes were of an almost entirely national character. It could be seen, therefore, that the fears expressed by Mr. Hines had no basis. Consequently the Committee could adopt as its own that conclusion of the experts' report.

The Committee had made use of a great number of recent documents in proposing an international tariff policy which would permit of the almost total suppression of competition. Its work had furnished very interesting observations and would enrich the science of transport.

However, even if they adopted the Committee's point of view, the report was incomplete ; it mentioned the harmful competition due to tariff policy, but failed to mention investment policy and new works, although these also resulted in competition, the value of certain invested capital being destroyed by the investment of other capital which might have been used for more useful purposes. Such investment policy already contained the nucleus of all tariff policies and was frequently advanced in justification of the latter. Unfortunately, public funds were often employed within a State in putting two routes into competition. It was easy to see what difficulties would arise if an attempt were made to control this policy from the point of view of the international interest as the international problem was still more complicated. Even if there were perfect co-ordination within each country in this particular field, no attempt could be made to co-ordinate on international lines without taking into consideration all the economic interests of each country.

In rate-making, the calculation of partial self-cost and of additional cost was obviously essential and was indispensable to good administration. The Committee had seen fit to recommend that all railway tariffs should be put to the test of a comparison with their actual self-costs and that no tariff should be fixed higher than its partial self-cost.

These sound principles governing the commercial exploitation of railways and national economy were not always carried out integrally in the tariff policy of the individual countries, because they were combined with other principles, exigencies or working methods connected with the economic system of the country in question. Might it not therefore be premature to insist that they should be applied in the international field ?

Moreover, the value of partial self-cost was indeterminate and differed from one form of transport to another, frequently reaching vanishing-point for the railway ; any attempt to check the application of such values (supposing such a course were recommended or imposed) would therefore be illusory.

At the present juncture, in the international field above all, only measures which were clear, definite and unquestionable, and which could be checked in their application should be recommended.

With a view to removing the uncertainty which prevailed in reference to the determination of actual partial self-cost, the Committee had taken as its basis the expenditure incurred in respect of one supplementary train-kilometre. Leaving out of account the element of uncertainty in this new idea, they could see that, although it might be convenient and suitable for use in economic studies of railway administration, it was nevertheless only an average and therefore was never the same as the actual value, which alone should be taken into account in the cases they dealt with.

Railways had an advantage over waterways in the matter of tariff competition, because the partial self-cost was usually extremely low. This advantage was counterbalanced by the enormous initial outlay and the necessity for having tariffs which were fixed publicly in advance and applicable to all comers on the same footing. The advantage of waterways (in so far as their use was not restricted by competition) was that they could apply to the various categories of transport any tariff they wished, provided that the traffic could bear it. By forcing a railway to calculate its partial self-cost on the basis of the costs of a supplementary train, and by forcing it to keep in all cases its cost of transport higher than the cost price resulting therefrom, they should, as a rule, be making the railways lose to shipping interests, if the latter were interested in the traffic, all traffic for which it was not necessary to introduce supplementary trains, and for which the actual self-cost would naturally be lower than the self-cost calculated in accordance with the proposed method. Traffic in which the waterways were not interested would become impossible, although the railways might have been able to carry it with a margin of profit.

Again, the shipping interests would still enjoy the advantage of being able to fix their rates as they wished in each individual case (because they could not be prevented from doing so, and these rates were not published and might often be lower than the partial self-cost where the interests concerned wished to secure or retain certain traffic, or to give preferential treatment to certain ports or other interests.

M. Djouritchitch did not need to dwell at great length on the vagueness of the Committee's recommendation concerning the cheapest routes.

He would therefore sum up his opinion on the last two recommendations of the Committee.

They presented certain drawbacks owing to the vagueness of their contents and to the fact that they dealt prematurely with certain methods that formed part of the general economic policy of each country and that could not be treated in isolation: the recommendations could therefore hardly be adopted by the Committee for immediate application.

He nevertheless recognised the great value of the Committee's work, which would enrich one of the most important branches of the science of transport.

M. SCHLINGEMANN would be glad to have some explanations on the question of additional cost. He understood what was meant by the term but feared that in attaching too much importance to the calculation of additional costs as a tariff basis there was a danger that new means of transport would be benefited to the detriment of the old. Indeed, if a part of the amortisation of the invested capital was not charged to the new means of transport, tariffs could be maintained, at any rate for some time, at very low levels, as a means of propaganda.

M. Seeliger had said, on the other hand, that competition between railways and waterways was a permanent fact. That was true. The existence of such competition was not a danger to the world, but rather an advantage. It was, however, important to see how it was carried out. The railways had facilities which they did not possess in 1850, but which they had obtained by reason of their *de facto* or *de jure* monopoly. They could, if they wished, penetrate to all parts of a territory, but the waterways were unable to do so, and had to follow a route which was always more or less imposed on them by nature. Consequently, it was not so much a question of competition between waterways and railways as of competition between combined transport by water and rail on the one hand and rail transport on the other. The railways could always have the advantage in that competition. It was to the interest of everyone that they should not abuse their situation. In the first place, it was a national question, but there was a certain interdependence in the economy of the various countries which made it also of world interest. From the international aspect, what advantage was there in forcing traffic to leave its natural route in order to favour a particular port?

As to the question of self-cost, it was natural that the railways should always take it into account, and should not attempt to carry goods at a price lower than self-cost. Nevertheless, as a result of their monopoly which sometimes enabled them to gain on certain transport operations what they lost on others, they might be tempted to dispense with that rule and to adopt tariffs favouring a particular port which did not benefit the world as a whole. Consequently the problem dealt with by the Committee over which M. Heckscher had presided was pre-eminently of an international nature.

M. Silvain DREYFUS admired the Committee's report and M. Heckscher's statement, as well as the clearness and skill with which M. Seeliger had defended the German Railway Administration.

M. Seeliger had recalled that navigation had always complained of the railways. It should not be forgotten, however, that the converse was also true, and it could be said that the railways were in the habit of complaining of the competition of navigation.

M. Seeliger had observed, moreover, that international interests were not injured by the facilities given to certain seaports. That, however, was only one side of the question. The "Hines" report raised, above all, the question of competition between railways and waterways.

M. Seeliger had said that it would be difficult for the railways to lower their rates on certain lines and to seek compensation elsewhere. It would certainly be difficult but would not be impossible. As M. Schlingemann had said, the railway went everywhere, while the waterways were strictly limited by nature. It could be supposed that railways would profit by that situation to raise their rates where there was no competition from the waterways and to lower them elsewhere. Such a policy might lead to the ruin of certain water traffic. It would then no longer be a question of competition between two means of transport but of the disappearance of one of them. That would injure the interests of the public.

M. Silvain Dreyfus recalled that in the preceding year the Advisory Committee had considered whether it should discuss the question of competition between railways and waterways and had decided to do so. It was important now to decide whether, as a result of the Advisory Committee's discussions and decisions, account being taken of the reserves made both in the Minutes and in the resolutions, the Special Committee's report should become the report of the Advisory Committee itself, or whether the members of the latter Committee should simply be called upon to give their opinion on its conclusions.

M. Silvain Dreyfus considered that the first solution would be the better. There were, in the body of the report, extremely useful and interesting observations and considerations.

An examination of the report showed, however, that it was often difficult to interpret the tariffs. Thus, for example, on page 27, the report spoke of "special tariffs applicable to goods exported or imported through the French Channel or North Sea ports". In reality, however, the reduction of 10 per cent on goods exported was a general reduction which applied equally to exports by land and by sea. In the conclusions on page 28, the Committee quoted special tariffs which would appear to exercise, at any rate on certain districts, a direct influence on Rhine navigation. But the special tariffs mentioned in section 1 of the conclusions applied to the export of products emanating from the northern districts and destined to be transported by sea either by ships from America or from the Canary Islands. It was not clear how, at any moment, the Rhine could be utilised for the transport of these products. On page 172 would be found a table "summarising the measures taken by the French railway systems in respect of goods exported or imported through the Channel and

North Sea ports". Among the tariffs quoted under "A" only eight had been conceded on the plea of defence against inland navigation. For example, Tariff P.V.No.5/105 (molasses), Tariff P.V.No.9/109 (carriage of baulks of rough timber, etc.) and Tariff P.V.No.9/109 (carriage of rough rattan wood), were designed to combat competition on the Seine. It was also the competition of the waterways which led to the creation of tariffs P.V.No.10/110 and No.11/111. They were not tariffs for the purpose of favouring French ports to the detriment of foreign ports. Tariff P.V.No.29/129 (special arrangements for carriage of goods consigned in lift-vans from any station on the Est or Nord system to any seaport station on the Nord system or *vice versa*) was intended to offset the competition of motor transport. Finally, the direct Paris-London tariff mentioned in B (International Tariffs) was simply the result of the assimilation of English and French home tariffs.

In the conclusions of the report it was stated that the railways should never carry goods at a price lower than the self-cost of transport; this was an excellent method, but the great difficulty lay in the uncertainty which surrounded the computation of "additional costs". It might perhaps be possible to adopt also another principle, which was often employed by the French organisations which were concerned with tariffs (High Administration of the Railways, etc.) when establishing rates in cases in which water and rail transport were in competition. That principle consisted in taking as a point of departure the self-cost of the waterway and adding thereto, for the purpose of fixing the railway tariff, a certain percentage intended to cover the advantages of speed and regularity afforded by the railway.

Both these methods should be taken into consideration, while admitting the impossibility of adopting absolute rules applicable to all kinds of transport. Each individual case should be considered separately. It should be possible to arrive at reasonable solutions if the general observations which had just been made were borne in mind.

M. SINIGALIA wished to associate himself with the appreciation expressed by the members of the Committee with regard to the report of the Special Committee presided over by Professor Heckscher. He agreed with the observations of M. Silvain Dreyfus, especially the last.

M. DE RUELLE drew attention to the fact that, in the report, Belgium — in extenuating circumstances, it was true — was included among those countries which had adopted a tariff policy calculated to handicap the waterways by establishing tariffs entirely in favour of the railways. In view of the small area of Belgium and the lack of points of contact between Belgium and the Rhine, that reproach did not appear to be entirely deserved. The object of the tariffs was, indeed, to facilitate the sending, via Antwerp, of goods from the natural hinterland of the port of Antwerp. Combined tariffs for combined rail and water transport were hardly justified in Belgium, but, nevertheless, tariffs had been established in favour of combined transport. For example, Lorraine ores destined for the Ruhr were brought to Antwerp at a moderate tariff, which enabled them to proceed to the Ruhr via Antwerp and the Rhine.

M. de Ruelle supported M. Schlingemann's statement that in economic matters competition was no doubt an element of progress, but, as M. Schlingemann had also pointed out, there was, apart from competition which was admissible and justifiable, another kind of competition which was open to criticism and could almost be called unfair. In the latter case it was not, strictly speaking, a case of competition between railways and waterways, but rather of competition between the ports themselves. In that connection, M. Heckscher had put forward a solution which the Advisory Committee should not merely file in the archives of the Communications and Transit Section, but should keep in mind in view of its future studies.

M. HECKSCHER thanked the Committee for its kind appreciation of his report: he had been prepared for much more adverse criticism.

In regard to the documentation, he would reply to M. Silvain Dreyfus that it had been practically impossible for the Committee to study the French and Belgian tariffs thoroughly; it had confined itself to reproducing them as they were received.

M. Silvain Dreyfus had spoken of the uncertainty in regard to the calculation of self-cost and additional cost. He, M. Heckscher, recognised the justice of that observation, but had been unable to find a more efficacious principle than that adopted. He considered Dr. Tecklenburg was quite right in saying:

"Still, for the railway, as well as for every other industrial undertaking, a knowledge of its self-cost is indispensable; it needs it in the first place for judging its internal efficiency. . . . And it needs it as a basis for its rate policy. A solution must consequently be found, and can also be found, in spite of all difficulties, if that principle is taken as a guide that there is no question of computing the self-cost of each particular transport service on the basis of mathematically exact figures, but that it amounts to creating a picture which is true to life within reasonable limits and which makes it possible for the administration to base its decisions upon a judgment of facts which corresponds to the realities."

That was, in fact, the basis adopted by the German Railway Administration in calculating the cost of transport. It would be a pity not to make use of it in rate-making. M. Heckscher agreed with M. de Ruelle that there must be competition between the railways and the waterways. He considered, however, that, in order to be healthy, it should be based on an evaluation of the additional costs of transport.

He had not entirely followed M. Silvain Dreyfus when the latter had said that in estimating tariffs, a percentage should be added to the additional cost, in the case of railways, which would represent the advantages of speed and regularity of rail traffic. That was a problem for the trader. It was for him to decide of which route he would make use, whether he preferred to take into account the cost of carriage or regularity and speed.

On the other hand, M. Heckscher could understand very well M. Seeliger's point of view, that each country had to endeavour to attract to itself the greatest possible share of world trade. It was none the less true that if, in order to attract such trade, the railways were willing to lose on certain lines, someone had to bear the cost. Probably it would not be foreign countries which suffered, but certain German interests.

The railway administrations should do all they could not to obscure the problems, and to permit the effects which tariffs could have on the different branches of their economy to be seen clearly. But the only means of arriving at such a clear situation, if it were desired to give preference to one particular route over another, was by means of bounties.

M. Heckscher considered, moreover, that the policy followed by the railways in the case of the paper transports between Albruck and Bremen led to a clear loss for the German railways, their wagons gaining less by being prevented from going to Mannheim, though they would then be in use for a shorter period.

In concluding, M. Heckscher stated that the work carried out by the German Railway Administration in establishing the self-cost of transport was of primary importance, and he hoped that the Committee would encourage the continuation of that enquiry.

M. SEELIGER was not sufficiently expert to give a reply on the question of carriage from Albruck to Mannheim, but he would endeavour to find out the main reason which had actuated the railways. So far as he remembered the discussion, it was to the effect that the problem was so complicated, that so many elements entered into rate-making, that it was extremely difficult to detach the question from the framework of the commercial policy of each country.

On the other hand, he would point out that M. Heckscher, in asking that every preferential system should be based on the granting of bounties, had raised the question on to the moral plane. That was a very fine consideration, but it went beyond the present pre-occupations of the Advisory Committee.

Sir John BALDWIN stated the main point was to know whether the interests of consumers were unduly injured by certain measures of an artificial nature. He considered, on the other hand, that it would be very difficult to discover whether, in fact, the States which established such measures attained the results for which they hoped. Professor Heckscher had claimed that, in general, they did not. Sir John Baldwin thought that it would perhaps be interesting to pursue the study on a different basis. He believed that in the United States of America there existed many very detailed statistics which would bring nearer the solution of the question.

He considered that the Committee should adopt the report, taking note of the inaccuracies pointed out by M. Silvain Dreyfus and the slight divergencies of opinion which had come to light. Attention could be drawn to those matters in the Minutes. Moreover, the Committee could recommend that the Special Committee should continue its enquiry in the direction he had just indicated. Finally, he would point out, in connection with the remarks on page 29 regarding Rhine traffic, that it was difficult for the ports of Rotterdam and Antwerp to enter into competition with the other ports by means of preferential tariffs. They were bound by international treaties, which did not admit of any discrimination on the basis of origin or destination. The duties imposed on the vessels and on goods in transit had to be based solely on the cost of the service rendered. They were, in fact, rather at a disadvantage.

M. SEELIGER replied that the policy of all the great ports, when they desired to obtain the maximum trade possible, was to reduce their tariffs so far as possible. Thus, the treaties presented no danger for the ports in question.

The CHAIRMAN proposed that the Committee should ask the Bureau to prepare a draft resolution before the next meeting.

This proposal was adopted.

XXI. DRAFT REPORT OF THE ADVISORY AND TECHNICAL COMMITTEE PRESENTED BY THE SUB-COMMITTEE ON QUESTIONS OF COMMUNICATIONS AND TRANSIT RAISED BY THE COUNCIL DURING ITS EXAMINATION OF POLISH-LITHUANIAN RELATIONS (Item 10 of the Agenda) (*continued*).

M. DE VASCONCELLOS pointed out that new facts had arisen which would prevent the termination of the study of the question during the present session of the Advisory Committee. He proposed the adjournment of the matter to a special session to be held on September 4th, 1930.

M. IRO had no objection to that proposal. He would ask, however, whether it could not be adjourned until the next ordinary meeting of the Committee.

The SECRETARY-GENERAL of the Committee remarked that the matter had been referred to the Committee by a Council resolution, dated December 1928.

M. de Vasconcellos's proposal was adopted.

The SECRETARY-GENERAL of the Committee observed that the agenda of the session of September 1930 might include all questions which were ready to be examined at that moment.

This proposal was adopted.

The SECRETARY-GENERAL of the Committee pointed out that the draft report drawn up by the Sub-Committee and transmitted to the Committee had not been printed. In order to gain time proofs could be prepared and submitted to the members and, as soon as the Committee had come to a decision, the final report could be forwarded to the Council.

This proposal was adopted.

FIFTH MEETING

Held on Thursday, March 13th, 1930, at 5 p.m.

Chairman : M. HEROLD.

Present : All those present at the preceding meeting. There were also present : His Excellency M. P. DE HEVESY, Resident Minister, Chief of the Hungarian delegation to the League of Nations, temporary member appointed by the Hungarian Government, M. A. RUSS, Director-General of the Roumanian Railways, and M. V. ALEXANDRESCO, Legal Adviser to the Ministry of Communications and Public Works, temporary members appointed by the Roumanian Government.

Secretariat : M. R. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

[XXII. FLOODS IN THE SOUTH OF FRANCE : CONDOLENCES OF THE COMMITTEE (*continued*).

M. DREYFUS communicated a letter from His Excellency the French Minister for Foreign Affairs thanking the Committee for the condolences addressed to it on the occasion of the disaster due to floods in the South of France.

XXIII. WORK CONCERNING TRANSPORT BY RAIL (Item 4 of the Agenda).

Applications from Certain Local Railway Companies previously belonging to the Former Austro-Hungarian Monarchy.

The CHAIRMAN welcomed M. de Hevesy, M. Russ and M. Alexandresco, who had been appointed to take part in the Committee's work concerning disputes between certain local railway companies previously belonging to the former Austro-Hungarian monarchy and the Yugoslav and Roumanian Governments.

M. POLITIS informed the Committee that a Committee formed by the Administrative Section of the Permanent Committee on Transport by Rail, with the addition of M. de Hevesy, M. Russ and M. Alexandresco, had met on March 11th and 12th, 1930, under the chairmanship of M. Herold for the examination of the applications addressed to the Council by certain railway companies in virtue of Article 304 of the Treaty of Trianon.

Five applications had already reached the Council, which had communicated them to the Committee for examination. A sixth would shortly be forwarded to the Council, and the Committee had considered it useful to examine it at once in order to save time.

For each of the six applications the Committee had prepared two reports. One report advised the Council to adjourn the examination of the application until the Council's session in January 1931, in order that the parties might be enabled to reach a friendly settlement. If such a settlement had not been reached before that session, the Committee would forward to the Council, in good time, the supplementary report prepared for each application, which suggested that the Council should proceed to appoint arbitrators.

In regard to the sixth application which had not yet reached the Council, the Committee should give full power to its Chairman to submit the first report to the Council as soon as the Committee was informed of the question and later, if necessary, the supplementary report.

The CHAIRMAN invited the Committee to study each case in turn.

The Committee approved the reports concerning the applications of the Nagykikinda-Arad Local Railway Company (see Annex 28, Appendices 1 and 2) and the South-East Hungary (Delkelet) Local Railway Company (see Annex 28, Appendices 3 and 4).

The Committee then proceeded to examine the third case — that of the application of the Halas-Bácsalmás Rigyicza Local Railway Company.

M. DE HEVESY recalled that Article 304 of the Treaty of Trianon laid down that negotiations should be carried on between the railway companies and the Governments concerned with a view to reaching a friendly settlement. That article also prescribed that, if no such agreement were reached, the Council should appoint arbitrators. On eight different occasions during the last ten years negotiations had been entered into, but without result. The railway companies were now of opinion that all hope of reaching a friendly settlement should be given up, and consequently they had made an application for immediate arbitration.

The treaty envisaged negotiations, but in view of the character of the word "negotiations" a single breakdown in such negotiations would suffice to bring about the situation foreseen in the Treaty, which prescribed the appointment of arbitrators. In negotiations it was necessary that there should be at least two parties; if one party did not negotiate, no negotiation existed and, if no negotiation existed, arbitrators should be appointed immediately.

M. de Hevesy declared that it was unfair to leave one of the parties — in this case, the Hungarians — in a situation of manifest inferiority by reason of their having neither the railways nor their equivalent. In passing, he would draw attention to the fact that the districts concerned had previously formed part of Hungarian territory which had been transferred under the terms of the peace treaty — territory belonging to the other local railways taken over by the Succession States against an indemnity of less than twenty per cent. It would be unjust to say to these companies: "Wait another year for arbitration", because of the fact that in previous cases other railways had been asked to wait another year for arbitration.

M. de Hevesy therefore asked that the appointment of arbitrators should take place at the next session of the Council, that was to say, in May 1930. He suggested that the Committee should request the Council to nominate, in any case during the next session, the arbitrators who would enter upon their duties on January 1st, 1931, if, up to that time, no friendly settlement had been reached. Their appointment would, in a manner, play the rôle of a sword of Damocles and would incite the parties to make a last attempt to reach a friendly settlement, in order to avoid the expenses of arbitration.

M. de Hevesy pointed out that on the previous evening, at the meeting of the Administrative Section of the Permanent Committee on Transport by Rail, his proposal had been rejected and the members of the Administrative Section had insisted, on account of precedents, that the two parties should wait still another year before arbitrators were appointed. He considered that this procedure would be altogether unfair and that the League of Nations, being a new institution, was called upon to create precedents rather than to follow them. He hoped that the members of the Committee would come round to his point of view, in spite of the opposition — which he was unable to understand — which he had encountered the previous evening at the meeting of the Administrative Section.

M. de Hevesy remarked that, furthermore, during the meeting of the Administrative Section he had been given to understand that, if he insisted, the Committee would merely declare that they were by no means obliged to deal with one of these railways, in view of the fact that that question had not yet been submitted to the Council and that, in consequence, the Committee was under no formal obligation to deal with it. He had been threatened with the cancellation of this item from the agenda, although it was already inscribed and had been dealt with on the previous day. M. de Hevesy would say that, in his opinion, such a procedure did not correspond to the dignity and good faith of the League of Nations. To remove from the agenda a question which had already been dealt with, merely because a delegate had persisted in his point of view, was, in his opinion, a manoeuvre which was technically unacceptable.

The CHAIRMAN objected to the intentions which M. de Hevesy attributed to the Committee.

M. DE HEVESY observed that the Treaty of Trianon had in view as rapid a settlement of the railway situation as possible, and that it was paradoxical that Hungary should, also in this case, be obliged to insist on the application of a paragraph of a treaty which had been imposed upon her. If in certain other cases, as had been pointed out to him, the appointment of an arbitral tribunal had been indefinitely postponed, it was doubtless because neither of the parties had requested, after the breakdown of negotiations, the immediate appointment of arbitrators.

Finally, M. de Hevesy repeated his request that the Committee should recommend the Council to appoint three arbitrators at its meeting in May, who would enter on their duties on January 1st, 1931, if at that time a friendly settlement had not been reached. He observed that there was a precedent for such procedure.

M. POLITIS regretted that M. de Hevesy should have considered it necessary on two occasions — on the previous evening before the Administrative Section and on the present occasion in the plenary meeting — to doubt the Committee's good faith and impartiality. For nearly ten years the members of the Committee had co-operated in a spirit of complete

confidence, and the same spirit reigned in all the organisations of the League of Nations. He considered it his duty to object to the terms of M. de Hevesy's declaration: the members of the Committee were not accustomed to such statements.

In regard to the basis of the discussion, M. Politis wished to point out that, since the delimitation of the new frontiers of Hungary, the railway companies had had nearly ten years for presenting applications to the Council in virtue of Article 304 of the Treaty of Trianon. If they had done so at an earlier date, the Council and the Committee would have made the necessary provisions, and the delay of which the companies complained could only be imputed to themselves.

M. Politis then read a passage from a letter from the petitioning company dated March 8th, 1930, which could only imply that the companies accepted a period of three months for the continuation of the negotiations. The draft submitted for the Committee's approval, however, provided that a first report should be presented to the Council at its session in May, that was to say, in two months. The Committee could not act more quickly. Thus, if the companies considered that there was any delay, it could be attributed neither to the Committee nor to the League of Nations but to the companies alone.

M. DE HEVESY pointed out that the fact that the company had waited for nearly ten years, in spite of successive failures in the negotiations, before addressing the Council was not an excuse for postponing the appointment of the arbitrators for yet another year.

The fact that the company had replied politely to an invitation of the Roumanian Government to continue friendly negotiations proved nothing at all, because a railway company whose system was in Roumanian territory was naturally obliged to observe all the rules of courtesy in regard to that Government; but the accredited representatives of the railway company had informed M. de Hevesy that they had no faith in the outcome of those negotiations, that they were of opinion that these postponements were only to gain time and insisted on the appointment of arbitrators with the least possible delay.

Sir John BALDWIN asked whether it would not be possible to give satisfaction to the member designated by the Hungarian Government. Seeing that the negotiations had been continued without result for nearly ten years, the possibility of reaching a friendly settlement would appear to be inconceivable.

Consequently, Sir John Baldwin considered it desirable to constitute an arbitral tribunal as soon as possible. That would bring pressure to bear on the parties to the dispute without which any new postponements would amount simply to a loss of time.

M. SINIGALIA asked what was the case to which M. de Hevesy had alluded, in pointing out that there was a precedent for the appointment of arbitrators who would not begin work at once.

M. DE HEVESY replied that it was the question of the Boldva Valley Railway.

The SECRETARY-GENERAL of the Committee confirmed that in the Boldva Valley case the conditions were the same as those of the present question. The Committee had suggested to the Council that it should adjourn the matter. When at the end of the period no agreement had been reached, the Council decided to appoint arbitrators but to specify that they would only enter upon their duties after a certain supplementary period which would enable the parties to come to a friendly settlement. General de Candolle had been asked to act as an intermediary in order to facilitate the conclusion of such an agreement, which was shortly afterwards realised (see Annex 17).

M. POLITIS observed that the proposal which he had presented to the Committee put forward an almost identical solution.

The SECRETARY-GENERAL of the Committee emphasised that in all similar cases the same solution had been adopted with the difference that the period was usually shorter (generally six months).

M. SINIGALIA considered that in view of the above precedents the Committee could accept M. de Hevesy's proposal which would leave the parties sufficient time.

Sir John BALDWIN recognised that precedents had their value, but in his opinion each case should be considered on its merits. In view of the fact that one of the parties to the dispute had declared that the negotiations seemed to it to be hopeless, it appeared useless to prolong the delay. Would it not be possible to adopt a compromise and to forward the supplementary report to the Council at its September session instead of its session in January 1931?

M. GRÜNEBAUM asked M. Politis whether there would be any serious objection to adopting that solution.

M. POLITIS saw no objection.

M. DE HEVESY also accepted the solution.

The CHAIRMAN, in reply to certain requests for explanations, outlined the proposed solution *which was accepted by the Committee* (see Annex 28, Appendices 5 and 6).

M. POLITIS, having pointed out that it would be desirable to make the same modification in the reports already adopted for the first two applications, *the Committee adopted his proposal.*

The CHAIRMAN then examined the reports concerning the fourth application presented by the Dravavölgy Local Railway Company (see Annex 29, Appendices 7 and 8) and the reports concerning the fifth application presented by the Zsebely-Csákvár-Boka Local Railway Company (see Annex 28, Appendices 9 and 10) *which the Committee adopted with the modification which had been made in regard to the previous applications.*

The sixth application, presented by the Gyula Local Railway Company (see Annex 28, Appendix 11) was that which had not as yet reached the Council. The Administrative Section had, however, studied it, in order to avoid the necessity for a new meeting of the Advisory Committee. The latter should give to its Chairman full power to enable him, when the Council referred to the Advisory Committee the sixth application, to take the necessary measures.

The SECRETARY-GENERAL of the Committee observed that, in regard to the sixth application, one report would suffice in which the Council would be asked to appoint arbitrators immediately, in view of the fact that in any case it would only be presented to the Council in September. At the same time, the Committee should, without delay, inform the parties to the dispute of the solution adopted in order that they might have at their disposal a sufficiently long period which would thus be practically the same as that allowed in the case of the other applications.

M. GRÜNEBAUM pointed out that, since the last session of the Committee, the question of the Sopron-Koszeg Railway had been the object of arbitration, of which no mention was made in the documents submitted to the Committee. M. Grünebaum had been in a position to appreciate the scrupulous and detailed manner in which the arbitral tribunal had carried out its duties, and he had noted the unusual fact that all parties to the dispute had accepted with satisfaction the award given. M. Grünebaum proposed that congratulations be addressed to the members of the tribunal, and in particular to its Chairman, M. Guerrero.

The SECRETARY-GENERAL of the Committee explained that no mention had been made of the matter because no juridical connection existed between the tribunal and the Committee for Communications and Transit. Of the three members of the tribunal, however, two were members of the Legal Committee and another was a member of the Committee on Transport by Rail.

M. Grünebaum's proposal was adopted.

XXIV. APPOINTMENT OF AN ASSISTANT TO THE CHAIRMAN OF THE PERMANENT COMMITTEE ON TRANSPORT BY RAIL.

M. SINIGALIA recalled that, at the beginning of the present session, the Chairman had drawn attention to the unanimous regrets which had been expressed on the departure of Colonel Hiam. He pointed out that two experts had already been designated to assist the Chairman of the Committee on Transport by Rail. In view of Colonel Hiam's competence in this matter and in the hope that it would give the members of the Committee an opportunity of seeing him among them, he would propose his appointment as a third expert.

The proposal was adopted unanimously.

The SECRETARY-GENERAL of the Committee said that he would telegraph to Colonel Hiam in the above sense. He considered that, even if the great distance prevented Colonel Hiam from taking part in the work of the Committee in person, his appointment would enable him to keep in touch with the activities of the Transit Organisation.

The CHAIRMAN thanked M. de Hevesy, M. Russ and M. Alexandresco for their valuable assistance in the Committee's work, the discussion of Article 4 of the Agenda being concluded.

M. DE HEVESY thanked the Committee for the welcome which had been extended to him. If the terms of his declaration had been rather strong, he would ask the Committee to excuse him but, convinced of the fairness of his point of view, he was happy to note that the members of the Committee had accepted it.

(M. de Hevesy, M. Russ and M. Alexandresco left the table of the Committee.)

XXV. REPORT OF THE SPECIAL COMMITTEE ON COMPETITION BETWEEN RAILWAYS AND WATERWAYS (Item 9 of the Agenda) *(continued).*

M. SINIGALIA said that he had been under the impression at the previous meeting that the discussion of this item had been brought to an end when Sir John Baldwin had proposed that the enquiry which had been made the object of the report in question should be continued. Sir John Baldwin had, in particular, referred to the possibility of combined transport, in the hope that an agreement between rail transport and river transport might put an end to the difficulties described in the report.

M. Sinigalia thought that, apart from any question of expense, a new enquiry would take a very long time and that its results would be problematical. Competition between railways and waterways had numerous aspects, and the causes which determined them might be considered in very different ways according to circumstances. It would be difficult, therefore, to reach any general conclusion.

Sir John Baldwin had also referred to the situation in certain ports of Northern Europe. If M. Sinigalia had properly understood his observations, that question appeared to be outside the terms of reference of the Committee.

He did not wish to reopen the discussion which had enabled the various points of view to be clearly expressed. He would merely ask Sir John Baldwin to consider afresh whether the enquiry in question should be prolonged, and whether it would not be better to rest content with the valuable material collected by the Special Committee and with the very full discussion that had taken place at the previous meeting.

Competition had always existed and would always exist; if it did not do so, it would be necessary to provoke competition for the general good of humanity. It could not, therefore, be condemned, but care must be taken to see that it did not exceed reasonable limits.

The railway, which bore the main weight of the accusation, must examine its attitude in regard to the waterway transport undertakings which were competing with it, but it should not forget that those undertakings also provided it with a certain amount of its traffic. In conclusion, M. Sinigalia would offer this piece of advice to the Committee: "*Allegretto, ma non troppo!*"

The SECRETARY-GENERAL of the Committee said that the Committee was faced with a difficulty of procedure which was not insoluble. At the previous meeting, the Committee had been unanimous in considering the report submitted by the Committee presided over by Professor Heckscher to be an important piece of work and a valuable contribution to the solution of a question affecting European economy. It was obvious, on the other hand, that a detailed discussion of this report was materially impossible. In the interests of its scientific value, it would be better to maintain it intact, without seeking to amend it in any way in order to meet the views of members on any particular point.

The discussion which had taken place at the previous meeting was, in itself, a result which added to the value of the report. What the Committee had done was to associate itself, with a number of reservations made during the discussion, with the conclusions of the report. It should not, therefore, be difficult to draft a resolution in this sense, and this would be supported by the Minutes recording the discussion.

The question of an additional investigation remained to be considered. It would obviously not be necessary for the Committee to decide that the investigation should continue, unless it explained exactly in what that investigation should consist. In respect of the point raised by Sir John Baldwin concerning the information to be collected regarding special conditions in other continents, the Committee had always tried to complete the information it possessed by pursuing such studies. It would thus certainly be of interest at the moment, for example, as far as North America was concerned, to study the organisation of the Interstate Commerce Commission. The information on the subject could be collected by the Information Office and should not be lost sight of.

For the moment, the Committee should confine itself to examining the draft resolution concerning the report.

Sir John BALDWIN said that he wished to go beyond the desires of M. Sinigalia. The proposal of the Secretary-General of the Committee was more or less satisfactory. Personally, he thought it preferable for the question to remain on the agenda, in order that it might not be forgotten. It was a very important problem, the theoretical study of which might lead to interesting practical suggestions.

M. SCHLINGEMANN agreed with Sir John Baldwin in thinking that the question should remain on the agenda. The report, which was the result of very important work, was only the foundation-stone of a building whose future dimensions could not be gauged. Not only did the matter concern competition between two methods of transport, but it concerned also the economic side of transport. It was true that it would be necessary to collect an important amount of information, but this was not sufficient. Conclusions must also be drawn from that information.

Consequently, M. Schlingemann proposed that the question should remain on the agenda and that the study of it might be entrusted to a sub-committee.

M. SINIGALIA wished to define the elements of discussion. The Committee had been instructed to examine the question of competition between railways and waterways in so far as navigation on the Rhine and Danube was concerned. It must put forward a resolution on this definite point. If the problem were to be widened in scope, if the study of the investigations were to be continued, if information concerning other countries, other epochs and other means of transport were to be collected, a fresh discussion would have to take place.

M. Silvain DREYFUS agreed with M. Sinigalia. He would, however, recall that the Committee had, so to speak, drafted its own instructions, as the result of a resolution of the Genoa Conference of 1922. A preliminary report submitted by General Mance¹ dealt

¹ Document A.64.1923.VIII.

practically entirely with the question of railways, and it merely touched upon waterways. The Permanent Committee for Inland Navigation had initiated an enquiry into inland navigation, and Mr. Hines had been instructed to carry out this enquiry. The present situation had therefore been reached step by step. M. Silvain Dreyfus thought the moment had come to adopt a general resolution in reply to that adopted by the Genoa Conference.

Sir John BALDWIN emphasised the interest of the history of the question, as explained by M. Silvain Dreyfus. The report of the discussions of the Committee showed that it would be useful to continue the investigation, but not necessarily on the same basis.

M. Schlingemann had been right in maintaining that a study should now be made of the economic side of transport in general. Though Sir John Baldwin had no objection to changing the name borne by the study in question, he thought, however, that the report submitted by the special Committee presided over by Professor Heckscher should be regarded as a starting-point for the new investigation.

M. SEELIGER said that the account given of the question by M. Silvain Dreyfus had been entirely accurate. The Committee was required to undertake certain investigations periodically. This had been the practice followed up to the moment, in the form of enquiries described in the report submitted by General Mance and Mr. Hines.

The report of Mr. Hines left over certain points for investigation, among others the question of competition which had been made the object of a report by the Special Committee at the end of the present discussion. M. Seeliger agreed with M. Sinigalia and M. Silvain Dreyfus in thinking that the present enquiry could now be considered at an end. The Committee should state this, but should be prepared to take up the investigations again at a future date, though, in order to do so, it should not be necessary always to maintain the question on the agenda.

M. HÖRNELL wished to associate himself with the views expressed by Sir John Baldwin and M. Schlingemann. The conclusions of the report of the special Committee were certainly very valuable with regard to the parts of Europe with which they dealt, and the Advisory Committee should adopt them as their own; the Committee should, however, reserve the right to take up the investigation once more on a wider basis and with regard to parts of the world other than Europe where these problems arose in an entirely different manner.

The CHAIRMAN noted that the discussion had now reached the end of one stage. The Committee must now decide whether the investigation should be undertaken anew in another form or whether it should be retained on the agenda in order that it should not be overlooked.

M. SINIGALIA said that the discussion at the previous meeting called for the adoption of a resolution which should constitute something final. If it were desired to continue the investigation, this would be a fresh question and a definite starting-point, for it would have to be settled. It was impossible to carry out a general enquiry in the hope of reaching general conclusions. If similar questions were submitted to the Committee in the future, it must study them and, if possible, settle them, but there was no object in discussing a theoretical general enquiry.

M. SCHLINGEMANN felt the force of the objections raised by M. Sinigalia. He would be satisfied if the Committee asked the Secretariat, not only to collect data concerning competition between railways and waterways, but also to group them with a view to future examination.

M. Silvain DREYFUS said that while he was not very strongly in favour of the proposal to maintain the question on the agenda, it was because he did not see on what grounds such action could be taken. In every precedent that he could remember, the maintenance of such an item had been justified by special reasons (expectation of a report from experts, etc). The Information Service had been definitely created not only to collect information, but also to communicate it, if need be, to the various Organisations of the League. This service was competent to hold at the disposal of the Committee the information forming the subject of the present discussion.

The Committee could obviously decide to proceed to a new enquiry and to instruct a sub-committee to carry it out, but M. Silvain Dreyfus did not think that this was the intention of any of his colleagues.

Sir John BALDWIN pointed out that the draft resolution had not yet been submitted to the Committee. He would make his observations when the resolution was examined.

The SECRETARY-GENERAL of the Committee said that the draft resolution must, in his view, constitute a conclusion to the discussion of the report of the Special Committee. Any new investigation should be made the object of another resolution. This point was of no great importance in view of the fact that any member of the Committee might ask for the inclusion of a new item in the agenda.

M. SEELIGER said that the programme contemplated by the Genoa Conference was not yet exhausted and that a third enquiry might always prove eventually possible.

Sir John BALDWIN said that his only object was to prevent the burial of a report which he thought to be of great interest.

The CHAIRMAN concluded by deciding that the question should be examined simultaneously with the draft resolution concerning Item 9 of the agenda.

XXVI. WORK RELATING TO THE UNIFICATION OF TRANSPORT STATISTICS (Item 8 of the Agenda).

M. ROMEIN said that the Committee was called upon to conduct a preliminary examination of this question.

M. SEELIGER said that Germany wished the work regarding the unification of transport statistics to be hastened as much as possible, for provision had been made for changes in the German statistics to take place in the near future. It would be very desirable for account to be taken of the results obtained by the League.

M. ROMEIN said that the section dealing with railways would have finished the examination of the question during the year. As far as inland navigation was concerned the work was also advanced. The Drafting Committee would proceed before the end of the year to co-ordinate the data furnished by the various sections. At its first session of next year, the Committee would therefore be in possession of a complete report.

M. Romein summarised the proposal concerning the organisation of an investigation into the use of sea-going vessels (see Annex 18). If the Committee were ready in principle to accept the request of the Statistical Committee, the Drafting Committee might usefully revise a number of points in the programme with a view to its possible simplification, and might ask the States to furnish the necessary information; for example, European States were only asked for information on vessels whose destination was America, and the American States for information regarding vessels whose destination was Europe. In view of the fact that the programme concerned a mere investigation, the number of European States might be still further restricted to the following: France, Belgium, Great Britain and Northern Ireland, Irish Free State, the Netherlands, Germany, Denmark, Sweden and Norway. The other Baltic countries could be provisionally omitted from the study which was to be undertaken.

M. Silvain DREYFUS said that it would be difficult for the Committee to enter into these details. It was called upon merely to examine in principle the circular letter which had not yet been drafted.

M. SEELIGER said that from such information as he possessed the question was very complex. The Committee should wait until the circular was drafted and should take up the question at its September session.

M. ROMEIN said that a number of States, more particularly Germany, already possessed the data which had been asked for from them.

M. SCHLINGEMANN pointed out that the data to be collected would deal only with loading and discharging of cargo in ports. Trade at the moment was not in a very active condition; a large number of vessels were laid up, and the statistics obtained would therefore not give an accurate picture of the situation.

M. ROMEIN replied that there were other statistics which gave information on vessels laid up in ports.

M. SINIGALIA said that, in addition to loading and discharging in the ports of departure and arrival, information should also be obtained concerning these operations in the intermediate ports of call.

M. ROMEIN said that this point was covered in the draft scheme of enquiry.

M. SEELIGER asked for explanations regarding the object of the proposed enquiry.

Sir John BALDWIN replied that the object of the enquiry was to study the economic use of a certain means of transport in a strictly limited field.

M. SEELIGER said that the steamship companies were themselves conducting investigations and were concluding an agreement between themselves to lay up a number of their vessels during periods when trade was slack.

M. Silvain DREYFUS shared the views of Sir John Baldwin, and proposed that the Committee should adopt the scheme of the Sub-Committee. That scheme amounted in fact to no more than a mere request for information.

The SECRETARY-GENERAL of the Committee agreed that the actual question for the Committee to decide was whether the present enquiry was a matter of real interest. It was not necessary for the Committee to agree to play the part laid down for it or its Secretariat in the scheme. Governments should be asked whether they were ready to give their assistance. If they replied in the affirmative, the study would be undertaken, and the question could be re-examined.

M. GRÜNEBAUM, referring to the division of countries in districts provided for in the report of the Committee on the Unification of Transport Statistics (see Annex 19), said that it would be difficult to obtain the adhesion of small countries if this division into districts were insisted upon in the case of all countries.

M. ROMEIN said that what the Committee for the Unification of Transport Statistics had had in mind was the division into districts of all countries. The number of districts, however, was not laid down, and this was a matter which would be left to Governments to decide.

M. ITO thought that the Committee should take a decision in regard to a reply to be given to a circular sent to the Secretary-General of the Committee by the President of the International Statistical Institute (see Annex 20). He was in favour of accepting the proposal to co-operate with the Institute by means of a mixed committee, for he knew by experience the great help which a mixed committee was in a position to give towards the solution of this kind of problem.

The SECRETARY-GENERAL of the Committee emphasised the fact that the Institute was mainly scientific in character. So far as the question of railways was concerned, it was in the Committee's interests to get into touch with the Institute, provided that no delay in its work thereby resulted. The establishment of a mixed committee would not be very difficult. The Committee might choose three or four of its members to form that mixed committee with an equal number of members of the Institute. Its task would be to co-ordinate the work of the two organisations and to inform each of the results obtained by the other. The two organisations would continue to remain perfectly free in so far as their decisions were concerned.

The CHAIRMAN said that a draft resolution would be prepared on the subject, as well as on the proposal of the Permanent Committee on Ports and Maritime Navigation concerning the organisation of an enquiry into the use of vessels.

SIXTH MEETING

Held on Friday, March 14th, 1930, at 10.15 a.m.

Chairman : M. HEROLD.

Present : All those present at the preceding meeting, except M. de Hevesy, M. Russ and M. Alexandresco.

Secretariat : M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

XXVII. DRAFT RULES OF PROCEDURE OF THE COMMITTEE (Item 23 of the Agenda).

The CHAIRMAN considered that it was not necessary to return to the general discussion, but that it would be preferable to begin at once to examine, article by article, the Draft Rules of Procedure.

Article 1.

He then read Article 1 which is as follows :

“The Advisory and Technical Committee shall elect from among its members a Chairman and two Vice-Chairmen, who shall take office on the date of their appointment and remain in office until the beginning of the first session of the calendar year following that of their election. They shall not be immediately re-eligible.”

Sir John BALDWIN wished to know whether the Bureau considered the solution put forward in the draft of the article which had just been read was the best. He had some doubt on that point, for he did not consider it desirable that a chairman should take office at the beginning of a session, when the Committee entered on its various tasks. In his opinion it would be preferable for the chairman in office to retire at the end of a session and for the new chairman to take office immediately. The latter would be elected at the last meeting of the session. He would have followed the debates and taken part in the discussion ; he would be aware of the resolutions and decisions which had been adopted, and would thus be better able to fulfil his functions during the following year.

M. SCHLINGEMANN considered that, if Sir John Baldwin's suggestion were adopted, it might happen, particularly when the mandate of the members of the Committee was renewed, that a chairman elected for the following year might not be a member of the Committee when he should in his turn preside over the Committee's session.

M. SEELIGER associated himself with Sir John Baldwin's suggestion. It would be desirable that the chairman should be in a position to examine the documents which would be the object of the debates during the session held under his chairmanship. He would point out to M. Schlingemann that the eventuality to which he had alluded would only arise, in exceptional cases, every four years when the General Conference on Communications and Transit reorganised the Committee, but that was a slight inconvenience in comparison with the great advantages of the method proposed by Sir John Baldwin.

M. Silvain DREYFUS agreed with Sir John Baldwin and M. Seeliger and pointed out that, if the chairman nominated found himself unable, for any reason, to take office, he would in the normal course be replaced in accordance with Article 8, providing for a member provisionally to fulfil the duties of chairman. There was therefore no need for special provisions.

M. GRÜNEBAUM observed that, if the Committee adopted the system under which the chairman would be elected at the end of the first session held in a calendar year and retained office until the end of the first session of the calendar year following his election, it might happen, if the Advisory Committee should hold an extraordinary session in January of the latter year, that the chairman would never be required to exercise his functions for an ordinary session. According to the new ruling his mandate would end with the closing of the extraordinary session.

M. Silvain DREYFUS did not consider it necessary to lay down a distinction between ordinary and extraordinary sessions. The so-called extraordinary sessions, like the others, had an agenda, but it was less heavy. According to the method recommended above, the chairman's mandate would normally terminate at the end of the first session, whenever that might be, held during the calendar year following that in which he had been elected, but he would in any event have presided over a session.

The CHAIRMAN noted that the members of the Committee were in agreement in principle with Sir John Baldwin's proposal. He suggested that the Secretariat should draft a new text in accordance with that suggestion, as well as with the various amendments of form which had been proposed. The new text would be submitted to the Committee for a second reading at a future meeting.

Agreed.

Article 2.

The CHAIRMAN read the first paragraph of Article 2 :

"The Committee shall be convened on the Chairman's initiative. Notices of meeting shall be sent out by the Secretary-General of the Committee, acting on the Chairman's instructions. Except in urgent cases, they shall be sent to members of the Committee at least one month before the opening of each session."

M. POLITIS asked if it would not be possible to indicate in the notices of meeting the probable length of the session.

After a short exchange of views, *the Committee recognised the impossibility of deciding the probable length of the sessions and adopted paragraph 1, with the reservation of amendments of form suggested by M. Silvain Dreyfus.*

The CHAIRMAN read paragraph 2 :

"The Committee shall hold at least one session annually. Except in special circumstances it shall meet at the seat of the League of Nations."

This paragraph was adopted.

The CHAIRMAN read paragraph 3 :

"The Chairman shall be bound to order the Committee to be convened either upon the decision of the Council of the League of Nations, or, if requested to do so, by one-third of the members of the Committee, such request to be addressed to the Secretary-General of the Committee."

This paragraph was adopted with the reservation of slight drafting amendments.

The CHAIRMAN read paragraph 4 :

"The Chairman's decision to convene the Committee, as laid down in the present article, shall be subject to consideration of the funds available, which shall be notified to the Chairman by the Secretary-General of the Committee."

M. SINIGALIA observed that the last paragraph seemed to be in contradiction to paragraph 3. If the Council of the League of Nations decided that the Committee should meet and if the Chairman considered that the funds available did not permit of a meeting, could the Chairman reply in the negative to the Council's invitation ?

M. ROMEIN said that, in such case, the Chairman would, as a matter of fact, point out to the Council the lack of funds, and it would be for the latter to decide, if it were necessary, to furnish the funds required for the meeting of the Committee and to judge whether a budgetary transfer were necessary. It was obvious that the question would only arise for sessions other than the Committee's annual session which had to take place, apart from budgetary considerations.

M. SINIGALIA wished at the same time to know whether, in the two cases provided for in paragraph 3 regarding the convening of the Committee on the one hand on the invitation of the Council of the League of Nations, and on the other at the request of one-third of the members of the Committee, a request would be made to the Council for the necessary credits.

The CHAIRMAN replied that in the second case it would not appear to be possible to ask the Council for credits. The meeting could only take place if the necessary funds were available.

M. SINIGALIA observed that, if one-third of the members considered it desirable to ask for a meeting of the Committee, their initiative would doubtless be based on powerful reasons, and it would undoubtedly be a case of the examination of an urgent and important question. In such conditions, why would it not be possible to ask the Council for the necessary funds where they were lacking ?

M. SEELIGER, Sir John BALDWIN and M. Silvain DREYFUS associated themselves with M. Sinigalia's observation.

M. POLITIS added that, if, on the request of one-third of the members of the Committee caused by an important question, the Secretariat was obliged to reply with a plea of budgetary considerations, it would find itself in a very difficult situation. M. Politis considered it irregular that a request for a meeting of the Committee should be rejected without the possibility of referring the matter to the Council.

The SECRETARY-GENERAL of the Committee observed that, in practice, satisfaction would be given to a request, except in the case of a budgetary impossibility. It was obviously desirable to see whether or not there was any possibility of the transfer of credits in the budget, and to ask the Council to authorise such a transfer. He must, however, reserve the question of the responsibility of the Secretary-General of the League. He was sure that the latter was not bound to forward to the Council, against his own view, a request for a transfer of credit. At the same time, the Secretary-General of the Committee did not believe that, in practice, the question would raise difficulties. If the funds for a transfer were in existence, the Secretary-General would doubtless be willing to forward the request to the Council.

In order to meet the problem the Secretary-General of the Committee proposed to insert in paragraph 4 some such wording as the following : "in accordance with the provisions of the Financial Regulations."

The CHAIRMAN did not consider that it would be possible to take an immediate decision, and asked the Secretary-General of the Committee to be good enough to obtain information as to the possibilities of giving effect to M. Sinigalia's suggestions. The question of paragraph 4 should be reserved and taken up at a future meeting.

Agreed.

Article 3.

The CHAIRMAN read Article 3, paragraph by paragraph :

"The Chairman shall draw up a draft agenda for each session, which shall accompany the notices convening the session.

"Any member of the Committee may, at least 15 days before the opening of the session, make application to the Secretary-General of the Committee for a specific question to be placed on the agenda of the session. In such case the Secretary-General of the Committee shall prepare a supplementary agenda and communicate it to the members of the Committee without delay.

"At the beginning of each session the Advisory and Technical Committee shall decide upon the final agenda. It may also, by a majority of two-thirds of the votes of the members present, decide to add a question to its agenda in the course of a session.

"The Committee's agenda shall be communicated to the Council of the League of Nations in conformity with the Assembly's resolution of December 8th, 1920."

The SECRETARY-GENERAL of the Committee pointed out that the fourth paragraph corresponded with the text in the old rules. Would it not be desirable to modify it and to provide for the possibility of communicating the *draft* agenda to the Council, for, in reality, the agenda of the Committee was communicated after some of the questions had been discussed ?

After a short discussion, *the Committee decided, on the proposal of M. Silvain Dreyfus, to maintain the existing text, but to give to it a wide interpretation.* The Secretary-General of the Committee would thus in practice be enabled to communicate the draft agenda and the agenda to the Council.

Article 3 was adopted.

Article 4.

The CHAIRMAN read the first paragraph of Article 4.

“The Committee shall exercise the powers conferred upon it under Article 13, section 5, of the Statute as regards the invitation of temporary members. In cases of urgency or necessity, these powers may be exercised by the Chairman before the Committee meets, when the draft agenda submitted to the Committee appears to him clearly to require such invitation.”

M. Silvain DREYFUS suggested several drafting modifications.

M. SINIGALIA observed that, as the Committee usually met once a year, the provisions of the article were almost always brought into operation. It therefore seemed to be necessary to stipulate that the members of the Committee should be informed between the sessions of the nominations made by the Chairman in cases of urgency or necessity.

M. Silvain DREYFUS considered that it would be possible to give satisfaction to M. Sinigalia by inserting a new paragraph at the end of Article 4.

Paragraph 1 was adopted, with the reservation of several amendments of form.

The CHAIRMAN read paragraph 2.

“The same procedure shall be followed as regards the invitation of representatives of States not Members of the Organisation, and of representatives of qualified international or national organisations in an advisory capacity.”

M. SINIGALIA observed, in regard to the invitation of representatives of qualified international or national organisations, that it would perhaps be desirable that, before inviting any particular organisation, the Chairman should consult the members of the Committee by correspondence; the latter would often be able to make useful suggestions.

The SECRETARY-GENERAL of the Committee recalled that the Chairman exercised the powers in question in the name of the Committee. If he was in any doubt, he would obviously obtain the opinion of his colleagues. At the same time, the Secretary-General of the Committee would point out the inconvenience of taking decisions by correspondence, which almost always led to the approval of the suggestions put forward. Such procedure should be avoided as much as possible, for the responsibility for the decision was transferred to the Committee without its having the opportunity of discussing the matter.

In regard to the invitations to representatives of national organisations, there did not appear to him to be any doubt that, if a national of the country concerned was on the Committee, the Chairman would consult him.

Sir John BALDWIN could not accept the thesis of the Secretary-General of the Committee. The members of the Committee did not represent their countries. If the Chairman considered it necessary to invite national organisations, he should not be bound to consult those members of the Committee who were of the same nationality as the organisation in view. A member of the Committee was not justified in pronouncing for or against the invitation of an organisation of his country for reasons of sympathy or personal appreciation.

M. SCHLINGEMANN agreed with Sir John Baldwin.

M. DE VASCONCELLOS considered that the Committee should have confidence in the Bureau.

M. SINIGALIA reserved his opinion.

Article 4 was adopted, with the reservation of the addition of the paragraph proposed by M. Silvain Dreyfus.

Article 5.

The CHAIRMAN read the first paragraph :

“In accordance with the provisions of Article 15 of the Statute, the Committee shall set up five permanent committees. These committees shall respectively keep under continual consideration questions relating to transport by rail, inland navigation, ports and maritime navigation, road traffic and electric power.”

M. SINIGALIA, with reference to the various permanent committees, pointed out that the Committee dealing with questions relating to electric power had held very few meetings, and, in these circumstances, he wondered whether it should be kept as a permanent committee. He thought that it would be better to replace it as a permanent committee by a committee dealing with aviation questions.

The SECRETARY-GENERAL of the Committee thought that it would be better for the moment to adhere to the present text and to keep the Permanent Committee on Electric Power, part of whose duties it was to follow up the application of the resolutions of the General Conference, which might receive applications for advice and resume its activities. Furthermore, in regard to aviation, the question of setting up a permanent committee would be a somewhat delicate one to settle at the moment.

Paragraph 1 was adopted.

The CHAIRMAN then read paragraphs 2, 3 and 4 :

“ The Committee shall also set up a permanent Legal Committee.

“ The Committees referred to in the preceding paragraphs shall enjoy complete freedom in their decisions. All resolutions of these Committees involving recommendations to Governments or proposals to the Council or the Assembly shall be forwarded to those authorities by the Advisory and Technical Committee in its own name as soon as they have received the approval of the Committee in plenary session. As an exception, in cases which must be justified by reasons of urgency or necessity, this approval may be given on behalf of the Committee by its Chairman, who, if in doubt, may consult his colleagues by correspondence and, in any event, shall report his decision to the next plenary session.

“ The present provisions shall not apply to cases in which the Advisory and Technical Committee is called upon to decide a question disputed between States under the conditions laid down in Article 18 of the Statute. The Committee in plenary session shall alone be competent to express an advisory opinion in such a case.”

Paragraphs 2, 3 and 4 were adopted.

Article 6.

The CHAIRMAN read Article 6 :

“ The Committee may set up temporary or permanent sub-committees composed of its own members, avail itself of the assistance of experts, and appoint temporary committees of experts in accordance with the provisions of Article 15 of the Statute. In cases of urgency or necessity, the Chairman may appoint experts in the interval between sessions, and, subject to the Committee's subsequent approval, may set up temporary committees of experts when such measures seem to him necessary to prepare the Advisory and Technical Committee's work.”

M. Silvain DREYFUS suggested certain textual changes.

M. SINIGALIA made the same reservation as for Article 4.

Article 6 was adopted with certain formal amendments and the reservation made by M. Sinigalia.

Article 7.

The CHAIRMAN read the three paragraphs of Article 7 in turn :

“ The present rules shall be applicable to permanent and temporary committees and to sub-committees ; but the Chairmen and the Vice-Chairmen, if appointed, of permanent and temporary committees and of sub-committees, shall be appointed, in the case of temporary committees or sub-committees, for the term of office of such committees or sub-committees, and in the case of permanent committees and sub-committees, for the term of office of the Advisory and Technical Committee.

“ The term of office of these Chairmen or Vice-Chairmen is renewable.

“ The meeting-places of sub-committees, permanent committees and temporary committees shall be determined by their respective Chairmen in agreement with the Secretary-General of the Advisory and Technical Committee, account being taken both of practical necessities and of budgetary considerations.”

Article 7 was adopted subject to certain drafting amendments.

M. GRÜNEBAUM observed that Article 7 covered only the terms of office of the Chairmen and Vice-Chairmen of the Committees and Sub-Committees. That being so, it might be thought that the members of the Committees would continue to sit on the Committees after their term as members of the Advisory Committee had expired. He thought that a provision should be made to exclude this possibility.

The SECRETARY-GENERAL of the Committee recalled that hitherto the term of the Committees had in practice been the same as that of the Advisory Committee. The setting up of a new Advisory Committee had involved the reorganisation of the Committees. That

was a procedure which he thought should be maintained. Nevertheless, he agreed that it would be advisable to insert a precise formula to this effect and proposed that the beginning of the third paragraph of Article 5 should be amended in this sense.

Agreed.

Article 8.

The CHAIRMAN read the two paragraphs of Article 8 in turn :

“The term of office of the Advisory and Technical Committee shall expire in accordance with the conditions laid down in Article 13 of the Statute.

“The Chairman and Vice-Chairman of the Committee shall continue to exercise their duties pending the election of the new Committee's officers, provided they have been appointed members of the latter Committee ; otherwise the senior Chairman or Vice-Chairman of the Committee, or failing him, the senior member of the Committee, provided always that he has been appointed a member of the new Committee, shall provisionally exercise the duties of Chairman. For the purposes of this paragraph, seniority shall mean seniority in membership of the Committee.”

M. Silvain DREYFUS remarked that the provision contained in paragraph 1 was, in point of fact, a stipulation which formed part of the Statute, and that there was no need to keep it as a separate clause in the Rules of Procedure. He proposed that paragraphs 1 and 2 should be combined.

In connection with the end of paragraph 2, he raised the question of the conditions in which the seniority of the Chairman or Vice-Chairman should be calculated.

After an exchange of views, *the Committee decided to instruct its Secretary-General to draft a new text which would be examined at a later meeting.*

Article 9.

The CHAIRMAN read Article 9 :

“The present rules of procedure may at any time be altered by a majority of the votes of the members present.”

Article 9 was adopted.

Entry into Force of the New Rules of Procedure.

M. Silvain DREYFUS pointed out that the question of the entry into force of the new Rules of Procedure raised one difficulty. If the Chairman was to be elected at the end of the first session of the calendar year, the question of the election of the next Chairman would accordingly have to be settled.

M. SEELIGER said that it would suffice if the rules were immediately put into force and the Chairman continued in office.

The SECRETARY-GENERAL of the Committee thought that some provisional arrangements would have to be made.

The Fourth General Conference on Communications and Transit would meet in 1931. If, therefore, the new system was put into force at once, the next Chairman would never exercise his functions. Further, he did not think it possible to impose a Chairman on the new Committee.

M. ROMEIN pointed out that the same case would recur every four years, that was to say, each time that the General Conference met.

The CHAIRMAN emphasised the importance of the question. He thought that it required further reflection and that the discussion should be taken up again when the Committee came to examine the text at the second reading. He instructed the Secretariat to prepare a new revised text which would be examined at a later meeting.

XXVIII. GRAVE OCCURRENCES OF A GENERAL CHARACTER AFFECTING ROUTES OF COMMUNICATION (Item 15 of the Agenda).

The CHAIRMAN reminded the Committee that this question had been very closely discussed at the thirteenth session of the Advisory Committee. It might help members if he read the following passage from the Minutes of the thirteenth session summarising the debate.

“The CHAIRMAN said that the divergent opinions expressed had shown that the problem arose, not merely in the case of railways, but in the case of other means of transport also. He proposed that the Secretary-General of the Committee should be requested to draw up draft recommendations and agreements based on the discussion. They could then consider the main question at their next session.”

The memorandum by the Secretary-General of the Committee had accordingly been drafted in accordance with the debate which had taken place in the previous year. The Chairman then read the memorandum (see Annex 21).

The CHAIRMAN, in reply to Sir John Baldwin, said that the two drafts contained in the memorandum were alternative solutions.

M. SEELIGER thought it difficult to form an opinion immediately on the substance. There must be some opportunity to study the arrangements proposed. He would, however, observe in passing that Germany had a very dense railway system, and that, in the event of the interruption of communications at any point, it was always possible to send traffic round by another route and to undertake immediate repairs. The position was less favourable in other countries. Furthermore, he asked whether, in the event of the draft protocol being accepted, the provisions should be interpreted as forbidding two States to enter into bilateral arrangements in order to provide for a case of this kind. In his opinion it would be better to leave the countries free to conclude arrangements between themselves.

The SECRETARY-GENERAL of the Committee pointed out that the question was one of a general Convention and, like all general Conventions, this one did not in any way exclude bilateral treaties which might offer greater advantages.

M. POLITIS observed that, before discussing the two drafts submitted to the Committee, it would be desirable first to make a choice between them. He reminded the Committee that he had spoken against the proposal at the previous meeting, but as choice must be made between the two drafts submitted, he thought it useless to keep the draft protocol, and he would acquiesce in the second proposal, that was to say, the draft recommendation. Both proposals, however, appeared to him to entail the same consequences in effect. If a country for any reason found itself unable to carry out certain transport operations, the other countries would hasten to re-establish traffic, if only for reasons of interest, but if the actual conditions were such that it was impossible for them to re-establish traffic, they would be unable to do anything at all, whatever the obligations they had accepted. The case occurred frequently during the discussion of time-tables, when application was made for a new train. The country concerned was often obliged to reply that its schedule of trains was complete.

In conclusion, the adjacent countries would always do everything in their power to re-establish traffic, and in these circumstances he preferred the draft recommendation to the draft protocol.

M. SINIGALIA recalled that the question had been brought before the Committee by a resolution taken by the General Conference. Out of deference to the Conference he would, therefore, support the draft protocol rather than the second proposal, which was only a simple recommendation. He recognised, however, that the object and effects of the two proposals were identical.

Sir John BALDWIN agreed with M. Politis that the draft protocol should be rejected and the draft recommendation accepted.

M. GRÜNEBAUM associated himself with the opinion of M. Politis and Sir John Baldwin. He pointed out, however, that if the Committee decided to adopt the draft protocol, it would have to be altered in form so as to be restricted to railways, otherwise there would be difficulties in Austria in regard to transport by motor-car and on inland waterways which were not under State control.

M. SEELIGER did not think that a mere feeling of deference was sufficient justification for adopting the draft protocol. It must be remembered that the question had already been solved in practice, and consequently a recommendation would suffice.

M. DJOURITCHITCH pointed out that at the next Conference explanations would certainly be required as to the scope of the obligations and the extent of the sacrifices imposed on the contracting States. In his country, for instance, at the time when beetroots were being transported, the entire rolling-stock available was used for this purpose and it was often impossible to give other users complete satisfaction. In these circumstances he asked how far a country would be obliged to injure its own trade in order to satisfy its international obligations.

The SECRETARY-GENERAL of the Committee did not wish to make a statement on the desirability of adopting the draft protocol or the draft recommendation. In his view that was a question which came within the purview of the General Conference, which was competent to settle the question of form. The Committee could nevertheless express a preference. It would therefore be possible to submit the two drafts to the next Conference by placing the question on the agenda and possibly specifying which of the drafts the Committee preferred.

As to M. Djouritchitch's objection, the Secretary-General of the Committee thought that the obligation imposed on a country amounted to what it was reasonably possible to do.

In reply to M. Grünebaum, he observed that provision had been made — and it was an entirely novel idea — for co-operation by road transport services, but reference had been made only to transport services run by the State or granted on concession, that was to say, services over which the State exercised control. It had, of course, been assumed that it

would be impossible to force private transport concerns to take part. Such concerns would, however, take part spontaneously. In regard to services granted on concession, it would be easy to provide for the obligation in the concession contract.

M. Silvain DREYFUS observed that everything depended on the meaning of the word "concession". The conditions under which the transport services worked varied widely, and in any case it would be desirable to make provision for the system of authorisations in addition to that of concessions.

The CHAIRMAN proposed that the Committee should first take a decision on the question whether it wished to transmit both drafts or only one to the General Conference on Communications and Transit.

M. POLITIS associated himself with the Chairman's suggestion, but pointed out that, if both proposals were transmitted to the Conference, their examination would give rise to very long discussions. He thought that the Committee might make a choice and forward only one draft to the Conference.

M. SINIGALIA disagreed and proposed that both proposals should be submitted to the General Conference.

The CHAIRMAN put M. Sinigalia's proposal to the vote.

The proposal of M. Sinigalia was adopted by seven votes to six.

The Committee decided that both drafts would be submitted to the General Conference.

The CHAIRMAN proposed to take up the consideration of the texts.

M. Silvain DREYFUS pointed out that the formula in Article I reading "through the territory of the contracting States" should be replaced by the words "through the territory of one or more contracting States".

After a short exchange of views in which M. GRÜNEBAUM, M. DUZMANS, M. SINIGALIA and the SECRETARY-GENERAL of the Committee took part, *the text of the draft additional protocol to the Convention of the International Regime of Railways was approved, with certain drafting amendments.*

The CHAIRMAN said that the Committee would next discuss the draft recommendation.

M. Silvain DREYFUS observed that at the end of the third paragraph the words "or authorised" should be added, in accordance with the amendment made in the draft protocol.

The text of the draft recommendation was approved, with the foregoing amendment.

The CHAIRMAN asked the Committee whether or no it wished to express a preference for either of the two texts.

M. POLITIS pointed out that the Committee had an advisory character and as such should express an opinion.

M. SINIGALIA thought that, if the two texts were forwarded to the General Conference, there was no need to express any preference.

M. DUZMANS was in principle opposed to recommendations, but in the present case he would favour the draft recommendation, seeing that the draft protocol as modified during the discussion was now, in substance, only a simple recommendation.

The CHAIRMAN put the question of principle to the vote.

The Committee decided by seven votes to five to express its preference.

The CHAIRMAN then put to the vote the question as to which text should be submitted first.

The Committee decided by a large majority to express its preference for the draft recommendation.

SEVENTH MEETING

Held on Friday, March 14th, 1930, at 5 p.m.

Chairman : M. HEROLD.

Present: All those present at the preceding meeting and M. HECKSCHER and M. DE RUELLE.

Secretariat: M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

XXIX. DRAFT BUDGET OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT FOR 1931 (Item 24 of the Agenda).

The CHAIRMAN reminded the Committee that a special Sub-Committee under the chairmanship of M. Politis had been requested to examine the draft budget (see Annex 28, paragraph I).

M. POLITIS pointed out that the special Sub-Committee had approved the figures in the budget and had merely made simple drafting modifications in the text.

The CHAIRMAN thanked the Sub-Committee and its Chairman, M. Politis, in the name of the Committee, for the work which they had done.

M. SEELIGER asked why the draft budget was not balanced.

M. POLITIS replied that the figures regarding "salaries" and "removal expenses of the Secretariat" had not yet been introduced into the budget, which explained why it was not balanced.

XXX. ORGANISATION OF THE SERVICE FOR THE COLLECTION AND EXCHANGE OF INFORMATION CONCERNING COMMUNICATIONS AND TRANSIT: REPORT BY THE SECRETARY-GENERAL OF THE COMMITTEE (Item 22 of the Agenda).

The SECRETARY-GENERAL of the Committee commented on the report on the above question (see Annex 22). He drew attention to the decision to undertake for the moment only such publications as were strictly necessary. It would first be desirable to profit by all the information to be found in the documents already in the hands of the League of Nations or which could be easily obtained. As a result of a previous decision of the Committee various countries had been invited to forward documents, and the results obtained had, in some cases, been very interesting. On the other hand, it had been noticed that a large number of the documents sent in were already in the Library of the League of Nations. Consequently, the first work to be undertaken would be the analytical study of the documents in the League's possession and the drawing up of an inventory concerning them. That inventory would, moreover, enable note to be taken of the countries and matters on which the documentation was still insufficient, and it could then be completed by applying to the member of the Committee belonging to the country in question, or by a request to the correspondents, or by any other procedure which might be judged best in each of the cases in question.

If the members of the Committee found gaps in the documentation regarding their countries, he would ask them to send him any useful suggestions on the matter.

He pointed out the prudence with which the work had been carried out. In particular, all the necessary personnel had not yet been appointed. The draft which had been drawn up would in his opinion, when approved by the Committee, form a solid basis for the future development of the service.

He would observe, on the other hand, that the documentation already collected by the Secretariat had enabled it to reply to all the requests for information received from States and from other sources. He did not think that it would be necessary at present to consider periodical publications. It would be sufficient to send to the members of the Committee a list of the questions on which the documentation was up to date.

M. IRO pointed out that, in Japan, considerable importance was attached to the work of documentation undertaken by the Transit Organisation. He had received letters from correspondents in Japan showing a very great desire to be kept in touch with the progress of the collection of the documentation.

He wished, nevertheless, to know whether the documentation which was being collected and which was intended to be of assistance in the future development of the Committee's activities, would be carried out according to the lines already laid down, or whether it would be necessary to consider modifying the orientation of the work. He wished in particular to know whether the documentation which had at one time been sent from Japan could be considered satisfactory and whether it would suffice for the object in view.

The SECRETARY-GENERAL of the Committee replied that the documentation received from Japan had been extremely valuable and had made it possible to put in order the information concerning that country. It would, however, be difficult to give a definite reply to M. Ito's question, for it could only be judged later, both by question and by country, what gaps would have to be filled in. In regard to Japan, he was under the impression that the documentation service already assured gave every satisfaction.

M. Ito pointed out that a national association for communications and transit of considerable importance was set up in Japan two years ago. It had expressed a desire to receive from the Secretariat the documents likely to be of interest to it.

The SECRETARY-GENERAL of the Committee asked whether the association which M. Ito had just mentioned collected its own documentation.

M. Ito replied that it did collect its own documentation and had acquired considerable importance. It would certainly be prepared to communicate all the information which it possessed and which might be of interest to the Secretariat.

The SECRETARY-GENERAL of the Committee concluded that it should be able, in consequence, to provide useful information, not only in regard to Japan, but in regard to the neighbouring regions. He considered that it would be desirable to get into communication with the association.

The CHAIRMAN, in the name of the Committee, took note of the memorandum of the Secretariat and of the explanations which had accompanied it.

M. SEELIGER had understood that in future months the Transit Organisation would collect as much information as possible and would get into touch with the liaison agents selected in the various countries. He would ask what had been decided in regard to Germany.

The SECRETARY-GENERAL of the Committee replied that it was difficult to say exactly what would be done in regard to each question and each country, for it would be necessary in the first place to draw up a table of the existing information. The gaps would then be seen and the most appropriate method for filling them would have to be discovered. He could say, however, that the Secretariat of the League of Nations already possessed considerable documentation concerning Germany and he thought that it would be easy to complete it without having recourse to a German correspondent.

XXXI. REPORT OF THE SPECIAL COMMITTEE ON QUESTIONS OF COMPETITION BETWEEN RAILWAYS AND WATERWAYS (Item 9 of the Agenda) (*continued*).

The CHAIRMAN invited the Committee to examine the draft resolution submitted as a basis for discussion (see Annex 23).

The SECRETARY-GENERAL of the Committee read and commented on the draft resolution. He observed that the object of the first paragraph was to summarise the opinions expressed by the various members of the Committee, and pointed out that it was not intended to suggest at the end of the paragraph that the report offered a solution to the problem. It confined itself to making an important contribution without any pretension to having solved the problem. In the remainder of the resolution stress had been laid on the fact that the Committee had not considered it expedient to present a formal opinion on the subject of the use of the means of transport for purposes connected with economic policy, particularly in view of the limited nature of the question submitted for examination.

In the third paragraph, on the contrary, the Committee adopted a positive attitude. The meaning which it had given to the expression "normal lines" would be explained by an extract from the Minutes of its discussions.

The Secretary-General of the Committee recalled the recommendation on the subject of the relation which should exist between additional costs of transport and tariffs: the latter should not in any case be lower than the additional cost. At the same time, he reminded the Committee that it might nevertheless be advantageous in certain cases to draw up provisions which, for a certain time, might lead to a deficit, if there was a possibility, by so doing, of making an effective contribution to the general economy. It had appeared that certain exceptions would remain possible even from the economic point of view.

M. SEELIGER considered that the draft resolution offered a good basis for discussion. He would prefer, however, to see the word "solution" at the end of the first paragraph replaced by "appreciation", seeing that the Committee was still very far from being able to offer a solution to the problems.

Even after the explanations of the Secretary-General of the Committee, he felt some apprehension on the subject of the expression "normal lines", which appeared in the third paragraph. Personally, he would have preferred to retain the three first lines of the first paragraph, and to add to them the third paragraph regarding the conclusions of the report.

Sir John BALDWIN preferred the original text of the draft resolution. The first paragraph was a commentary ; the third was a statement of the action taken by the Committee. He did not think it would be possible to combine them. The draft resolution did not give him entire satisfaction. He considered it inferior to the proposal which he himself had made. He would, however, accept it as a minimum.

M. DJOURITCHITCH proposed to say in the third paragraph : “ the general conclusions are such as to make possible an improvement ”.

The SECRETARY-GENERAL of the Committee observed that it must not be allowed to appear that these normal lines of tariff policy were not at present applied.

M. DJOURITCHITCH replied that their application was less extended than was desired in the report. The railways began by applying them, but later had to give way before the pressure of questions of national economy and politics.

The CHAIRMAN invited the Committee to examine the draft, paragraph by paragraph.

First Paragraph.

M. SCHLINGEMANN observed that the first paragraph dealt only with the problems so far as they concerned European economic life. Since the enquiry did not concern Europe only, it seemed that the report should make clear the fact that it was also of interest for world economy.

The SECRETARY-GENERAL of the Committee recognised that the problem might arise in a similar manner in other continents. The enquiry had nevertheless been made only in Europe. Somewhat delicate problems might arise. The Committee should avoid appearing to give advice to countries faced with similar problems, but which were not represented on the Committee, in particular the United States of America. In reality, the problem only concerned each continent taken separately, and appeared under a different aspect for each. The enquiry had been undertaken without liaison between the continents.

M. Silvain DREYFUS considered that the expression suggested by M. Seeliger — “ the appreciation of the problem ” — would lead to ambiguity. It was necessary to place oneself in the position of the uninitiated person called upon to read the resolution. The “ appreciation of problems ” was difficult to define, whereas everyone knew what was meant by “ the solution of problems ”.

M. DE VASCONCELLOS saw no objection to retaining the words “ solution of problems ”, seeing that the report would in fact tend towards the finding of a solution.

He was in agreement with M. Schlingemann that the question should not be limited to Europe. The report was a contribution to the study of world economy, and it was particularly important to avoid suggesting that the League of Nations wished to limit its efforts to Europe.

M. SEELIGER explained what he understood by the “ appreciation ” of a problem. A problem had to be stated clearly before it was possible to consider its solution. That was what the report endeavoured to do.

M. SINIGALIA agreed with M. Seeliger. He was prepared to omit the word “ solution ”, in view of the fact that it was necessary to refrain from suggesting that a solution had been found.

M. DE RUELLE considered that the formula proposed in the text of the resolution was the minimum and that no omissions could be made. There were two sides to the problem — examination and solution. The Committee had not undertaken to find a solution to the problem. It offered a simple contribution in the direction of a solution.

M. Silvain DREYFUS proposed the phrase “ in order to facilitate the solution ”, *which was accepted.*

The CHAIRMAN invited the Committee to give its opinion on the expression “ European economic life ”.

The SECRETARY-GENERAL of the Committee considered that it would be possible to reply to the various objections which had been raised by leaving the words “ European economic life ”, and introducing a new paragraph expressing the Committee’s interest in the study of similar conditions in other parts of the world.

The balance between Europe and other continents in the Committee’s work would thus be maintained.

M. DE VASCONCELLOS insisted that from the point of view of the League of Nations it was important to avoid limiting the field of study to Europe. The suggestion made by the Secretary-General of the Committee appeared to him to be acceptable.

M. HÖRNELL pointed out that Sir John Baldwin's proposal would give him satisfaction, for the report of the Special Committee could not be considered complete before the possibilities of progress and economy by means of the concentration of traffic on one railway line instead of two had been considered.

He added that in America the employment of very large wagons, which made possible the loading of 17,000 tons on a single train, had considerably lowered the cost of transport. Enquiries in that direction would be of interest. The report had been drawn up as a result of enquiries made in a small section of Europe, and it was difficult to base general considerations on such limited enquiries.

Sir John BALDWIN regretted that no account had been taken of the proposal which he had made on the previous day. He would support the proposal of the Secretary-General of the Committee, for he considered that it filled up a gap. If the expression "European economic life" were maintained, it would be necessary to make it clear that the Committee hoped that the problem would be considered in relation to other continents.

M. SEELIGER withdrew his proposal.

Second Paragraph.

M. Silvain DREYFUS asked for an explanation of the expression "forms of national economic life". He wished to know whether it referred to the protection of seaports. He proposed to replace the word "forms" by "organs" or "instruments".

M. DJOURITCHITCH proposed the words "elements", "branches", or "aspects".

The SECRETARY-GENERAL of the Committee observed that it had been endeavoured to include all the manifestations of national economic life.

The CHAIRMAN, after a short exchange of views, noted the agreement of the Committee on the expression "elements of national economic life".

M. SCHLINGEMANN considered that the paragraph was not clear. It did not show clearly whether the use of national means of transport for the protection of certain elements of national economic life was desirable or not. He added that the Committee had not dealt with the desirability of examining the problem but had confined itself to deciding that the problem was rather within the competence of the Economic Committee.

The SECRETARY-GENERAL of the Committee agreed with M. Schlingemann and explained that the paragraph of the draft resolution was simply intended to show that the Committee had not considered it desirable, in view of the problem submitted to it, to examine the question of the use of the national means of transport for the protection of certain elements of national economic life.

M. DE RUELLE would have preferred to maintain the word "*opportun*". The Committee could reserve the right to do later what it did not at present consider desirable.

Sir John BALDWIN agreed with M. Schlingemann, that an allusion to the effect on international economic life of protectionism exercised by means of national transport should be introduced.

The SECRETARY-GENERAL of the Committee considered that the question was worthy of consideration. He added that it would be preferable not to suggest that the question was considered as still open. The Transit Committee had, as a matter of fact, already dealt with it.

The CHAIRMAN considered that paragraph 2 could be accepted provisionally.

Third Paragraph.

M. SEELIGER proposed that the last part of this paragraph should be drafted as follows: "The general and normal lines of tariff policy".

M. Silvain DREYFUS asked that it should be made clear that it was a question of transport undertakings.

M. SEELIGER also thought it advisable to explain that it was desired to consider, on the one hand, the public and, on the other, transporters.

M. DJOURITCHITCH wished for an explanation of the expression "tariff policy", which he considered too vague. He would have liked some indication that it was a question both of national and of international policy.

After an exchange of views, *the Committee adopted the third paragraph in the following form, in order to confine itself to a simple statement, while reserving the possibility of future action :*

“Notes that, apart from this question and simply from the standpoint of the legitimate interests of all the users of the means of communication on the one hand and of transporters employing railways and waterways on the other, the general conclusions of the report are such as to form a useful indication of the general and normal lines of tariff policy.”

Fourth Paragraph.

The SECRETARY-GENERAL of the Committee read the text proposed for the fourth paragraph, the bearing of which was as follows :

“Requests the Secretary-General to collect, so far as possible, all information on the manner in which the same problem or similar problems have been dealt with in continents other than Europe.”

M. SEELIGER did not consider that that paragraph should appear in the draft resolution, seeing that the question referred to the Committee for examination was limited to the points raised by the Hines report.

Sir John BALDWIN recalled that, when a question was examined, it often led to developments the study of which was considered interesting. The question of European communications seemed to lead to an extension of the enquiry, and to the collection of information concerning other continents, in particular, North and South America. It might be of interest to the Committee to pursue its task in that direction.

M. Silvain DREYFUS pointed out that all the members of the Committee were in agreement on the principle. It was a simple question of drafting, that was to say, of deciding whether the question should be attached to the problem of competition between railways and waterways or whether it should be the object of a special study. He supported the second alternative.

M. SINIGALIA drew attention to the necessity for providing for the competition of other means of transport, in addition to waterways and railways.

M. SEELIGER thought it preferable to confine attention to the question studied at the present session and, if necessary, to place the question of future developments on the agenda for the next session.

M. SINIGALIA recalled that on the previous day the Committee appeared to have decided to adopt two resolutions.

The CHAIRMAN proposed to leave the question in suspense and to invite the Secretary-General of the Committee to present a text at the next meeting.

M. POLITIS explained that the fact that the new text had been proposed in order to explain the use in the first paragraph of the expression “European economic life” should be borne in mind.

The SECRETARY-GENERAL of the Committee replied that it would be easy, even if it were decided to adopt the principle of a separate resolution, to maintain in the present text the words “European economic life”.

The CHAIRMAN noted that the Committee agreed to invite the Secretary-General of the Committee to present a draft resolution which would be read at the next meeting.

XXXII. SMUGGLING OF ALCOHOL (*continued*) (Item 11 of the Agenda).

The SECRETARY-GENERAL of the Committee read the draft report on the smuggling of alcohol (see Annex 24).

M. SCHLINGEMANN commented on the draft report and reminded the Committee that two recommendations had been studied by the Economic Committee. The first concerned the actual control of smuggling outside the limits of territorial waters. The Sub-Committee had considered that that recommendation was not desirable and that it would tend to create a new legal principle.

In replying to the question which had been put to the Committee, the Sub-Committee had considered that the measure proposed by the Finnish authorities — that was to say, the possibility of asking the States concerned for a special authorisation, for each separate case, to inspect certain specified vessels flying the flag of such States — would be no obstacle to the freedom of communications.

The second recommendation examined by the Economic Committee referred to the question of the changing of flags. It expressed the desire that the authorities should ensure that flags should not be changed as a means of disguising smuggling. The Sub-Committee had thought that a decision to that effect would go too far, for it would involve the obligation

to study the various national legislations. Nevertheless, it had thought it desirable to put forward the recommendation that the national agents should examine in each case whether the requirements of the national legislation regarding the right to the flag had been fulfilled.

The Sub-Committee proposed, in addition, that a comparative study of the national legislations should be undertaken.

The CHAIRMAN thanked the Sub-Committee and its Chairman for the care with which they had proceeded to the elucidation of such a delicate question.

M. POLITIS stated that he was in agreement with the report. He would, nevertheless, point out that it had been necessary to hear M. Schlingemann's explanations in order to understand the first five paragraphs, the text of which did not seem to him to be very clear. He also considered that the term "agreement" in the fifth paragraph should be defined.

M. SCHLINGEMANN said that the Sub-Committee had considered that a general agreement concerning the supervision of vessels suspected of being engaged in smuggling alcohol would hinder navigation but that, on the other hand, the Finnish Government might make an agreement with the State concerned regarding specific vessels. In that case, each authorisation to inspect would constitute an agreement.

M. DE VASCONCELLOS stated that he was in agreement with the report in principle. He noted that the Committee had acted wisely in leaving the League of Nations outside the question. If it was a case of agreements concerning specified vessels, he could accept the proposal. He emphasised the impossibility of involving the League of Nations in such questions as smuggling, which might be made the object of international conferences, but were entirely outside the scope of the League of Nations.

EIGHTH MEETING

Held on Saturday, March 15th, 1930, at 10 a.m.

Chairman : M. HEROLD.

Present : All those present at the preceding meeting, except M. Heckscher and M. de Ruelle. Also present : M. POPPIUS.

Secretariat : M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

XXXIII. SMUGGLING OF ALCOHOL (*continued*) (Item 11 of the Agenda).

M. SEELIGER would emphasise three main points in the draft report (see Annex 24). In view of the general interest which the question of alcohol presented from the point of view of public health, he approved the first point concerning the supervision to be exercised within territorial waters of vessels flying the flags of States not parties to the Convention of Helsingfors of 1925. He noted that it had been desired to restrict the scope of this provision, for it was contemplated to apply it only to certain types of vessels.

It was, however, impossible for him to approve the second point, concerning the granting of a flag and certain similar questions. In each country the granting of a flag was regulated by a series of laws. In drawing the attention of the various Governments to the necessity of ensuring a strict observation of its laws, the League of Nations was arrogating to itself an exaggerated right of guardianship, and such action might be harmful to it.

The third point which was contained in the last paragraph of the draft report concerned a comparative study of the national legislations governing the granting of the right to fly a flag. There was, however, at the present moment a very complete collection of this legislation and it would be easy to obtain the necessary information from it. M. Seeliger did not understand therefore the object of the study to be undertaken, and for that reason he was unable to approve the draft.

Sir John BALDWIN did not wish to reply to M. Seeliger in so far as the question of substance was concerned. He would merely point out that the members of the Committee had never, in taking any decision in regard to questions concerning alcohol, regarded them from the point of view of the effects of alcohol upon health. The facts brought forward by the Finnish delegation concerned public order.

He would also point out that the first point in the draft report made no allusion to certain *kinds* of vessels, but to certain *specific* vessels known to the Finnish authorities to be specialised in the smuggling of alcohol.

Finally, Sir John Baldwin did not think that the conclusions of the report, if they were adopted, would subject the various Governments to an exaggerated form of supervision on the part of the League. The Committee should take account of the fact that the legislations of the various countries were not scrupulously applied, especially in the case of honorary

consular agents serving in distant posts. It was therefore perfectly legitimate to suggest that Governments should ensure a strict application of their laws by means of adequate measures.

M. SEELIGER thanked Sir John Baldwin for his explanation. As far as the question of the effects of alcohol upon health were concerned, he had merely wished to express a personal opinion.

M. SCHLINGEMANN explained that, in so far as the vessels referred to in the first point of the draft report were concerned, a list of such vessels, which numbered about thirty, had been submitted confidentially to members of the Sub-Committee. This showed that the Finnish authorities knew these vessels perfectly well.

M. DUZMANS shared the view of M. Seeliger that the recommendation contained in the second part of the draft report was not only useless but might not prove very welcome to Governments and particularly to consular agents.

It was stated on page 2 of the draft report :

“The Sub-Committee thought it desirable that the League should not, for the time being, formulate any recommendation such as that submitted to the Committee for Communications and Transit, inasmuch as the adoption of such a recommendation would have the effect of involving changes in the general practice of States.”

From the legal point of view M. Duzmans thought that the suppression of smuggling could be regarded as a case of legitimate defence. The notion of legitimate defence was universally admitted, and it would be enough to prove that it was a case of legitimate defence in regard to the questions under discussion for all the legal obstacles to disappear. There could be no doubt whatever that this was clearly the case in so far as concerned the smuggling of alcohol which had been carried on for centuries in the Baltic.

In regard to the question of opportunity, M. Duzmans agreed that, for the moment, it would be somewhat difficult to take any decision on this point.

In connection with the last paragraph of the draft report, he pointed out that the League had only too often decided to undertake an enquiry in cases where it lacked the power to adopt more definite measures. The Committee should not add a fresh enquiry to those which it was already carrying on.

M. Duzmans thought therefore that the last paragraph of the draft report should be deleted. The problem submitted to the Committee for its examination required a prompt solution. It was better to state clearly the view that the Committee did not consider it opportune to propose concrete measures at the moment, rather than to recommend the adoption of measures which would subsequently prove to be of no effect.

M. Duzmans approved the recommendation contained in the second paragraph of the draft report.

The CHAIRMAN thought it useful to recall the terms of reference of the Committee and read the first paragraph of the draft report, which was to the following effect :

“The Sub-Committee was instructed to ascertain whether the measures contemplated by the Economic Committee for the suppression of alcohol smuggling were of a nature to ‘interfere unduly with the freedom of communications’, and, if so, to state what measures might be recommended for that purpose.”

M. HOSTIE referred to the study provided for in the final paragraph of the draft report.

All who had examined the list of vessels specially engaged in the smuggling of alcohol were of opinion that measures ought to be adopted in regard to the granting of a flag. Certain Governments probably did not realise the scope of their legislation in this respect. The draft report asked Governments to satisfy themselves as to the actual application of their laws. It would be imprudent and rash to go further before obtaining the results of such a preliminary investigation, which was indispensable for the following reason. Any system of legislation was subject to the law of inertia ; many of them did not take sufficient account of the progress achieved in the means of communication by telegraph, telephone, etc. In a large number of countries, especially in countries of an essentially maritime character, too great a latitude seemed to have been granted to consular agents. In view of the means of communication at present at the world's disposal it was necessary to strengthen the control exercised by Governments over the conditions in which they granted their flag. It was mainly in this direction that the investigation should be conducted, for this was its principal interest.

M. Hostie did not think that the existing collection of information gave sufficient details, especially in regard to the instructions issued concerning the application of laws. It would be better to ask Governments to forward, in regard to the granting of their flag, the special points of their legislation in the manner in which this legislation was, in fact, applied.

M. SEELIGER took the view that, if it were discovered that the laws in force were not respected by certain agents, the Committee should merely state this fact in its report.

As to the comparative study provided for in the final paragraph of the draft report, which had been so ably defended by M. Hostie, M. Seeliger was still unable to approve it. Such an investigation might not achieve practical results, and in any case it would take too long to enable it to be an effective factor in the discovery of a prompt solution for the urgent problems facing the Finnish Government. Further, as M. Duzmans had pointed out, the number of international investigations already undertaken was too great. The German Government would be only too grateful if the number of such enquiries were limited, for they threw a considerable amount of work on the shoulders of the administrations concerned. M. Seeliger asked therefore that the Committee should decide not to undertake the enquiry suggested in the draft report.

M. SCHLINGEMANN thought that, in general, it was useless to undertake theoretical work. In the present case, the enquiry would, however, not be useless. The Sub-Committee had been hindered by the fact that it did not know to what extent the various national laws were applied; it only knew what this situation was, thanks to the explanations furnished by the Finnish delegation.

M. Schlingemann did not think that the suggested study would place any considerable burden of work on the Governments, for they would merely be asked to furnish certain information which would then be examined by the Secretariat.

M. SEELIGER emphasised the fact that the matter concerned not only the application of the laws but that the main difficulty consisted in establishing the fictitious nature of certain changes in a flag. Those difficulties would not be solved by a mere exhortation addressed to the officials concerned.

M. POPPIUS stated that, although the draft report only satisfied in part the desires of the Finnish delegation, that delegation would be faithful to the saying: "If you have not what you like, you must like what you have", and it would be content with what it had.

M. DUZMANS associated himself with the observations of M. Seeliger, who had stated that the first of the three points in the report should be drafted as a mere statement of fact and not as a recommendation.

The CHAIRMAN understood that this was the opinion of the Committee. All members were also agreed as to the second point in the report which formed the subject of the penultimate paragraph. There still remained the question of the last paragraph, which proposed a comparative study of the national legislations governing the granting of the right to a flag.

M. SEELIGER urged that this study must have a practical object and asked what was the object contemplated.

M. ROMEIN replied that it was difficult to say in advance what the result of the study would be. It was not the first time that a study had been taken up without its having been decided what was the action which should be taken in consequence. This was the case, for example, in regard to the study of the present conditions of the coasting trade.

M. HOSTIE agreed with M. Romein. The study must be carried out before conclusions could be drawn from it. Although he had no wish to prophesy, it could hardly be hoped that the study would make it possible to consider the standardisation of conditions governing the granting of the right to a flag, but it was possible that it would result in the recommendation of a minimum number of conditions. Certain legislations contained no provision on the subject, and this made it possible for vessels engaged in smuggling to claim a fictitious nationality.

M. SCHLINGEMANN said that, in order to understand the scope of the Sub-Committee's proposal, it must not be forgotten that the Finnish delegation had asked for more than it had obtained. It had asked that Governments might be invited to take the necessary measures to prevent the use of fictitious flags. This proposal had been held to be unacceptable, but the Sub-Committee had considered that, if the question were studied, it might perhaps be found that the Governments could be asked to give certain guarantees as to supervision.

M. SEELIGER thought that it would be wrong to begin by taking up a study and then draw the conclusions. This mode of procedure might lead very far. It seemed hardly possible to expect some fifty Governments to undertake a considerable amount of work without being certain of the object of the enquiry.

M. Silvain DREYFUS was prepared to support M. Seeliger's opinion to a certain extent. The Committee must give a reply to the Economic Committee. It was unanimous on two points but had been unable to agree on the last paragraph of the draft report. It would therefore be expedient to record the agreement on the first two points in a first resolution, and to have a second resolution covering the third point.

M. ROMEIN thought that it might be helpful if he gave some explanations on the connection existing between the last and the penultimate paragraphs. The recommendation in the penultimate paragraph would have sufficed if all legislations had contained provisions

governing effectively and satisfactorily the granting of the right to a flag, as indeed was the case for the more important maritime countries. The gaps in certain legislations, however, might make a fictitious change of flag possible, even when the strict observance of the laws in force was ensured. It was this omission in the penultimate paragraph that was emphasised in the following paragraph. It would, however, be possible to make the two paragraphs independent by appropriate redrafting.

M. SCHLINGEMANN supported M. Silvain Dreyfus's proposal. M. Seeliger had certainly been right in saying that a study should not be begun unless it had a definite object. There was, however, close connection between the question of a change of flag and smuggling. It sometimes happened that, when the Finnish authorities had applied to the country whose flag protected a vessel engaged in smuggling for authorisation to undertake searches on that vessel, they found, after receiving the authorisation, that the ship had changed its flag.

M. SEELIGER did not think that this practice, which came under the heading of piracy, could be abolished by legislative changes.

Sir John BALDWIN entirely agreed with M. Seeliger in regard to the excessive number of enquiries inflicted on Governments. He especially regretted the fact that all the studies undertaken under the auspices of the League seemed to be dominated by the idea of standardising everything under the sun. Nevertheless, in the case which the Committee was considering, account must be taken of a very important factor. If he were not mistaken, the Committee, when consulted with regard to the illicit traffic in arms and drugs, had found it impossible, as indeed had the Committee on Ports and Maritime Navigation, to give a precise answer. The natural deduction had been that the information in possession of the Committee was inadequate. A similar advantage might, in the present case, result from the proposed study. The laws of many of the Governments regarding the granting of the right to a flag were only imperfect because the attention of those Governments had never been drawn to the question. If a study were undertaken, certain Governments would no doubt observe for the first time the omissions in their laws. For these reasons he thought the study necessary but he wished to make it quite clear that, whatever its nature, its object was not standardisation.

M. HÖRNELL agreed with Sir John Baldwin.

M. SEELIGER observed that the Committee appeared to have been convinced by Sir John Baldwin's arguments. He wished merely to express again his desire that the question of the comparative study should form the subject of a different resolution.

The CHAIRMAN asked M. Seeliger if he was unable to accept M. Silvain Dreyfus's proposal.

M. Silvain DREYFUS made his proposal more precise : he requested that the Committee should acquaint the Economic Committee with its opinion concerning the first two points of the draft report, and inform it of its decision to make a comparative study of the national laws governing the granting of the right to a maritime flag.

M. SINIGALIA suggested that this latter point should be mentioned in the covering letter to the Economic Committee.

M. SEELIGER was able to accept this proposal.

The CHAIRMAN instructed the Secretariat to revise the text of the draft report.

M. ROMEIN asked M. Silvain Dreyfus to be good enough to assist in revising the draft.

M. Silvain DREYFUS considered that the report, although remarkably well done, was not intended to constitute the resolution. The latter, as he had already suggested, might state that, having examined the Sub-Committee's report, the Committee had adopted the first two points. In the covering letter, the Economic Committee would also be informed that it had been decided to make a comparative study.

After a short exchange of views between Sir John BALDWIN, M. SEELIGER, M. Silvain DREYFUS, M. HOSTIE and M. ROMEIN, *the Committee agreed to the solution proposed by M. Silvain Dreyfus.*

M. POPPIUS asked that the Finnish proposal should appear in the Minutes of the present session of the Committee.

The CHAIRMAN noted his request (see Annex 25).

M. DUZMANS wished to propose certain amendments to the text of the draft report. He suggested that the last paragraph be omitted and replaced by a formula stating that the Committee reserved its right to return later to the study of the whole question, for instance, after the Conference on the Codification of International Law.

The CHAIRMAN replied to M. Duzmans that the discussion was at an end, and that the time at the disposal of the Committee would not permit of the discussion being reopened. The text of the draft report was the result of a very thorough study, and the Chairman would ask M. Duzmans to be good enough to content himself with the mention of his proposal in the Minutes.

M. DUZMANS agreed to the Chairman's request.

The CHAIRMAN stated that the question would be considered at the next meeting, when the new modified text would be submitted to the Committee.

XXXIV. REPORT OF THE SPECIAL COMMITTEE ON QUESTIONS OF COMPETITION BETWEEN RAILWAYS AND WATERWAYS (*continued*) (Item 9 of the Agenda).

The SECRETARY-GENERAL of the Committee read the draft resolution which took into account the decisions taken at the previous meetings.

M. SEELIGER, who had been one of those who, at the previous meetings, had raised the principal objections, was the first to declare that he accepted the present resolution. At the same time, he accepted the last paragraph less willingly than the remainder of the resolution, for the reason he had already given; i.e., he deplored the ever-increasing number of enquiries undertaken under the auspices of the League of Nations.

The resolution was adopted by the Committee with several drafting alterations (see Annex 28, paragraphs XIX and XX).

XXXV. GRAVE OCCURRENCES OF A GENERAL CHARACTER AFFECTING ROUTES OF COMMUNICATION (*continued*) (Item 15 of the Agenda).

The SECRETARY-GENERAL of the Committee read the draft resolution, *which was adopted with several drafting amendments* (see Annex 28, paragraph XII).

XXXVI. AGENDA OF THE FOURTH GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT (*continued*) (Item 20 of the Agenda).

The SECRETARY-GENERAL of the Committee pointed out that the question of the reform of the calendar had been placed on the agenda for the fourth General Conference on Communications and Transit by a resolution of the Assembly (see Annex 26).

Enquiries had been pursued on that subject in a large number of countries. National Committees had been set up in nearly all of the countries of the American continent, and the setting up of such Committees was being carried out in other parts of the world.

It would be necessary to make a slight modification in the organisation of the General Conference. The study of the reform of the calendar was in its first stage. The discussion should be quite free, and the greatest possible number of representatives of those interested should take part. The discussions should be of an advisory character, and each Government should, he thought, be free to appoint representatives of economic circles, universities, etc., who would form a special Committee which would present a report to the General Conference.

It would also be necessary to consider the desirability of inviting the religious authorities interested to be represented at the Conference and on the Committee.

For the moment it was difficult to do more. In view of the fact that the Committee would be meeting again in September, the text of the invitations to attend the General Conference, etc., could be adopted then. The Committee could also decide at its next session whether other questions should be put on the agenda of the Conference in addition to those which would normally be included (report on the activities of the Committee, its renewal, etc.).

M. POLITIS observed that, if he had understood rightly, the question of the reform of the calendar would form the "plat de résistance" of the General Conference, and that that question would be studied by a special committee. M. Politis asked whether that committee should not hold a meeting before the Conference, for he feared that otherwise the latter would be obliged to suspend its meetings while the special committee was at work.

M. Silvain DREYFUS reminded the Committee that the Italian Government had invited the International Congress on Navigation to meet in Italy in 1931. It would be advisable to take into account the date of that Congress when the date for the General Conference on Communications and Transit was fixed, and a sufficient interval should be left between the two dates.

M. SEELIGER associated himself with M. Silvain Dreyfus's recommendation.

On the other hand, he noted, in the light of the explanations given by the Secretary-General of the Committee, that the study of the question of the reform of the calendar would not be of the character which he had expected. In Germany, it was considered that the ground was as yet insufficiently prepared. Apart from the question of the reform of the calendar, however, the agenda for the Conference appeared to be very light. M. Seeliger hoped that other questions would be placed on the agenda, for instance, that of the tonnage measurement of vessels.

As to M. Politis's proposal, M. Seeliger considered that it should receive the Committee's attention.

Sir John BALDWIN supported the proposal of M. Politis. He considered that the work of the special committee which it was proposed to set up should be concluded before the meeting of the Conference, which could only come to a decision on the result of the work of that committee.

The SECRETARY-GENERAL of the Committee pointed out that the Committee could decide on the date for the convening of the General Conference at its next meeting. As to the question raised by M. Politis, it was of great interest and should be studied before the September session. The actual discussion on the reform of the calendar might be very long, and it would be conducted by persons other than the representatives of the Governments at the Conference. It would be a somewhat delicate matter to nominate a committee of the Conference before the Conference had met. Nevertheless, it might be possible to find a solution. Perhaps the committee and the Conference could overlap slightly.

In examining the results of the work of the special committee, the representatives of the Governments would take into account the degree of maturity of the different aspects of the question, and although the examination made by the Conference would be only of an advisory character, it was possible that it would express a unanimous opinion on certain points.

M. SEELIGER saw a difficulty. The results of the work of the committee which would study the reform of the calendar would doubtless be very complex. It would find itself faced with a considerable documentation and the representatives on the Conference would need time for a suitable study of that documentation.

The SECRETARY-GENERAL of the Committee pointed out that various questions of procedure would have to be examined. It might be necessary to interrupt the meetings of the Conference or to leave considerable time between the meeting of the committee and that of the Conference. Certainly if the two were called upon to work at the same time, all that the Conference would be able to do would be to take note of the committee's report. The question would have to be studied carefully at the September session.

In regard to the agenda for the General Conference, it was heavier than that of the last Conference, and he considered it sufficient. It was desirable that the agenda of the Conference should not contain too many special questions involving the drawing up of texts of a contractual nature binding on the Governments, the discussion of which would be prolonged to the detriment of the general questions. At the same time, it might be possible to place on the agenda of the next Conference the drawing-up of an international convention on commercial motor transport.

The CHAIRMAN noted that all the members of the Committee considered that the question of the organisation of the Conference should be dealt with at the September session. The resolution should simply mention that a first exchange of views had taken place and that the discussion had been adjourned until the next session.

XXXVII. STATE OF THE RATIFICATIONS OF CONVENTIONS DRAWN UP UNDER THE AUSPICES OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT (Item 25 of the Agenda).

M. Silvain DREYFUS reminded the Committee that the French Government had asked in 1928 for additional information regarding the interpretation of Article 20 of the Statute relating to the International Regime of Railways, as well as the first paragraph of the Protocol of Signature of the Convention. The study of the question was entrusted to the Legal Committee, and the Advisory Committee had adopted last year a resolution which had been communicated to the French Government. The very clear and complete explanations given therein by the Committee had been satisfactory to the administrations concerned. The agreement between them had now been reached and a draft Bill proposing the ratification of the Railway Convention would soon be deposited with the Bureau of the Chamber of Deputies.

The Committee took note of this statement.

XXXVIII. INVITATION FROM THE BRITISH GOVERNMENT TO THE COMMITTEE TO BE REPRESENTED AT A CONFERENCE WITH A VIEW TO THE CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE LOAD-LINES OF MERCHANT SHIPS (Item 26 of the Agenda).

The SECRETARY-GENERAL of the Committee observed that the name of the Conference would explain its object. The Committee could adopt the same procedure as for the Conference on Safety at Sea, and could ask its Secretary-General to represent it at the new Conference. It would be of interest to keep in touch with the work of the Conference, but no useful purpose would be served by taking an active part in it.

This was agreed.

XXXIX. INVITATION TO THE COMMITTEE TO EXHIBIT AT THE INTERNATIONAL EXHIBITION
TO BE HELD AT POSEN (Item 27 of the Agenda).

The SECRETARY-GENERAL of the Committee remarked that an International Exhibition on Transport and Touring would meet at Posen. It appeared that it would be of a very international and representative character. When the Committee was invited to take part in the Basle Exhibition it had accepted. It might be desirable perhaps to accept the invitation of the Polish Government in the same way. Some pamphlets, pictures, photographs, etc., could be sent. The Exhibition would open on July 6th, 1930.

The Committee adopted the proposal.

XL. VARIOUS COMMUNICATIONS (Item 29 of the Agenda).

1. *Reorganising Quarantine Services in China.*

The SECRETARY-GENERAL of the Committee read a letter from the Medical Director of the Secretariat of the League dated March 13th, 1930 (see Annex 27), communicating to the Committee a resolution of the Health Committee. The Advisory Committee was invited to appoint experts who would assist in the work to be undertaken by the League of Nations in response to the request for its co-operation with the Chinese Government in health matters.

The Committee, which had already assisted certain Governments, would certainly wish to accord the co-operation for which it had been asked and would appoint experts to confer with the Committee appointed by the Health Committee in regard to the reorganisation of the quarantine service in China.

M. ITO was in agreement with the appointment of experts. The organisation of quarantine in the Chinese ports was of a very special nature and the advice of experts could not fail to be useful.

M. DE VASCONCELLOS also emphasised the interest of the question.

The SECRETARY-GENERAL of the Committee considered that three experts would suffice, one of whom should be a member of the Committee. Would M. HÖRNELL, who knew China, be willing to accept appointment?

Sir John BALDWIN considered that the appointment of M. Hörnell was indicated.

M. HÖRNELL accepted the appointment.

The SECRETARY-GENERAL of the Committee proposed that Sir Alan ANDERSON, member of the Committee for Ports and Maritime Navigation should be asked either to accept appointment as an expert, or to nominate a substitute. As to the third expert, the Secretary-General of the Committee proposed the appointment of M. KRÖLLER, member of the Committee for Ports and Maritime Navigation.

The Committee adopted these proposals.

2. *Request by the Singapore Epidemiological Bureau of the Health Organisation for Help in improving its Radiotelegraphic Service.*

The SECRETARY-GENERAL of the Committee informed the Committee that he had received another communication from the Medical Director in regard to certain difficulties encountered by the Eastern Bureau of the Health Organisation at Singapore in regard to the radiotelegraphic communication of epidemiological information. He understood that it was simply a case of certain technical questions of diffusion, and suggested that the Chairman should ask the Technical Committee of Wireless Experts to give their advice on the matter. It would then be seen whether it was desirable that the Chairman should comply with the request.

The Committee adopted this proposal.

3. *Recommendation of the National Belgian Congress on Inland Navigation.*

The SECRETARY-GENERAL of the Committee stated that he had received from M. Delmer, member of the Permanent Committee for Inland Navigation, a letter informing him of the following recommendation of the National Belgian Congress on Inland Navigation.

“Recommendation No. 4.

“The Congress recommends,

... “To encourage the international unification of agreements concerning inland navigation, initiative which could be entrusted to the Advisory and Technical Committee for Communications and Transit of the League of Nations.”

The Secretary-General of the Committee, in reply to a request from the Chairman, said that that communication could be considered as official, and that he proposed that it should be submitted for examination to the Permanent Committee for Inland Navigation.

M. Silvain DREYFUS asked whether it would not be possible to take advantage of the next meeting of the Committee to convene, at the same time, a meeting of the Committee for Inland Navigation.

M. SCHLINGEMANN observed that the question of unification was certainly of interest but was not at all urgent.

After a short exchange of views between Sir John BALDWIN, M. SEELIGER, M. Silvain DREYFUS and the SECRETARY-GENERAL of the Committee, *the Committee decided to adjourn the examination of the question to the next session of the Committee and to ask M. Delmer, in the meantime, to provide supplementary information.*

4. Request of the International Life-Saving and First-Aid Association.

The SECRETARY-GENERAL of the Committee read the following letter dated March 11th, 1930, from the Secretary-General of the League of Nations to the Chairman of the Committee :

“The International Life-Saving and First-Aid Association in case of Accident, having asked to be placed under the authority of the League of Nations in virtue of Article 24 of the Covenant, the Council by a resolution dated January 15th, 1930, has requested me to proceed with the enquiries and consultations necessary for determining whether, in view of the rules adopted by the League of Nations in this matter, the constitution and activity of that Association are in agreement with the conditions of admission for an international official organisation under the auspices of the League of Nations.

“Your Committee was represented at the Third International Congress on Life-Saving at which, if I am rightly informed, the above organisation was created. I should be glad if the Advisory and Technical Committee for Communications and Transit would be good enough to consider the question and to forward to me any information which it may have on the character and activity of the Association.”

The Secretary-General of the Committee considered that it would be necessary to supply information on *de jure* and *de facto* questions, but he considered that the Committee was at present hardly in a position to reply. It should ask its Chairman to study the question with M. SCHLINGEMANN, who appeared to be best qualified to discuss it, seeing that the office of the International Life-Saving and First-Aid Association in case of Accident was in the Netherlands.

The Committee adopted this proposal.

NINTH MEETING

Held on Saturday, March 15th, 1930, at 5 p.m.

Chairman : M. HEROLD.

Present : All those present at the preceding meeting except M. Heckscher, M. de Ruelle and M. Poppus, the latter being replaced by M. HIITONEN, Chief of the Office of the League of Nations at the Finnish Ministry for Foreign Affairs.

Secretariat : M. HAAS (Secretary-General of the Committee), M. ROMEIN, M. METTERNICH, M. LUKAČ and Mr. TOMBS.

XLI. ADOPTION OF THE RESOLUTIONS.

1. Draft Budget of the Organisation for Communications and Transit for 1931.

The draft budget was adopted without discussion (see Annex 28, paragraph I).

2. Work relating to Road Traffic.

M. SEELIGER was under the impression that the Committee had retained the suggestion to the effect that the Convention on Commercial Motor Transport might possibly be included on the agenda of the fourth General Conference.

M. ROMEIN recalled the statement made by the Secretary-General of the Committee that morning. It was not certain that the work of the Permanent Committee on Road Traffic would terminate their work in time to permit of that question being put on the agenda of the next General Conference.

The draft resolution was adopted (see Annex 28, paragraph II).

3. *Work relating to Inland Navigation.*

The draft resolution was adopted without discussion (see Annex 28, paragraph III).

4. *Work relating to Transport by Rail.*

M. ROMEIN, in regard to point (f) of the draft resolution (see Annex 28, paragraph IV), wondered whether the Council would definitely, at its May session, decide to refer the matter to the Advisory Committee.

The SECRETARY-GENERAL of the Committee said that, in view of the importance that M. de Hevesy attached to the reference to the month of September, it would be better to leave the text of the draft resolution unchanged. If the matter were not referred to the Committee in May by the Council, this would be entirely due to the Council.

The draft resolution was adopted without amendment (see Annex 28, paragraph IV).

5. *Work relating to Maritime Navigation.*

The draft resolution was adopted without discussion (see Annex 28, paragraph V).

6. *Results of the European Conference on Cards for Emigrants in Transit.*

The draft resolution was adopted without discussion (see Annex 28, paragraph VI).

7. *Results of the European Conference on the Transport of Newspapers and Periodicals.*

The draft resolution was adopted without discussion (see Annex 28, paragraph VII).

8. *Work relating to the Unification of Transport Statistics.*

M. ITO was under the impression that the Committee had decided that the representatives of the Advisory Committee upon the Mixed Committee would number three and not four.

The CHAIRMAN replied that the text merely stated that the representatives of the Advisory and Technical Committee "should not exceed four in number".

The SECRETARY-GENERAL of the Committee explained that, in the proposal made by the President of the Statistical Institute, the number was three. Nevertheless, since the Drafting Committee of the Committee for the Unification of Transport Statistics included four persons, the Statistical Institute might perhaps agree to send four representatives to the Advisory Committee. The only important question was that there should be the same number of representatives from both organisations, and that the connection between the two should be really representative on both sides. The figure of three representatives would not be excluded if the Institute pressed for it.

The draft resolution was adopted (see Annex 28, paragraph VIII).

9. *Question of the Interpretation of the St. Petersburg Telegraphic Convention.*

M. ITO suggested that the words "smuggling of opium and other dangerous drugs" should be changed to "smuggling of narcotics".

The SECRETARY-GENERAL of the Committee explained that the words in the draft resolution had been taken from the Council resolution.

Prince VARNAIDYA preferred that these words should be retained in the resolution, for the term "opium" did not cover raw opium, at any rate so far as Siam was concerned, where different organisations dealt with drugs on the one hand and with opium on the other. The wording of the draft resolution was in conformity with the terminology used by the Advisory Committee on Opium.

M. ITO would not press his proposal.

The draft resolution was adopted (see Annex 28, paragraph IX).

10. *Codification of International Law in Matters of Communications and Transit.*

M. ITO suggested that the phrase "in order to inform the Committee as to the points on which codification would appear possible and desirable" should be completed by an indication explaining whether or not a Conference should be convened.

The SECRETARY-GENERAL of the Committee explained that he had thought it preferable for the investigation to take place in two stages, and for the moment only to refer to the first of those stages.

M. HOSTIE wondered whether the list in the final paragraph of the draft resolution deliberately excluded ports, though these were an element of sea communication.

M. Silvain DREYFUS suggested the phrase "maritime navigation", which should be used in the same way as "inland navigation".

After a discussion, *the Committee decided to insert the following list :*

"Transit in general, inland navigation, maritime navigation and means of communications, transport by rail, road transport, air transport, postal and telegraphic communications (including telephonic and wireless communications)."

The SECRETARY-GENERAL of the Committee explained that there was no convention in existence regarding telephonic communications. Perhaps the Legal Committee might examine the cause for this omission. Up to the moment, telephonic communications had been dealt with in telegraphic Conventions, as had also wireless questions in certain respects.

As far as transport by road was concerned (motor-cars, etc.), there were no plurilateral conventions yet in existence. They were, however, dealt with in certain important bilateral Conventions of which account should be taken.

The draft resolution thus amended was adopted (see Annex 28, paragraph X).

11. *Annual Report of the Memel Harbour Board.*

M. SEELIGER asked whether the Committee would be in order in expressing its opinion on that report.

The CHAIRMAN said that the report had not been discussed, and that the Committee, in its draft resolution, had confined itself to taking note of its receipt.

M. SEELIGER considered that in that case it was understood that the Committee would be free, if it were found necessary, to examine this report at its next session.

The draft resolution was adopted (see Annex 28, paragraph XI).

12. *Grave Occurrences of a General Character affecting Routes of Communication.*

The draft resolution was adopted without discussion (see Annex 28, paragraph XII).

13. *Disputes relating to the Competence of the European Commission of the Danube.*

The draft resolution was adopted without discussion (see Annex 28, paragraph XIII).

14. *Executions of the Decisions of the Committee relating to the Convocation of a Committee of Enquiry on Civil Air Transport Co-operation.*

The SECRETARY-GENERAL of the Committee recalled that he had pointed out that several persons had contributed information which would be of great use to the Committee conducting the proposed investigation. The Chairman should be authorised to invite those persons to attend the Committee in an advisory capacity, for the Committee would use the documentation which they had furnished.

M. ITO pointed out that the question of a date on which the Committee of Enquiry would meet was of importance from the point of view of the Committee on Arbitration and Security. If that Committee only met in the summer, it would be too late for the Arbitration Committee to derive at its next meeting any benefit from its work.

The SECRETARY-GENERAL of the Committee considered that the work of the Committee of Enquiry would probably be finished in time for the Committee on Disarmament to consider when it met. In any case, the Disarmament Conference would be able to use it. On the other hand, the Committee on Arbitration would meet too soon for the Committee of Enquiry to be held beforehand.

M. IRO thought that difficulties would arise if the Committee on Arbitration took decisions differing greatly from those of the Committee of Enquiry. It was of great importance that the latter should make known the results of its work as quickly as possible.

The SECRETARY-GENERAL of the Committee agreed. Nevertheless the Committee on Disarmament might take account of the work of the Committee of Enquiry, but this would not be possible for the Committee on Arbitration.

The draft resolution was adopted (see Annex 28, paragraph XIV).

15. *Communications by Rail with the Seat of the League.*

M. SEELIGER, in regard to the second paragraph of the draft resolution concerning the administration of the railways of the Reich, reminded the Committee that it had been agreed that the Chairman should verify whether the proposed organisation of a permanent service corresponded to an actual need.

The Committee decided to complete the second paragraph by the addition of the words : " if the need thereof is proved ".

M. DJOURITCHITCH thought it preferable to delete the third paragraph which covered the administration of the Swiss Federal Railways. The Committee should not press too strongly for the establishment of a service which would be run at a loss.

M. POLITIS replied that what the Committee wanted to discover was whether the contemplated service would be profitable or the reverse.

M. SEELIGER added that the Chairman had accepted the text in question.

The CHAIRMAN said that it was immaterial whether the phrase in question was inserted in the resolution or in the Minutes : the question would be examined impartially and everything that it was possible to do would be done. The text of the draft resolution was in no way offensive in character.

The SECRETARY-GENERAL of the Committee recalled that they had always been represented at the European Time-table Conference by M. POLITIS. He thought that the intention of the Committee was to make M. POLITIS its permanent representative at that Conference, in any case until the term of office of the present Committee came to an end.

The CHAIRMAN agreed. He had always understood that M. POLITIS had been appointed representative of the Committee at the European Time-table Conference for the period during which the present Committee was in office.

The draft resolution was adopted (see Annex 28, paragraph XV).

16. *Communications of Importance to the League of Nations at Times of Emergency.*

(a) *Wireless Station.*

The SECRETARY-GENERAL of the Committee explained that it was proposed that the reports of the Technical Committee of Wireless Experts and of the Committee for the Establishment of a Wireless Station should be sent to the Secretary-General of the League. There was no need to obtain the approval of the Advisory Committee for the work of these Committees. As, however, they were a co-ordinative organisation for all questions of communications in times of crisis, the Committee should receive their reports and submit their observations if they thought fit.

SIR JOHN BALDWIN wondered whether the members of the Advisory Committee who were also members of the Committee presided over by General Ferrié would agree to be members of the Technical Committee of Wireless Experts.

The SECRETARY-GENERAL of the Committee recalled that the latter Committee had only recently entered upon its duties. He was convinced that the present members of the Committee would accept the proposed task, in any case until the station was in working order. He suggested that the Rapporteur provided for in the draft resolution should be appointed immediately.

The CHAIRMAN proposed that M. HÖRNELL should act as Rapporteur.

M. HÖRNELL was ready to do so, but feared that his insufficient knowledge of French would prove a hindrance.

The SECRETARY-GENERAL of the Committee said that the Secretariat would be very glad to translate any observations which he might wish to submit in Swedish.

The CHAIRMAN thanked M. HÖRNELL.

The draft resolution was adopted (see Annex 28, paragraph XVI).

(b) *Facilities to be granted to Aircraft.*

M. SEELIGER asked whether the reference in the draft resolutions to "Conventions existing between States parties to the Convention of 1919 and States not parties to that Convention" referred to bilateral conventions which might be concluded between these States.

The SECRETARY-GENERAL of the Committee replied in the affirmative.

M. ITO asked, in regard to the first paragraph of the draft resolution to be submitted to the Assembly, that the word "States" should be deleted in the phrase: "recalling that the States Members of the League of Nations . . ."

This was agreed.

M. SEELIGER asked why the resolution stated that the Secretary-General of the League "would endeavour" to give information to States on the proposed routes. Should not this information be given in all cases?

The SECRETARY-GENERAL of the Committee replied that he was by no means certain that the Secretary-General of the League would always be in a position to give such information. It would be useless if, for example, a Government decided that an aeroplane coming from abroad should land at a frontier aerodrome. In such a case, the Government in question would not need this information.

The resolution was adopted with various drafting amendments (see Annex 28, paragraph XVI).

(c) *Construction of an Aerodrome near the Seat of the League.*

The draft resolution was adopted without discussion (see Annex 28, paragraph XVI).

17. *Resolutions adopted by the Fifth Congress of the International Chamber of Commerce at Amsterdam.*

M. ITO asked that reference should be made in the resolution of the memorandum submitted to the Committee by the International Chamber of Commerce, for he considered it to be important.

The SECRETARY-GENERAL of the Committee did not know whether the communication made by the Chamber of Commerce had been really official. He was under the impression that, according to M. Wohl, changes would be made in the final text of the memorandum.

The CHAIRMAN thought it would be sufficient to make a reference to the memorandum in the Minutes.

M. ITO said that the memorandum might well serve as a basis for future study.

M. DE VASCONCELLOS said that if it were merely a question of forwarding the resolutions of the Congress of the International Chamber of Commerce, and of taking note of them, he had no objection to make; on the other hand, he would have to make a reservation if the Committee was called upon to approve these resolutions.

M. ITO explained that the text of the draft resolution under discussion referred only to their being forwarded.

M. ROMEIN suggested that any information which the International Chamber of Commerce might furnish on the point would be forwarded to the Committee for Ports and Maritime Navigation.

The Committee decided to complete the draft resolution by the words: "Any additional information which may be received from the International Chamber of Commerce will be forwarded to the appropriate Committee."

The draft resolution was adopted with this addition (see Annex 28, paragraph XVII).

18. *Draft Rules of Procedure.*

Article 1.

In regard to the election and term of office of the Chairman, the SECRETARY-GENERAL of the Committee explained that, after reflection, he had thought that the only solution acceptable was that indicated in the new draft Rules of Procedure, in view of the conditions governing the work and renewal of the Committee. The other system, which at first sight appeared attractive would compel the Committee to make a special rule concerning the office of Chairman for the first year of the term of office of the Committee, as well as for the last year, since the retiring Chairman would have no session over which to preside, for his term of office would have expired. He had thought, therefore, that it would be better to maintain the present situation in so far as the entry into office of the new Chairman was concerned.

Sir John BALDWIN withdrew his former proposal.

M. SEELIGER regretted that he was unable to withdraw his proposal, for he did not understand to what great difficulties it might give rise. If it happened that the Committee might have chosen as Chairman one of its members who, after the renewal of the Committee, might find himself to be no longer a member of it, the senior member would be called upon to take the Chair provisionally.

M. ROMEIN said that this was another question which was dealt with in another article of the Rules of Procedure. He recalled that on the previous day the Committee had noted how impossible it was to impose upon a reconstituted Committee a Chairman elected by the former Committee.

M. SEELIGER would not press the point for the moment, but would return to it at a later stage.

Article 2.

The CHAIRMAN asked M. Sinigalia if he agreed with the text submitted.

M. SINIGALIA replied in the affirmative.

Article 3.

No observations.

Article 4.

On the suggestion of M. SINIGALIA, the last paragraph was completed as follows: "The decisions taken by the Chairman in virtue of the present article will be communicated *without delay* to the members of the Committee."

Articles 5, 6 and 7.

No observations.

Article 8.

M. SEELIGER asked what procedure would be followed for the election of a Chairman in cases not covered by Article 8.

Sir John BALDWIN thought it would be preferable to leave this to the Committee for approval.

Article 9.

No observations.

The draft Rules of Procedure were adopted (see Annex 28, paragraph XVIII).

M. SEELIGER reserved his right to return to various points in that connection at a later stage.

19. Smuggling of Alcohol.

(M. Hiitonen, replacing M. Poppius, came to the table of the Committee.)

The CHAIRMAN read a letter in which M. Poppius, representative of the Finnish Government, who had been obliged to leave Geneva, authorised M. Hiitonen to take his place on the Committee.

He recalled that the Committee had asked the Secretariat, in co-operation with M. Silvain Dreyfus and M. Schlingemann, to submit a new text of the report which had been examined that morning. In regard to the report, the only changes made in the original text were the omission of the last paragraph and the replacing of the words "the Sub-Committee" by the words "the Advisory Committee". There were, in addition, various drafting amendments.

Report of the Committee.

The draft report was adopted with several drafting amendments (see Annex 28, paragraph XXII B).

Draft Resolution relating to Authorisation to fly a Merchant Flag.

The draft resolution was adopted with various drafting amendments (see Annex 28, paragraph XXIII).

Draft Letter from the Chairman of the Committee to the Chairman of the Economic Committee.

In regard to the phrase: "If you agree to this view, the Advisory and Technical Committee can propose to the Council that representations," etc., M. SEELIGER observed that the Committee was merely giving its opinion to the Economic Committee and that it would be for the latter to act, if necessary. The Committee had been asked to give an opinion but not to intervene.

M. SINIGALIA observed that the question was within the competence of the Advisory Committee.

M. SEELIGER considered that the Economic Committee should deal with the whole matter and that it was not desirable for another Committee to interfere.

M. DJOURITCHITCH observed that that was in agreement with the opinion of the Economic Committee.

The draft letter was adopted with various drafting amendments (see Annex 28, paragraph XXII A).

M. HIITONEN thanked the Committee for the attention and friendly interest with which it had been good enough to consider the question, whose international importance would escape no one. In particular, he thanked the Chairman of the Committee and the members of the Sub-Committee for the accomplishment of their task and the conciliatory spirit of which they had given proof. Obviously the result obtained would not give to the Finnish Government all the satisfaction for which it had hoped; that was to say, the approval of the proposal submitted to the League of Nations for examination. Nevertheless, there were two points in the report to which, from the Finnish point of view, particular attention should be drawn. In the first place, the Committee had noted that the measures envisaged by the Finnish proposal were not such as to interfere unduly with the freedom of communications, and in the second place, that international solidarity would induce Governments to submit to a favourable examination the legitimate demands of that nature which were addressed to them.

The CHAIRMAN thanked the representatives of the Finnish Government for their very helpful co-operation. It was owing to their spirit of conciliation that it had been possible to arrive at a unanimous decision.

(M. Hiitonen left the table of the Committee.)

20. Agenda for the Fourth General Conference on Communications and Transit.

The draft resolution was adopted without discussion (see Annex 28, paragraph XXV).

21. State of the Ratifications of Conventions drawn up under the Auspices of the Organisation for Communications and Transit.

The draft resolution was adopted without discussion (see Annex 28, paragraph XXVI).

22. Invitation from the British Government to the Committee to be represented at a Conference with a View to the Conclusion of an International Convention on the Load-line of Merchant Ships.

The draft resolution was adopted without discussion (see Annex 28, paragraph XXVII).

23. Invitation to the Committee to exhibit at the International Exhibition to be held at Posen.

The draft resolution was adopted without discussion (see Annex 28, paragraph XXVIII).

24. Various Communications.

(a) Reorganising Quarantine Services in China.

(b) Request from the Eastern Bureau of the Health Organisation for Help in improving its Radiotelegraphic Service.

(c) International Life-Saving and First-Aid Association.

The draft resolutions were adopted with slight drafting amendments (see Annex 28, paragraph XXIX).

(d) Representation of the Committee on the International Association of Road Congresses.

The SECRETARY-GENERAL of the Committee pointed out that the representative of the Committee on the Permanent Committee of the Association of Road Congresses was not present. The Secretariat had done its best to maintain the necessary contact with the Association but he had no special information to give.

A Congress would meet in the United States of America at the beginning of October 1930 and it would have to be decided how the Committee should be represented there. Its representative was M. Enciso, who had not taken part for some time in the deliberations of the Committee but who was at present at Washington. If he was prepared to represent the Advisory Committee at the next Congress, that would greatly simplify the matter. If the opposite were the case, the question would have to be considered again. The Secretary-General of the Committee believed that in any case only one journey between Europe and America would have to be charged to the budget of the Transit Organisation. Perhaps the question might be left open and the Chairman be asked, on receipt of M. Enciso's reply, to ensure the Committee's representation at the Congress in the United States.

M. POLITIS suggested that Colonel Hiam should be approached.

The SECRETARY-GENERAL of the Committee said that the Chairman would no doubt take that suggestion into account and read a draft resolution on the matter.

The draft resolution was adopted (see Annex 28, paragraph XXIX).

(e) *Representation of the Communications and Transit Organisation on the International Association of Railway Congresses.*

The SECRETARY-GENERAL of the Committee explained that among the important semi-official international organisations dealing with communications, the International Association of Railway Congresses was the only one on which the Transit Organisation was not represented. He had had some unofficial correspondence on the matter; it had not seemed to him that the question could be settled semi-officially and he would put the problem before the Committee. The Railway Congresses, of which very important meetings were held every five years, included administrations operating the railways. It was obvious that the Transit Organisation did not fall within that category. In addition, they included Governments. The League of Nations was a union of Governments, but according to the interpretation of the Statutes on the part of the Association, the League could not be treated in the same way as the Governments. About the time of the last Congress, the Statutes were slightly modified in order to permit of the participation in the Congresses of international organisations having for their main object the operation of the railways. Thus, the Central Office at Berne and the International Railway Union had been invited to attend, but nothing had been done for the Transit Organisation. In view of the interviews which he had had, the Secretary-General of the Committee believed that the modification would, on the contrary, have permitted the participation of the Organisation, or in any case, of the Permanent Committee for Transport by Rail. Nevertheless he had raised no question officially. It appeared that the Permanent Committee of the Association had wondered whether the Permanent Committee for Transport by Rail had a personality distinct from that of the Transit Organisation which, in its turn, was not occupied with railway questions alone. The Secretary-General of the Committee had not continued the discussion of the subject. It was for the Transit Organisation itself to interpret its Statute and to consider, for instance, whether the Permanent Committee had a personality of its own which permitted it to be represented at the Railway Congresses. The problem was, moreover, of a more general character. The Statutes of the Association had already been modified on one occasion but no account had been taken of the existence of the League of Nations. When there was a Railway Congress, the organisation which had drawn up the Convention on the International Regime of Railways was not represented. That was an abnormal situation, contrary at least as much to the aim of the Congresses as to that of the Transit Organisation itself. The Secretary-General of the Committee did not suggest that the Committee should continue its discussions with the Association of Railway Congresses, but that it should examine the problem in a somewhat general manner and should take the initiatives which it had the right to take.

M. POLITIS asked whether it was not the Belgian Railway Administration which was the executive of the Railway Congresses.

The CHAIRMAN explained that the Director of the Belgian Railways was the President of the Association of Congresses.

M. POLITIS drew attention to a precedent, the European Time-table Conference having agreed to modify its Statute to permit of the admission of the Committee for Transport by Rail. Would it not be possible to authorise an application in the same sense to the Committee which organised the Congresses?

M. DJOURITCHITCH reminded the Committee that he was a member of the Permanent Committee of the Association of Railway Congresses. The members of that Committee were animated by the greatest goodwill, but some of them had difficulty in overcoming their apprehensions. There had been a question of suggesting to the next Congress certain changes likely to remove the difficulties which, according to some of the members, stood in the way of the admission of the Advisory Committee to membership of the Congress. Nevertheless, he believed that the procedure suggested by the Secretary-General of the Committee was the best, for it would have more authority and there would be a greater certainty of a successful result. He added that the Belgian Railway Administration was not the executive of the Railway Congresses. The latter was an organisation of Governments

and companies constituted for the purpose of perfecting the railways. At first sight it would appear to be a technical association, but it included Governments in its membership. M. Djouritchitch, as a member of the Advisory Committee, was of the same opinion as the Secretary-General of the Committee and found it quite natural that the Advisory Committee or the Permanent Committee for Transport by Rail should be represented at the Congresses. He did not even consider it necessary to say that the Permanent Committee was better qualified than the Advisory Committee, since Governments which also occupied themselves with questions other than those concerning railways were included in the Congress. He would suggest that the various members of the Committee should approach their Governments in order that an appropriate change might be made in the Statutes of the Congresses, although all the members of the Congresses did not consider that there was any statutory impossibility in the way of the Committee's admission.

M. SINIGALIA was under the impression that the situation was the same as that of the Berne office.

The CHAIRMAN asked whether the suggestion of the Secretary-General of the Committee was that the Belgian Government should be asked to intervene.

The SECRETARY-GENERAL of the Committee replied that it was necessary to put the matter in one form or another before the various Governments. He did not desire that the Committee should appear to be asking to participate, but only that all the Governments concerned should be informed of the situation and should take all the necessary measures. He explained that he had in mind no intention of criticising the Permanent Committee of the Association of Railway Congresses, which had placed a strict interpretation on the Statutes. If the result arrived at was that the League of Nations, which was a group of Governments, should be treated in the same way as isolated Governments, account would have been taken of the apprehensions of the Association of Railway Congresses which desired to have certain rules permitting it to refuse the entry of certain international organisations. On the other hand, if the Association preferred, the Advisory and Technical Committee would doubtless have no objection to the participation in the Congresses of its Permanent Committee for Transport by Rail.

The draft resolution was adopted (see Annex 28, paragraph XXIX).

XLII. VARIOUS COMMUNICATIONS (*continued*) (Item 29 of the Agenda).

1. *International Association of Navigation Congresses.*

M. SEELIGER explained that he had been present on two occasions at meetings of the Committee. He would content himself with pointing out that, at the last meeting, the agenda had been fixed for the coming Congress on inland navigation. He recalled that he had forwarded a note on questions and communications which would be discussed at that Congress.

The Committee noted this communication.

2. *Conference on the Unification of Private Law in Aerial Navigation.*

The SECRETARY-GENERAL of the Committee recalled that the Chairman had asked M. Guerrero to represent the Committee at the Conference. M. Guerrero being unable to attend, M. Hostie had agreed to take his place.

M. HOSTIE explained that the Conference had resulted in the conclusion of a Convention on Transport by Air, equivalent to the Berne Convention regarding railways and to the draft Convention on Bills of Lading drawn up at the Brussels Conference. The work undertaken would be judged in a somewhat different manner according to which of the two following points of view were adopted :

(1) From the point of view of the development of aerial transport strictly speaking, the work already accomplished deserved great praise. The Convention had been very carefully prepared, and the discussions had proved that the Conference had been constituted in the most satisfactory manner.

(2) The most striking feature of the Conference from the more general point of view, was the fact that nine-tenths of the problems put to the Conference — and doubtless it would be the same for the remainder of the work — were not peculiar to the sphere of the air and consisted in general problems connected with the law on communications.

That was particularly striking in regard to aviation, a new field where no traditions existed and where there was a choice of solutions on principle. Thus, according to their traditions and their mentality, some wished to follow the lines of the law on navigation and others railway law. The lesson which the Committee should learn from the first Conference was that it would be interesting to follow the developments of the new law, always bearing in mind the possibility of arriving at co-ordination. In the Final Act of the Conference, the International Technical Committee of Legal Experts on Aeronautics was recognised as a permanent organ, and it might be asked — M. Hostie would be prepared to reply in the affirmative — whether it should not be considered henceforth as an international bureau

coming under the authority of the League of Nations. He added that the Conference had not thought it necessary to conform to the rule, which the Communications and Transit Organisation had always followed, of inviting organisations which had taken part in its work in an advisory capacity, to sign the Final Act. M. Hostie, however, did not attach great importance to that fact which was of a formal nature.

3. "*Association (belge) des organismes internationaux pour faciliter le séjour des étrangers dans tous les pays.*"

The SECRETARY-GENERAL of the Committee communicated the letter which he had received from the above Association.

The Committee took note of this Communication.

XLIII. REPORT OF THE CHAIRMAN ON THE MISSIONS CARRIED OUT BY HIM SINCE THE LAST SESSION OF THE COMMITTEE.

M. SEELIGER explained that, since the last session of the Committee, in addition to the questions dealt with on the agenda, he had, in his capacity of Chairman, carried out the following missions :

1. *Reform of the Calendar.*

In application of the resolution of the Committee dated June 17th, 1926, to request its Chairman "to take such measures as may appear advisable in order to ensure the further development of the work" of the reform of the calendar, he had considered it necessary to nominate a correspondent of the Committee as an expert charged with assisting in the formation of certain national committees, as well as with liaison work between those committees. M. Roigt of Argentine nationality, who had for a long time followed the work of the League of Nations as correspondent of *La Nación* of Buenos Aires, was appointed and had taken an active part in the formation of various committees in Latin America, particularly in the Argentine Republic.

2. *South American Railway Congress.*

M. SEELIGER stated that the Organisation for Communications and Transit had been invited to take part in the South American Railway Congress which met in December 1929 at Santiago de Chile. He had requested the Chairman of the Committee on Transport by Rail to take appropriate measures to ensure that representation. The Chairman of the Committee on Transport by Rail had appointed M. Leguizamon, member of the Permanent Committee for Transport by Rail, and Chairman of the West Argentine Railway. According to the information received, the participation of the League of Nations in the Congress had been greatly appreciated by those interested in South America.

XLIV. APPOINTMENT OF NEW MEMBERS OF THE SUB-COMMITTEES.

The Committee proceeded to make the following appointments :

Chairman of the Permanent Committee on Electric Questions and member of the Permanent Committee for Ports and Maritime Navigation : M. HÖRNELL.

Member of the Permanent Committee on Road Traffic and of the Administrative Section of the Permanent Committee for Transport by Rail : M. GRÜNEBAUM.

The Committee decided to leave to the Chairman the nomination on the various Committees of members of the Advisory Committee, who were at the moment absent or of members who had been unable to attend the present session.

The CHAIRMAN thanked his colleagues for the way in which they had facilitated the discussions and declared closed the fourteenth session of the Advisory Committee.

M. ITO believed he was interpreting the wishes of his colleagues in thanking and congratulating the Chairman.

Section I. — Preparatory Documents.

ANNEX 1:

[C.C.T.414(1)]

AGENDA.

1. Election of the Bureau.
 2. Work relating to Road Traffic.
 3. Work relating to Inland Navigation.
 4. Work relating to Transport by Rail.
 5. Work relating to Maritime Navigation.
 6. Results of the European Conference on Cards for Emigrants in Transit.
 7. Results of the European Conference on Transport of Newspapers and Periodicals.
 8. Work relating to the Unification of Transport Statistics.
 9. Report of the Special Committee on Questions of Competition between Railways and Waterways.
 10. Draft Report of the Advisory and Technical Committee presented by the Sub-Committee on Questions of Communications and Transit raised by the Council during its Examination of Polish-Lithuanian Relations.
 11. Smuggling of Alcohol.
 12. Question of Interpretation of the Telegraphic Convention of St. Petersburg.
 13. Codification of International Law in Matters of Communications and Transit.
 14. Annual Report of the Memel Harbour Board.
 15. Serious Events of a General Character affecting Routes of Communication (Recommendation presented by the Hungarian Delegation at the Third General Conference.)
 16. Disputes relating to the Competence of the European Commission of the Danube.
 17. Effect given to the Decisions of the Committee relating to the Convocation of a Committee of Enquiry on Co-operation between Civil Aviation Undertakings.
 18. Communications by Rail with the Seat of the League (Report by the Representative of the Committee at the European Time-table Conference, and Report by the Secretary-General of the Committee on the Effect given to the Decisions of the Committee).
 19. Communications of Importance to the League of Nations at Times of Emergency.
 20. Agenda of the Fourth General Conference on Communications and Transit.
 21. Resolutions adopted by the Fifth Congress of the International Chamber of Commerce at Amsterdam and forwarded by the International Chamber of Commerce.
 22. Collection of Information on Communications and Transit.
 23. Draft Rules of Procedure of the Committee.
 24. Draft Budget of the Organisation for Communications and Transit for 1931.
 25. State of the Ratifications of Conventions drawn up under the Auspices of the Organisation for Communications and Transit.
 26. Invitation from the British Government to the Committee to be represented at a Conference with a View to the Conclusion of an International Convention on the Load-lines of Merchant Ships.
 27. Invitation to the Committee to participate in the International Exhibition to be held at Posen.
 28. Report of the Chairman on the Work done since the Last Session of the Committee.
 29. Various Communications.
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ANNEX 2.

REPLIES FROM GOVERNMENTS TO C.L.74.1929. OF APRIL 22ND,
REGARDING CUSTOMS QUESTIONS RELATING TO MOTOR
TRAFFIC AND ENCLOSING TWO QUESTIONNAIRES, ONE
CONCERNING FRONTIER VISAS AND THE OTHER CONCERNING
THE TRIPTYCH SYSTEM.

[C.C.T/407.]

GERMANY

[Translation.]

June 1929.

Questionnaire No. 1.

The arrangements advocated are already in force in Germany. All roads capable of being used for international motor traffic have permanent Customs offices. Under German Customs regulations (section 133 of the *Vereinszollgesetz*), all motor travellers without exception may cross the frontier at any time, provided they are not carrying any goods for the purposes of trade. Though these provisions do not appear to apply at present on part of the German frontier, this is entirely due to the fact that the countries on the other side of the frontier do not allow formalities to be executed at all times and seasons. No duties are levied for Customs clearance formalities.

Questionnaire No. 2.

Under section 114 of the *Vereinszollgesetz*, articles imported into Germany for temporary use are admitted duty free. These provisions apply to the temporary duty-free admission of motor touring-cars and to the fixing of time-limits for re-exportation. Foreign motor vehicles with triptychs are deemed to be in temporary use for periods up to one year and, consequently, the time-limit for re-exportation is determined by the period for which the triptych or Customs permit (*carnet de passage en douane*) is valid. We subjoin replies to the various questions as far as Germany is concerned :

1. An extended but temporary stay in Germany is not a sufficient reason for withholding the advantage of the triptych system. Generally speaking, a period of one year is granted, but an extension can always be obtained, depending on the circumstances of each particular case.

2. Residence is deemed to be temporary even in the case of a continuous sojourn for a period such as four or six months.

3. Should these annual sojourns be repeated, the question whether the motor vehicle should be regarded as imported temporarily depends on the length of time spent abroad and not on considerations derived from the material character of such sojourn. For example, a foreigner would still enjoy the advantages of the triptych system if he owned a house in Germany and habitually spent the winter there.

4. The advantages of the triptych may also be granted to :

(a) Administrators, managing directors, managers of a commercial or industrial business, if they are not continually present in Germany ;

(b) Persons such as company directors, who have interests in commercial or industrial businesses in Germany and are only required to take an active part from time to time.

AUSTRIA

[Translation.]

July 1929.

Questionnaire No. 1.

(a) Under paragraph 85 of the Customs Law, travellers having with them only their personal luggage, and not goods intended for trade, must be passed by the officials through the frontier Customs offices without delay, by day or by night. If a motor vehicle is cleared at other than the usual office hours, *i.e.*, from 8 a.m. to noon and from 2 p.m. to 6 p.m., a charge of one schilling must be paid under paragraph 8 of the Decree on Customs charges (Annex 2 of Decree No. 251, *St.G.Bl.* 1920, "Zollvollzugsanweisung").

This is such a trifling clearance charge that it should not affect international tourist traffic, especially as its collection does not delay Customs clearance.

Moreover, the above regulation is frequently a dead letter, as the Customs offices of some neighbouring countries do not permit the frontier to be crossed at all hours of the day or night.

(b) No reply is required to this question, as the foregoing provisions apply to all Austrian Customs offices without exception.

It should, however, be pointed out that, owing to the hours of business observed by Customs offices of neighbouring States, clearance at certain hours of the night cannot in practice be effected at certain places. Austria has therefore no reason to provide special personnel for such cases.

Questionnaire No. 2.

1. Yes (see paragraph 39 of Decree No. 251, *Sl.G.Bl.* 1920, "Zollvollzugsanweisung").
2. No. The very fact that more than six months are spent continuously abroad in one year, and less than six months in another year, makes it impossible in practice to exercise such discrimination, as this would imply that the same person residing in the same places would, in one year, be entitled to use a triptych and, in another year, not. As persons with more than one residence spend varying periods of time in such residences, it seems in practice impossible to lay down specific limits for periods thus spent abroad.

3. In view of the regulations current in Austria, the Federal Ministry of Finance considers that the period spent abroad is not a sufficient criterion to enable a reply to be given to the question whether such person holding a triptych is or is not entitled to cross the frontier. Cases have frequently occurred of a motorist, resident in Austria only, travelling for the greater part of the year abroad. If such person were permitted to use in Austria a foreign motor vehicle with triptych, the same concession would also have to be made to persons who had no residence abroad, but lived in Austria, provided they spent most of the year outside the country. In replying to this question, account must necessarily be taken of the actual circumstances, more particularly of the fact that a person whose stay (whatever its actual length) is uninterrupted, and not merely temporary, should never be permitted to use a triptych.

4. (a) The reply should be in the negative, for the reasons already given in the case of question 3.

(b) This question cannot be dealt with in a general manner, owing to the multiplicity and variety of the possible cases, each of which should be considered and decided on its merits.

BELGIUM

[Translation.]

August 1929.

Questionnaire No. 1.

Ad (a). Yes.

Ad (b). Yes.

Note. — In Belgium, a crossing of the frontier effected in the interval between first arrival and final departure does not require to be endorsed in the case of motor vehicles covered by triptychs. Such arrivals and departures may be freely effected at any time of the day or night and through any Customs office.

Questionnaire No. 2.

Ad 1. No.

Ad 2. Yes.

Ad 3. The period annually spent abroad is in itself a sufficient criterion.

Ad 4 (a). In principle, the advantages of the triptych can only be granted to tourists who are members of recognised foreign associations and are making tours or excursions in Belgium in their own motor-cars.

Ad 4 (b). The Belgian authorities, however, give the widest interpretation to the words "tours or excursions", so that the question put in 4 (a) and (b) may be answered affirmatively.

DENMARK

[Translation.]

August 1929.

Questionnaire No. 1.

As regards the times at which motor vehicles may cross the frontier, the Danish Government expects in principle to be able to adopt the suggestions made in the Questionnaire. The following arrangements are in force in Denmark: Customs offices on the main roads crossing the frontier in the neighbourhood of the Apenrade — Flensburg (Krusaa Customs Office) and Sæd — Soenderløgum (Sæd Customs Office) "national" roads are open all day for the clearing of motor vehicles; the clearing of motor vehicles entering or leaving the country by ferry-boat via Copenhagen, Elsinore and Gedser is arranged to suit the arrivals and departures of the ferry-boats.

Motor vehicles may also enter and leave Denmark by the following routes:

- (1) Padborg-Harreslev (Oksevej);
- (2) Rens-Ladelund (Pebersmark Road);
- (3) Tønder-Aventoft (Mollehus Road);
- (4) Rudbøl-Rosenkrans (Rudbøl Road).

These routes are only open to traffic from 6 a.m. to 10 p.m., however, and motor vehicles may only cross if the vehicle and its driver have international circulation permits. Failing these, or where Customs clearance involves levying duties or fees (issue of permits of residence, receipts for taxes, deposit of Customs duties, etc.), the frontier may only be crossed by these four roads during the hours when the Customs offices normally effect clearance, *i.e.*, from 8 a.m. to 8 p.m. in the case of the first, and from 8 a.m. to 6 p.m. in the case of the other three routes; there is no Customs clearance at these three points on Sundays.

As there is not a great deal of motor traffic entering or leaving Denmark except on the above-mentioned main roads, approval of the principle that motor vehicles crossing the frontier by secondary roads should at certain times of the year be given clearance at any time of the day or night is, of course, subject to such extension of the hours of clearance being generally justified. In this connection, the distance between the frontier point in question and the Customs offices on the main roads where clearance can be effected day and night should be taken into account.

Questionnaire No. 2.

As regards the extent to which triptychs can be used for bringing motor vehicles into Denmark, the Customs regulations permit of all motor vehicles belonging to foreigners being admitted duty free for a temporary sojourn, provided they are not used during that time for remunerative transport between places situated within the country. The privilege thus granted to holders of triptychs or *cartes de passage en douane* cannot be granted to persons with a settled residence in Denmark. The question whether the party has a settled residence in the country must be decided in each case according to the general rules applicable in this connection, *e.g.*, liability to taxation. Generally speaking, however, the question cannot be settled on the basis of the criteria given in the Questionnaire.

SPAIN

[Translation.]

July 1929.

Questionnaire No. 1.

The Spanish authorities are prepared, when traffic requirements justify it, to institute, temporarily, continuous hours of service in land-frontier Customs offices used for motor traffic and similar services temporarily at minor Customs offices where traffic increases considerably at certain periods of the year. The Spanish authorities consider that this concession should be subject to reciprocity on the part of neighbouring countries, so that sections of the frontier should not have a continuous service on one side and a restricted service on the other. During these extra hours no special fee or tax is levied for visaing permits and triptychs.

Questionnaire No. 2.

The Spanish authorities think that the following constitutes an adequate reply to all the points raised in this Questionnaire:

(a) The fact of a foreigner's residing in the importing countries can only justify his being denied the benefits of the triptych system if such residence is of a *permanent and definitive* character;

(b) A foreigner's *casual* residence in the importing country is not a sufficient reason for denying him the benefits of the triptych;

(c) In the opinion of the Spanish authorities the best criterion for the grant or refusal of a triptych is that based on *residence*, permanent being distinguished from casual or fortuitous residence, quite irrespective of the length of the stay;

(d) The nature of the residence (permanent or casual) may be decided by the law of the country to which the foreigner belongs. For example: In the case of Spanish subjects, the triptych may be used by a Spaniard who, not being *domiciled* in any commune, resides abroad and is registered with the relevant Spanish Consulate, although he may have a temporary residence in Spain. On the contrary, triptychs should not be issued to Spanish subjects (there have been such cases) *inhabiting* a town in Spain but possessing a business firm abroad, who wished to use the document for bringing in temporarily the motor vehicle which they owned abroad, for the purposes of such residence. In the case of Spanish subjects, no difficulties of any kind can arise in the application of Article 35 of the Municipal Statute and Rule No. 4a of the Royal Decree of June 20th, 1910. The latter regulation (Rule 4a of the Royal Decree of June 20th, 1910) applies the same criterion to foreigners wishing to bring their motor vehicles into Spain under the system established by this regulation.

ESTONIA

[Translation.]

August 1929.

Questionnaire No. 1.

Vehicles may cross the Estonian frontier at the following points : Ikla, Laatre, Lämha, Mäe-Murati, Vastse-Roosa, and at places where there are Customs offices, viz., Tallinn, Valga, Pärnu, Kuresaare, Paldiski, Loksa, Kunda, Narva.

At all these points and at the Customs offices above mentioned, travellers and vehicles may cross during certain hours. The authorities have not found it possible to alter these arrangements owing to the small number of Customs officials available.

Vehicles accompanied by triptychs may, however, as an exception, be cleared at any hour through the Tallinn Chief Customs Office. As this office is situated on the coast, however, it is only used by a very small number of vehicles.

Questionnaire No. 2.

Triptychs may be used in Estonia irrespective of the residence of the holder. A vehicle which has entered Estonia under a triptych must leave within the next three months, and any vehicle leaving Estonia is bound to return within the next six months, otherwise the Customs duty will be collected from the automobile club furnishing the guarantee.

The following are the replies to the various points raised by the Questionnaire :

1. Estonian regulations do not prohibit the use of the triptych when a *de facto* residence is established in the importing country.

2. If the use of the triptych in Estonia should, in future, be made dependent on the residence of the holder, such residence might, in the cases referred to in No. 2 of the Questionnaire, be regarded as temporary.

3. The length of time annually spent abroad is, in itself, the sole and sufficient criterion.

4. Persons such as those mentioned in point 4 can be granted the advantages of the triptych.

FINLAND

[Translation.]

July 1929.

I.

Questionnaire No. 1.

In Finland, the only roads which can be considered to be routes of international communication are those on the Russian and Swedish frontiers.

In the case of the road from Sweden to Tornio there is so little traffic (about twenty motor vehicles annually, both ways) that the Customs staff does not need to be increased, as suggested in the scheme, merely to enable vehicles to cross at any time. The Finnish Government, accordingly, is compelled to reply to the questions in Questionnaire No. 1 in the negative.

Questionnaire No. 2.

As regards the enquiries in Questionnaire No. 2, it should be pointed out in the first place that, under Article 11, paragraph 2, of the law regarding the application of the Finnish Customs tariff, all vehicles, provided they leave the country again, are admitted duty free, subject solely to the provision that they have been used in the country for a journey of some kind. This stipulation is clearly intended to provide facilities for foreign tourists to travel in Finland. Even when, on account of a mechanical defect or for some other reason, the journey has had to be interrupted, this exemption from Customs duty must be granted, though not for a longer period than six months, as residence extending beyond such a period could no longer be regarded as a casual stay.

In view of the above statements, the Finnish Government begs to reply as follows to the questions in Questionnaire No. 2 :

1. The advantages of the triptych could hardly be allowed if the holder settled in Finland.

2. Temporary residence, *i.e.*, for a maximum of six months, should not, however, deprive the holder of a triptych of its benefits.

3. The length of time annually spent abroad must be properly certified.

4. (a) The advantages of the triptych could not be granted to persons who are actually in charge of a commercial or industrial establishment in Finland as administrators, managing directors, managers, etc., and who are, in the main, residents, though not permanent residents, of the country.

(b) The advantages of the triptych may also be granted to persons such as company directors, who have interests in commercial or industrial businesses, but are only required to take an active part from time to time, if their tour does not last more than six months, and if they have no settled domicile in Finland.

II.

CIRCULAR FROM THE GENERAL DIRECTORATE OF CUSTOMS TO CUSTOMS OFFICES

(Communicated by the Permanent Finnish Delegation accredited to the League of Nations
on August 21st, 1929.)

[Translation.]

Helsingfors, August 7th, 1929.

In its letter dated June 6th, 1929, the Finnish Ministry of Finance informed the Ministry for Foreign Affairs, in reply to the League of Nations Questionnaire regarding Customs questions relating to the international motor traffic, that exemption from Customs duties is granted in Finland, under Section 11, first paragraph, of the law regarding the application of Customs tariffs, to the holder of a motor-vehicle Customs permit (triptych). If, however, the holder has a residence in Finland, the exemption is granted only if his stay in that country is of a temporary character and does not exceed six months. The same benefit may be granted to persons, who, as members of a managing board, managing directors, etc., are actually engaged in a commercial or industrial business in Finland, or are only engaged in business from time to time, provided that such persons do not possess a permanent residence in Finland. The Ministry of Finance made this condition because the relevant paragraph of the above-mentioned law provides that exemption from Customs duty is only allowed if the vehicle is intended for a specific journey, and a journey of more than six months in Finland can hardly be regarded as a "specific" journey.

By the above-mentioned decision of the Ministry of Finance, the period (fixed by the circulars of the General Directorate of Customs, dated May 9th, 1922, No. 18, and November 25th, 1924, No. 20 (e)) within which a motor vehicle must leave the country has been reduced to six months. This reduction does not apply to vehicles which entered the country during the time when the former regulation was in force.

(Signed) WILLE POPPIUS.
F. W. BÄRLUND

FRANCE

[Translation.]

[C.C.T./407(a).]

February 1930.

Questionnaire No. 1.

In the ports, Customs officers are always present on the arrival and departure of passenger steamers. Triptychs and Customs permit books may be endorsed and *acquits-à-caution*, receipts for deposits, and travelling passes may be issued at any time without extra charge.

On the land frontiers, Customs officers are empowered at a large number of stations to record free of charge, out of office hours, the passages of tourist cars, including their first arrival and last departure, and to issue travelling passes to foreign drivers in possession of Customs papers. These stations conduct business either on all days, both by day and by night, or on Sundays and holidays only, during the day, according to the volume of motor traffic on the roads they serve.

The French Government would have no objection in principle to extending these facilities to secondary roads at times of year when they carry a fair volume of motor traffic.

Questionnaire No. 2.

The triptych system must be exclusively reserved for persons resident abroad who come to France with their cars for the sole purpose of touring for pleasure. The system therefore does not apply to persons with a fixed, even though temporary, residence in France.

It follows that ;

(a) The establishment of a *de facto* residence, permanent or temporary, is a ground for exclusion from the triptych system, even though the situation may be temporarily changed every year by a continuous stay abroad lasting some time ;

(b) Any rule fixing a minimum duration for the stay abroad — and consequently a maximum duration for the stay in France — might restrict the facilities at present granted, to the detriment of genuine tourists ; the most reliable criterion is the nature of the establishment at which the person resides ;

(c) Persons entering France on business cannot benefit by the triptych system even if they only take an active part in a profession or business from time to time.

GREAT BRITAIN

September 1929.

Questionnaire. No. 1.

The points mentioned in this questionnaire do not, in the main, affect the Customs administration of Great Britain and there are, in consequence, no observations to be made thereon.

Questionnaire No. 2.

1. No. The essential condition is that a person importing a car temporarily must be usually resident abroad.

2. No. See 1, above.

3. No. See replies to 1 and 2, above.

4. (a) No. Such persons would be regarded as having their usual place and residence in this country.

(b) Yes, but only in the case of a person who is usually resident abroad, is visiting this country temporarily for business reasons, and is the owner of the car imported.

HUNGARY

[Translation.]

August 1929.

Questionnaire No. 1.

Frontier Visas. — In Hungary the passport and Customs services are so organised that motorists arriving or departing by the principal routes of communication — which are the only ones used for international touring — can carry out the necessary formalities at any hour of the day and night. Under existing regulations motor vehicles crossing the frontier in either direction between 8 p.m. and 6 a.m. pay a special fee of 1 pengö per vehicle. The Hungarian Government is prepared, however, to abolish this fee if an international agreement to that effect is concluded. It is also prepared to arrange that motorists arriving or departing by roads on which the volume of traffic is not large except at certain periods of the year should have the same facilities as on main roads.

The Hungarian Government's replies, therefore, to questions (a) and (b) of Questionnaire No. 1 are in the affirmative.

Questionnaire No. 2.

Triptych System. — It should in the first place be pointed out that, as the law at present stands, the triptych system only applies to motor vehicles owned by foreign nationals and bearing foreign number-plates. Foreign nationals permanently resident in Hungary and Hungarian nationals resident abroad but having a permanent domicile in Hungary may not use triptychs (*carnels de passage en douane*) to import their vehicles if they bear a foreign number-plate and are of foreign provenance. In practice, however, the Hungarian authorities make no objection to the use by Hungarian nationals resident abroad of a triptych issued by a foreign automobile club for a vehicle owned by them with a foreign number-plate. The Hungarian Government's attitude therefore accords with the intentions expressed in the Report of the Committee of Customs Experts on transport questions, *i.e.*, the sole object in restricting the application of the triptych system is to prevent owners of motor vehicles evading payment of motor-vehicle duties on the pretext of temporary residence.

We give below detailed replies to the separate points in Questionnaire No. 2 :

1. *De facto* residence in the importing country does not of itself preclude the use of a triptych. The point to be considered, where necessary, is whether the party's residence in his own country is not merely temporary and whether the duties of his profession do not involve permanent residence abroad.

2. If the motor vehicle is used, or its owner spends four months abroad annually, that is no reason for regarding his residence in the country as temporary. In the opinion of the Hungarian Government it would be an abuse of the triptych system for the owner of a motor vehicle to claim the benefit of the system for a protracted period, perhaps for years, on the pretext that he spends several months abroad annually, while the nature of his occupation and his domestic and other circumstances all justify the assumption that he is really a resident of the country and that his absences abroad should rather be regarded as temporary.

3. As far as the merits of this question are concerned, the Hungarian Government thinks that the above remarks under 2 form a sufficient reply. It desires to add that residence in a hotel is not, in present-day circumstances, a sufficient criterion of the temporary nature of the stay, as many people nowadays live in boarding-houses instead of having a regular home and household.

4. (a) The persons referred to in this paragraph are granted the advantages of the triptych provided their residence in the importing country is not permanent but merely temporary.

(b) The above remarks apply equally to the persons referred to in the above paragraph.

IRISH FREE STATE

June 1929.

Questionnaire No. 1.

The only roads affected are those linking the Irish Free State with Northern Ireland. These roads are open for motor traffic free of charge from 9 a.m. to 5 p.m. When first importation or final exportation takes place outside these hours, a charge of 2/- per motor-car is made. In the case of intervening journeys no charge is made between 8 a.m. and 9 p.m., but outside these hours the standing charge of 2/- in respect of each vehicle applies. The Revenue Commissioners are not prepared to-waive payment of the charge referred to in respect of motor-cars crossing the frontier outside the free periods indicated.

Questionnaire No. 2.

1. The establishment of a *de facto* residence in this country is not regarded as preventing the issue of a triptych provided that such residence is merely an accommodation residence. The importation of a motor-car on triptych is confined to persons whose only or principal place of residence is outside the Irish Free State.

2. A residence is not regarded as temporary by reason only of the fact that a specified period such as four or six months is spent continuously abroad. In the case of persons maintaining an accommodation residence, the total period for which the motor-car imported on triptych may be retained in the Irish Free State free of duty must not exceed sixteen weeks in any period of twelve months from the date of first importation.

3. The Revenue Commissioners do not consider that the period spent annually abroad is in itself a sufficient criterion in determining the nature of the residence. Further facts would be required as to the actual nature of the temporary residence, *e.g.*, permanent establishment or residence in an hotel.

4. (a) and (b) The advantages of the triptych are granted only to persons whose only or principal place of residence is outside the Irish Free State and who intend to make only a temporary stay in the Irish Free State for purposes unconnected with trade or business. These advantages cannot be extended to persons in charge of commercial or industrial concerns though not continually present in the country or to company directors visiting the country for business purposes.

ITALY

[Translation.]

October 1929.

Questionnaire No. 1.

The Royal Italian Government finds no difficulty in agreeing that, in the case of main traffic routes (a list of which will be forwarded), the Customs formalities on arrival and departure from the country (including final arrivals and departures) of motor vehicles accompanied by triptychs or *cartes de passage en douane*, may be effected at any hour of the day or night, provided that such vehicles do not contain articles liable to Customs duty ; otherwise the said formalities have to be effected at any time between sunrise and sunset. In the case of minor traffic routes and those on which traffic increases at certain periods of the year, the Government is prepared to accord all facilities compatible with service requirements.

The above naturally depends on similar treatment being granted by the corresponding Customs offices of neighbouring countries to vehicles entering or leaving the territory of such countries and is subject to special police regulations.

Questionnaire No. 2.

The Royal Government is willing to grant the benefit of temporary importation, without deposit, on the basis of triptychs, to all persons, whatever the object of their journey, arriving in Italy with their own motor vehicles to make a stay of not more than one year from the date of issue of the document, provided they are normally resident abroad and are therefore not entered as permanent residents of Italian communes. After ninety days' actual residence in Italy, counting from the date of first crossing the frontier, they must, however, pay the Italian circulation tax for the remainder of their stay. This concession is of course subject to reciprocity being granted and police regulations being complied with.

An exception is made in the case of motor vehicles belonging to foreigners representing foreign firms, or employed in industrial firms or works engaged in commerce in Italy ; these may and usually do retain their domicile abroad, although they establish a *de facto* residence in Italy and, on account of their removal, have been granted exemption from Customs duties on their effects and vehicles.

LATVIA

[Translation.]

September 1929.

Questionnaire No. 1.

At the Meitene and Valka Customs Offices, situated near the only roads in Latvia at present of interest to tourists, office hours are such that motorists can effect all arrival and departure formalities at any time and at any hour without any special fees being charged. The competent departments are prepared to make similar arrangements in the case of all Customs offices situated near roads where the volume of traffic might in future require it. Similar arrangements could also be made in the case of roads on which the volume of traffic would only increase at certain periods.

Questionnaire No. 2.

The Latvian authorities concerned do not see any necessity for defining in such detail the qualifications of owners of motor vehicles and the reasons for their residence in the importing country with a view to deciding whether they should enjoy the benefits of the triptych or not; in their opinion the only important point is the length of stay. On this basis, the advantages of the triptych are granted in Latvia for a period of two months for each journey, though the triptych itself may be made out for one year from the date of issue. Motor vehicles are even allowed to enter Latvia without triptychs, also for a term of two months, provided that the amount of Customs duty is deposited on arrival. Should the motor vehicle remain in the country more than two months, the deposit accrues to the Government. Similarly, all motorists who have entered Latvia with triptychs are bound, if they stay longer than two months, to pay the Customs duty and to register the vehicle in Latvia. The departments concerned see no reason to make any change whatever in this system, as they consider it affords tourists every possible convenience, and any change would lead to infringements of the Customs tariff.

LITHUANIA

[Translation.]

September 1929.

Questionnaire No. 1.

Ad (a) In the experience of the Customs administration, motor traffic in Lithuania, even in the case of roads forming the principal means of international communication, is not sufficiently important to justify special arrangements being made to carry out arrival and departure Customs formalities at any time and at any hour.

Where necessary, notice is given to the authorities and exceptions made to the general rules.

Questionnaire No. 2.

Ad 1. Yes.

Ad 2. Yes.

Ad 3. Yes. Temporary residence should be decided by considerations of its material character (permanent employment, etc.).

Ad 4 (a) and (b). Yes, if the persons in question are not in fact resident in Lithuania.

LUXEMBURG

[Translation.]

June 1929.

Questionnaire No. 1.

In the Grand-Duchy, Customs formalities in the case of motor vehicles leaving or entering the country can only be effected during the Customs office hours, although some latitude is permitted in the case of vehicles whose documents are in order, crossing at other hours if there are officials available to effect the formalities.

In the case of certain Customs offices where motor traffic is fairly frequent (Wasserbillig, Frisange, Esch-s.-Alzette and Rodange) the hours of duty have been extended for the benefit of motorists up to 10 p.m. with no break at noon, in order to enable triptychs, or *carnets de passage en douane*, to be checked and dealt with. This arrangement is quite adequate for present tourist traffic requirements. The Luxemburg authorities, moreover, could not offer more extensive facilities without increasing the number of officials required to supervise the traffic and to make the necessary entries in registers and documents.

Motorists are very little inconvenienced by the collection of the *taxe de séjour*, as this is effected by the officials at the same time as Customs formalities.

No other taxes are levied in Luxemburg on foreign motor vehicles.

Questionnaire No. 2.

Our system of triptychs and *carnets de passage en douane* is the same as that in force in Belgium. It extends the privileges of these traffic documents to travellers who have to proceed temporarily to the Economic Union of Belgium and Luxemburg, even though touring

is not the sole object of their journey. Indeed, complete exemption from Customs duty in the case of motor vehicles which have obviously been used may be granted to persons who, though domiciled in one country, possess holiday residences in another where they reside at intervals during the year. (Foreigners residing in a district close to our frontiers, and known by the Customs officials to be bona fide, may be given transit certificates (*acquits de transit*) for their vehicles valid for one year and may be exempted from furnishing a deposit for the amount of duty.)

When travellers furnish the Customs authorities with triptychs, or *cartes de passage en douane* issued by recognised foreign associations, the Luxemburg Customs authorities have no reason to refuse to accept these documents. Motor lorries, however, are not usually granted temporary admission when used for transport within their country.

Thus, the first question of Questionnaire No. 2 must be answered in the negative, and question 2 in the affirmative.

As regards question 3, dealing with the definition of "temporary residence", the Government of the Grand-Duchy considers that mere residence abroad in an hotel or *pied-à-terre* cannot be regarded as entitling a person to a triptych in that country, but that he should be required to have a permanent residence.

On this assumption, the advantages of the triptych cannot be granted to administrators, managers, or managing directors of commercial or industrial companies who, although they are engaged permanently or intermittently in the country where they wish to take out their triptych, do not actually possess a residence there (question 4).

NETHERLANDS

[Translation.]

August 1929.

Questionnaire No. 1.

The reply to both questions is in the affirmative.

In the opinion of the Netherlands Government, the measures suggested would only be fully effective if similar steps were taken simultaneously by neighbouring countries in respect of their corresponding Customs offices. Countries with common frontiers should therefore come to an agreement on this subject. The Netherlands and German Customs authorities have, since June 1st, 1928, adopted an arrangement under which certain Customs offices on the Netherlands-German frontier, where there is a great deal of international motor traffic, are kept open all day and all night, while other offices remain open all day up to midnight.

In the Netherlands, no fees are charged for inspecting motor vehicles or visaing the documents, even if this is done when the offices are closed for commercial traffic.

The Netherlands Government's efforts to make an arrangement with the Belgian Government for the Netherlands-Belgian frontier have not yet been successful.

Vehicles the triptychs of which have already been visaed on first entering the Netherlands and which have road-tax cards, may enter or leave without any Customs formalities, even when the Customs offices are closed, not only by those routes where there are Customs offices but by about forty other routes specially designated. Road-tax cards, however, requiring visas cannot be dealt with on arrival or departure outside the regular office hours.

Owing to these facilities less need is felt for certain Customs offices to be open throughout the twenty-four hours in the Netherlands than in other countries, where a provisional visa has to be affixed to the triptych whenever a motor vehicle enters or leaves the country.

Questionnaire No. 2.

1. In the Netherlands, triptychs can only be issued to persons or institutions actually resident or established abroad. Transfer of the residence or the head office to the Netherlands cancels the right to the use of the triptych.

2 and 3. Any person having his main residence abroad but spending several consecutive months annually in the Netherlands is not regarded for the purposes of the triptych system as established in the Netherlands. The question of whether the chief residence is in the Netherlands or abroad depends on circumstances. Comparison between the nature of the stay in the Netherlands and that abroad, *e.g.*, in a private house in the one case and in a hotel or boarding-house in the other, may affect the decision, but these circumstances are not in themselves decisive.

4. Foreign residents who conduct a commercial or industrial business in the Netherlands or hold the offices of director, commissioner, etc., of a company established there and, for this purpose, come regularly (*e.g.*, daily) to the Netherlands, and also persons residing intermittently in the Netherlands on account of their positions in a company which has its headquarters in the country, may use triptychs for their motor vehicles, provided these vehicles are for their personal use only and not for that of the company referred to.

In view of the tendency in certain countries to protect their nationals against any foreign competition, it should be pointed out that, in the Netherlands, no enquiry is made in regard to foreign residents' reasons for bringing in a motor vehicle. Triptychs, therefore, are used, not only in tourist traffic proper, but also in the motor traffic of business men, as well as in the international traffic of auto-cars and vans.

POLAND

[Translation.]

September 1929.

Questionnaire No. 1.

In the case of roads on which international traffic is particularly important, Customs offices may be kept open uninterruptedly throughout the day for the purpose of carrying out the arrival and departure formalities of vehicles.

No special fee is levied in Poland in the case of motor vehicles crossing the frontier at night-time.

Arrival and departure formalities for motor vehicles may be carried out at night in the case of roads on which the volume of traffic is not large except at certain periods, provided that traffic at these times is really of such volume as to require Customs offices to be open.

Questionnaire No. 2.

Under existing Polish Customs regulations, persons permanently resident in Poland may not use triptychs or *cartes de passage en douane*.

Exceptions are allowed, however, in the case of the foreign staff of the diplomatic representations of foreign countries.

Temporary residence in Poland does not preclude the use of the above-mentioned triptychs or *cartes de passage en douane*.

Should the owner of a motor vehicle come to Poland for a period of four to six months, such a stay would be regarded as temporary.

No difficulties are raised in Poland where triptychs or *cartes de passage* are used by persons proceeding to Poland temporarily for commercial or industrial business, and the Customs authorities make no reservations as to the motive of such persons' presence.

ROUMANIA

[Translation.]

September 1929.

Questionnaire No. 1.

Under Roumanian laws, frontier Customs offices must be open from sunrise to sunset.

The Ministry of Finance, through the General Direction of Customs, has, however, taken into account the requirements of motor touring traffic at the frontiers, and has provided every facility for travellers arriving at the frontier at times outside the ordinary office hours.

The institution of a permanent visa service, however, is seriously hampered by the fact that several frontier points, including those where traffic is heaviest, are situated in districts where there is no accommodation for the Customs and police officials, so that the latter have to live some distance away, thus making a solution of the problem difficult.

This is, however, only a temporary state of affairs which will shortly be remedied; the General Direction of Roumanian Customs is quite prepared to make the necessary arrangements as soon as means and circumstances permit.

Questionnaire No. 2.

The General Direction of Roumanian Customs decided two years ago to adopt uniform documents for the importation of motor vehicles used for touring and the only documents now issued on demand by the Royal Roumanian Automobile Club are *cartes de passage en douane*.

Customs offices have orders, nevertheless, to accept Roumanian triptychs also, when tendered by foreign tourists, until such time as the representatives of all the States Members of the International Association of Recognised Automobile Clubs agree to their abolition.

Apart from the formalities involved in dealing with these documents properly and correctly, the Roumanian Customs and the Roumanian Automobile Club make no other demand in respect of the residence or the personal position of the holders of such documents.

In Roumania there is no import duty on motor vehicles and no *taxe de séjour*. Foreign vehicles and their owners are only subject to taxation in respect of circulation, transport, etc., after the validity of the requisite documents has expired, and only at the instance of the taxation officials at their place of residence.

SWEDEN

[Translation.]

August 1929.

Questionnaire No. 1.

The formalities to be complied with by a traveller taking his motor-car into Sweden may be carried out at the central or any other Customs office within the country, or at the frontier Customs offices.

As regards the Customs inspection and Customs declaration of motor-cars entering or leaving the country, which are registered in Sweden or for which passes have been issued for Sweden, no special fee is charged, even if the Customs inspection does not take place during the ordinary hours, when the car to be used by the traveller during his journey is taken in or brought back by him by ferry-boat or any other vessel regularly engaged in the conveyance of passengers on a fixed official time-table, or by any other means of transport. A Customs official is always present at the arrival or departure of these vessels, for the Customs inspection of the luggage. The traveller is thus not obliged to give notice beforehand when he desires to take a car in or bring one back with him, even if the Customs inspection is not carried out during the usual hours.

Should the traveller wish to have the formalities on arrival and departure carried out at a land frontier outside the usual hours, he must inform the Customs office during its usual hours, generally between 7 a.m. and 9 p.m.

When a car which is not registered in Sweden and for which no pass has been issued is inspected by the Customs authorities, the motorist must reimburse the costs of the inspection when it is not carried out during the usual hours.

The provisions in force in Sweden, therefore, seem in their broad outlines, to comply with the recommendations contained in the Questionnaire of the League of Nations.

Questionnaire No. 2.

The conditions in which a traveller residing temporarily in Sweden may use, for the period of one year, a car brought by him into the country and to be taken out of the country by him on the expiry of this period, without payment of Customs duties, are contained in His Majesty's communications to the chief Customs office of July 8th, 1923, August 21st, 1925, and May 24th, 1929 (Customs Regulations 1923, No. 150; 1926, No. 48, and 1929, No. 137). These provisions—which were drawn up on the basis of Section 8, paragraph 3, of the Financial Regulations issued in their present form by Royal Decree of May 11th, 1928, No. 111 (Customs Regulations 1928, No. 121)—apply to cars brought into Sweden by persons intending to reside there only temporarily.

1. The question whether a person residing for a longer period in Sweden and having a more or less fixed home there (a leased house or a house belonging to him) may be considered as only residing temporarily in the country, has not been considered by the chief Customs office.

In view of the spirit of paragraph 3 of Section 8 of the Customs Regulations, this paragraph may be interpreted fairly liberally, and it seems that exemption from Customs duties might be accorded in respect of a car brought into the country by a traveller, if even he intended to settle in the country more or less permanently.

2. If the fact of the traveller having a more or less fixed abode during his stay in Sweden does not in itself imply that he thereby ceases to be regarded as a "traveller only residing temporarily in the country", the fact that such temporary residence may occur each year is not necessarily sufficient to prevent his enjoying temporary exemption from Customs duties in respect of any car which he may bring into Sweden.

3 and 4. In practice, temporary exemption from Customs duties has only been accorded in respect of cars brought in by tourists within the meaning of Section 8, paragraph 3, of the Customs Regulations. Consequently, this exemption has been refused for any car to be used for business journeys within the country or brought in by a person who, as managing director or member of a managing board of a company, is obliged to travel about within the country for his firm.

SWITZERLAND

[Translation.]

September 1929.

Questionnaire No. 1.

Motor-cars, motor-cycles and bicycles entering Switzerland for touring purposes may be brought in temporarily at any time of the day or night through any frontier office. The only charge made for clearing is the "statistical fee", provided temporary importation is effected at the following times: In summer from 7 a.m. to noon and from 1 p.m. to 7 p.m.; in winter from 8 a.m. to noon and from 1 p.m. to 6 p.m. The statistical fee amounts to ten centimes per 100 kilogrammes, with a minimum charge of thirty centimes per vehicle.

Outside the above-mentioned hours, a special charge is made for "overtime clearance", but only where the Customs office has to issue or cancel a pass (*passavant*) or issue an inspection certificate or provisional importation card. No charge is made for examining and checking a triptych or a *carnet de passage en douane* or for merely visaing such documents at any hour of the day or night.

Questionnaire No. 2.

1. As a rule, triptychs are only issued to motorists who have no fixed residence in the importing country. In Switzerland, fixed residence is taken to be any residence established after finally relinquishing the foreign domicile previously held. Establishment of domicile must usually be sanctioned by the police authorities of the new place of residence.

2. Foreigners proceeding temporarily to Switzerland with their motor vehicles for a holiday or for the purpose of undergoing medical treatment or for any other reason are entitled to triptychs even if they remain longer than six months.

3. Whether the motorist stays at a hotel or in a villa or elsewhere, the length of stay is of no account, provided the residence is really temporary and the party in question has not come to Switzerland for the purpose of carrying on an occupation.

4. (a) Persons in charge of a commercial or industrial undertaking as administrators, managing directors, managers, etc., are only entitled to triptychs if they do not possess a Swiss domicile. They may not use the motor vehicle for the purposes of trade in Switzerland, and at the close of their day's work they must re-export the vehicle in which they entered Switzerland. For example, a works director resident abroad may proceed daily to his factory in Switzerland in a vehicle registered abroad without paying Customs duty, provided the vehicle is used solely for the journeys between his home across the frontier and the factory or some other place in Switzerland. Journeys between the factory and any other point in Switzerland would be considered to be "internal" and would involve payment of the import duties on the vehicle.

(b) Company directors who have interests in commercial or industrial businesses but only take an active part from time to time may bring their motor vehicles temporarily into Switzerland. The triptych may be used to clear the vehicle in the same way as in the case of a works director (see 4 (a) above), *i.e.*, provided the vehicle is not used for internal transport in Switzerland. Thus it cannot be used by third parties.

Mention has been made above (see 1) of the statistical fee (ten centimes per 100 kilogrammes) which must be paid on first entering Switzerland. Thus, on arrival at the frontier, the tourist is occasionally obliged to procure a certain amount of Swiss currency. This inconvenience might be avoided, and motorists holding triptychs would not require to make these payments on crossing the Swiss frontier, if foreign touring associations issuing triptychs were to pay the statistical fees themselves by affixing to the entry-slip of all triptychs issued Swiss stamps for the amount of the statistical fee payable. The formalities would thus be considerably simplified.

CZECHOSLOVAKIA

[Translation.]

September 1929.

Questionnaire No. 1.

Ad (a). The Czechoslovak authorities agree with the suggestions made under (a), subject to the reservation that at certain hours of the night the frontier may not be crossed for the following reasons:

(1) At certain hours of the night there is hardly any traffic and no real demand for motor vehicles to cross the Customs frontier;

(2) Frontier Customs offices usually have a comparatively small number of officials and night duty is thus impracticable. Officials must be ensured a certain amount of rest at night-time.

In view of the above circumstances, Czechoslovak Customs Regulations provide that motor vehicles may not cross the Customs frontier between midnight and 4 a.m. (Article 166, paragraph 12, of the Decree for executing the Customs Law). The Czechoslovak authorities consider this to be a necessary restriction. At other times, the frontier may be crossed, out of the usual service hours, without special fees being charged for executing Customs formalities.

Ad (b). The Czechoslovak authorities agree with the suggestion made under (b), subject to the same reservation as in (a) above (no crossing of the frontier at certain hours of the night).

Questionnaire No. 2.

Ad 1 to 3. The establishment of a temporary residence in the importing country would be regarded as preventing the issue of a triptych if it were circumstantially proved :

(a) That temporary residence had been established in the importing country, for reasons other than those of a temporary nature (*e.g.*, for study, touring, or health purposes) ;

(b) That the period of temporary residence mentioned above under (a) was in any year of such length as to be inconsistent with the purpose of such residence, *e.g.*, more than three or four months.

Exact definitions, however, should be given of the expressions “ permanent residence ”, “ temporary residence ”, and “ mere presence ” resulting from the temporary nature of the stay in the importing country.

The fact of temporary residence in the importing country becoming a periodical (annual) occurrence should not necessarily be regarded as preventing the issue of a triptych.

On the above basis, persons having *de facto* residences in two countries would be denied the benefits of the triptych system for journeys from the country where their vehicle is ordinarily kept into the other country. Even where such persons kept one vehicle in each place, it would be impossible, if the above principles were to be applied, to cross in them from either country to the other. An exception should therefore be made in the case of such persons. For the purpose of the triptych system, they should be considered to be domiciled in the State where they pay income-tax and should be allowed to bring their vehicles registered there into the other country under a triptych, just as though they were, from the standpoint of the importing State, foreigners. Such procedure could, of course, only be employed where domicile had to be proved in one of two States which had concluded an agreement for the prevention of double taxation. In the absence of such an agreement, the criteria would probably have to be nationality, together with lengthy residence in the State in question. Should the party concerned not be a national of either country, a special *ad hoc* arrangement would have to be made by the two Customs administrations. Owing to the defects of the present system, the Czechoslovak Customs authorities have already had to initiate direct negotiations with the Austrian Customs authorities in a case where a person was domiciled both in Czechoslovakia and in Austria. In this instance the Czechoslovak Customs authorities suggested an arrangement on the above lines.

Ad 4. The circumstances mentioned under (a) and (b) above should not in themselves determine the question of granting or refusing the benefits of the triptych system. In such cases the general principles above referred to should be applied.

KINGDOM OF YUGOSLAVIA

[Translation.]

July 1929.

Questionnaire No. 1.

(a) Yes. This applies to the Customs offices which remain open all night, in conformity with Article 227 of the Customs Law. In the case of offices which are closed outside the ordinary hours, the holder of the triptych is required, according to the provisions in force, to pay the official for the additional work involved.

(b) No. The chief Customs office cannot give any undertaking in advance with regard to this. Nevertheless, it is prepared favourably to consider the possibility of introducing continuous work in certain offices where this has not hitherto been required.

Questionnaire No. 2.

1. No. *De facto* residence in the country, for a maximum period of one year, on the strength of a *permis de séjour*, is regarded as temporary, and does not prevent the use of the triptych. When this permit is made out for an indefinite period, the residence is regarded as permanent and the triptych cannot be used.

2. Yes.

3. In considering the nature of the residence, it is not sufficient to consider its duration only. The permanent place of residence is deemed to be the locality to which the person in question is bound by his principal occupation.

4. (a) Yes.

(b) Yes. All the persons enumerated are regarded as residing temporarily in the country.

ANNEX 3.

MEMORANDUM BY THE SECRETARY-GENERAL OF THE COMMITTEE
CONCERNING WORK CONNECTED WITH ROAD TRAFFIC

[C.C.T./419.]

February 10th, 1930.

The Permanent Committee on Road Traffic has not met since the last session of the Advisory and Technical Committee. It is proposed to hold the next meeting in the spring of this year, when it will have to examine the text of a draft Convention on commercial motor traffic to be prepared by the Secretariat.

The Advisory Committee at its last session decided to consult the Governments, as suggested by the Committee of Customs Experts set up at the request of the Permanent Committee on Road Traffic, with regard to visas at frontiers and the system of triptychs. A circular to that effect was sent to the European Governments on April 22nd, 1929. The replies of the Governments (Annex 2), have been circulated to the Advisory Committee and with these replies the Committee on Road Traffic will be in a better position to resume consideration of the points unsettled.

Furthermore, in pursuance of the decisions taken by the Advisory Committee at its last session, and at the suggestion of the Permanent Committee on Road Traffic, a Mixed Committee of the League Fiscal Committee and the Permanent Committee on Road Traffic has been set up. M. Delaquis, Mr. Franklin and M. Pflug represented the Committee on Road Traffic on this Mixed Committee. The Mixed Committee held a meeting at the end of October 1929 and drew up a draft international Convention on the taxation of foreign motor vehicles. According to this draft Convention the owners, persons in possession, drivers, and occupants of motor vehicles registered by the other contracting parties, and also such vehicles themselves, would be exempt from all taxes, charges or dues on the circulation or possession of motor vehicles, during a period of ninety complete days per year. Such exemption would not apply to motor vehicles used for the professional public conveyance of passengers or for the transport of goods. The text of this preliminary draft Convention will be considered by the Committee on Road Traffic at its next session.

ANNEX 4.

MEMORANDUM BY THE SECRETARY-GENERAL OF THE COMMITTEE
CONCERNING WORK CONNECTED WITH INLAND NAVIGATION

[C.C.T./424.]

February 10th, 1930.

The Permanent Committee for Inland Navigation has not met since the last session of the Advisory and Technical Committee.

The Committee for the Unification of River Law, working under the conditions laid down at the last session of the Advisory Committee, has completed the preparatory work for the Conference on Unification of River Law. After the conclusion of this work, the Chairman of the Advisory Committee forwarded to the Council the resolution adopted by the Committee at its last session, which proposed that the Council should convene a "Conference on the Unification of River Law applicable to Navigation on the Main Systems of Navigable Waterways in Continental Europe". The Council, at its session in January 1930, decided to convene this Conference. The Conference will meet at Geneva on November 17th, 1930, at 3 p.m. It was agreed during the discussions of the Council that those organisations which were designated by the President of the Council, after consultation with the Chairman of the Advisory and Technical Committee, should be invited to the Conference in an advisory capacity. The International River Commissions and the International Institute of Private Law at Rome were mentioned in this connection.

The Committee is aware that during the work of the Committee for the Unification of River Law, legal questions connected with the problem of labour conditions in inland navigation were raised. Attempts to arrive at an international settlement of these questions had already been made by the International Labour Organisation, which is competent to deal with the matter. The International Labour Office, which was represented in an advisory capacity on the Committee for the Unification of River Law, has completed its information through a questionnaire to the various Governments concerned, and it was thought by the Committee for the Unification of River Law that its investigations should be continued in co-operation with the International Labour Organisation. In order to determine the procedure to be followed, the Governing Body of the International Labour Office appointed three of its members to serve on a Mixed Committee of the Organisation for Communications and Transit and the International Labour Organisation. The Committee for the Unification of River Law, with a view to such co-operation, had appointed four of its members, from whom the three representatives to serve on the Mixed Committee were to be chosen; certain members

had reserved the right to send substitutes. The Chairman of the Committee for the Unification of River Law informed the Chairman of the Permanent Committee for Inland Navigation of the position. The latter was of opinion that, since the International Labour Organisation had not appointed specialists on the questions to be studied to serve on the Mixed Committee, but real representatives of the Organisation, it was desirable that the same procedure should be followed in the case of the Transit Organisation, the task of the Mixed Committee being to organise the studies which would be entrusted to specialists. The Communications and Transit Organisation was therefore represented on the Mixed Committee by M. Silvain Dreyfus, Chairman of the Permanent Committee for Inland Navigation, M. Seeliger, in his capacity as member of the Advisory and Technical Committee and of the Permanent Committee for Inland Navigation, and M. Winiarski, Chairman of the Committee on the Unification of River Law. The Mixed Committee met on September 23rd, 1929. It arrived at the following conclusions :

1. The Committee was of opinion that the time had come to ask the Governing Body of the International Labour Office to consider the possibility of establishing international regulations concerning labour conditions on the main systems of European waterways.

2. It suggested that a Committee of Experts should be set up to indicate, on the basis of the information already collected, which questions could be dealt with in such regulations, and in what districts ; and, if necessary, failing regulations, what questions might lead to conflicts of laws for which a solution should be sought.

3. The number of experts might be seven. One would be appointed by the employers' group of the Governing Body and one by the workers' group. The five others should be chosen for administrative experience and personal competence. Representatives appointed by the Transit Organisation would co-operate with the experts thus appointed.

4. The report of the Committee of Experts would be submitted to the Mixed Committee and forwarded with the comments of that Committee to the Governing Body of the International Labour Office. It would also be communicated to the Transit Committee.

The Governing Body of the International Labour Office, at its session in February 1930, acted on the proposals of the Mixed Committee. However, it raised the number of experts appointed by the employers' and workers' groups to four. The names of the experts will be communicated later to the Advisory and Technical Committee.

The Advisory and Technical Committee has had communicated to it letters from the President of the Central Commission for Rhine Navigation and the President of the International Commission of the Danube (see Annexes 5 and 6) in which these Commissions explain the importance of a settlement of the above-mentioned questions so far as navigation on the international waterways for which they are competent is concerned.

ANNEX 5.

LETTER FROM THE PRESIDENT OF THE CENTRAL COMMISSION FOR RHINE NAVIGATION TO THE CHAIRMAN OF THE ADVISORY AND TECHNICAL COMMITTEE.

[C.C.T.409.]

[C.C.T./N.I./46.]

Strasburg, December 2nd, 1929.

[Translation.]

We have the honour to inform you that the "Compagnie générale pour la navigation du Rhin" at Strasburg has drawn the attention of the Central Commission for Rhine Navigation to certain unfortunate effects which, in its view, are being caused to shipping by the application to the Rhine of the workers' insurance laws.

The Central Commission discussed the matter at its November session, and decided to forward the request to the Advisory and Technical Committee for Communications and Transit and to the International Labour Office, asking them to submit the correspondence to the organs appointed to study the social provisions of river law, and to inform the Commission as early as possible of any action which might seem possible.

I enclose a copy of the letter from the "Compagnie générale pour la navigation du Rhin."

(Signed) Jean GOUT.
President.

LETTER FROM THE "COMPAGNIE GÉNÉRALE POUR LA NAVIGATION DU RHIN" TO THE
PRESIDENT OF THE CENTRAL COMMISSION FOR RHINE NAVIGATION.

Strasbourg, January 31st, 1929.

[Translation.]

We have the honour to draw your attention to certain extraordinary situations which have arisen, owing to the application of the workers' insurance laws to the members of our crews.

The crews of Rhine craft are drawn from five nationalities; their composition varies pretty frequently, and individual sailors or stokers sign on whatever the opportunity offers for a voyage, now under the flag of their own country, now under that of a neighbouring country.

Every country applies its own insurance laws, strictly to vessels navigating under its flag, and pays no regard to the other systems under which new hands may have already been insured. The consequence is that when a man shifts from one flag to another he risks losing the whole or part of the benefits due from previous contributions paid by himself or by the firms who have employed him.

For a long time past we have striven without success for a system of reciprocity. The only result hitherto obtained is that sickness insurance funds have been authorised to pay foreign sailors the allowances to which they are actually entitled, but no system of "interchange" — no exchange of premiums, rights or charges has ever been arranged between the insurance funds of the different countries.

We venture to give below some instances in which this lack of reciprocity has imposed additional charges on individuals or companies.

The "Institut d'assurances sociales d'Alsace et de Lorraine" requires that German hands whom we employ must be insured in its books from the beginning of the week in which they enter our service, without regard to the premiums they have already paid to the German insurance office in respect of the same week. As we cannot charge our men twice over for insurance, the French shipping companies have to find the premiums payable in France out of their own pockets.

In accordance with paragraph 34 of the Regulations of the Strasbourg Sickness Insurance Fund, the latter pays the following allowances for members of a man's family detained in hospital: 1.25 fr. per day for the wife, and for children above the age of 10 and 0.60 fr. per day for children below the age of 10.

As, however, the Rhine barges pass through several different countries, it is physically impossible for all cases of sickness to be sent to the Strasbourg hospitals. Thus, in one case a boatman's child had to be left in a Coblenz hospital; the latter is claiming 3.80 RM., or about 22.80 fr. per day for hospital charges; after deducting 0.60 fr. allowed by the Strasbourg sickness insurance fund, there is a balance of 22.20 fr. per day to be defrayed by the shipowner or the man himself.

There is also a difficulty in carrying out the sickness and old-age insurance regulations owing to interruptions, due to the frequent transfers of hands from German to French vessels or vice versa.

The following cases illustrate the injustice to which hands are subjected by being required to pay the premiums twice over, if they wish to preserve their right to an allowance in the country where they were first insured:

1. *Case of Hans Hauswirth:*

Applied on June 26th, 1925, for a contribution to the cost of a *dental plate*.

Application refused, on the ground that the number of French stamps affixed was insufficient, and that no regard could be paid to the German stamps.

2. *Case of Bruno Engelhardt:*

Applied on December 11th, 1925, for expenses of a *dental plate*.

Application refused, on the same grounds as above.

3. *Case of Heinrich Hoernis:*

Applied on October 25th, 1927, for a higher rate of allowance, having regard to the French stamps affixed by the applicant.

4. *Private employees' insurance: Case of Klug:*

Captain Klug had reached the age of 65; Germany refused him allowance on the ground that he had not a sufficient number of cards of that country; Klug cannot, however, claim an allowance from the French insurance funds and is therefore obliged to continue his contributions, although he has reached the age-limit.

As the Central Commission is known to have been considering for some years problems arising from the different legislations affecting workers on the Rhine, we desire to draw its attention to this matter and to ask it to bring about a reciprocal arrangement between the riverain States regarding workers' insurance.

(Signed) FOURNIER.

ANNEX 6.

LETTER FROM THE PRESIDENT OF THE INTERNATIONAL DANUBE
COMMISSION TO THE SECRETARY-GENERAL OF THE COMMITTEE

[C.C.T.412.]

Vienna, December 30th, 1929.

[*Translation.*]

I have the honour to inform you that, as the result of a complaint which it has received from a Danube shipping company regarding the application to its crews of the national social legislation in the territory of one country, the International Danube Commission, at its twenty-third session, decided to point out to the Committee of which you are Chairman how necessary it is for Danube navigation that the States concerned in that navigation should immediately conclude an agreement co-ordinating the methods of applying on the Danube the social legislation in force or to be brought into force in those countries, in such a way as to prevent the double taxation of members of the crews.

I would beg you to draw the attention of the Committee on River Law to the particular importance which all the different riparian States attach to this question affecting the internationalised section of the Danube.

(Signed) BUCKEISEN,
President.

ANNEX 7.

EXTRACT FROM THE PROCEEDINGS OF THE FIFTY-EIGHTH SESSION
OF THE COUNCIL OF THE LEAGUE OF NATIONS (MEETING OF
JANUARY 15TH, 1930) CONCERNING THE QUESTION OF THE
INTERPRETATION OF THE INTERNATIONAL TELEGRAPHIC
CONVENTION OF ST. PETERSBURG

[C.C.T.422.]

2573. Traffic in Opium and Other Dangerous Drugs : International Telegraphic Convention
of St. Petersburg : Exchange of Facsimiles of Telegrams sent in connection with
Smuggling Transactions.

M. CHOUMENKOVITCH read the following report :

“ The Advisory Committee on Traffic in Opium and other Dangerous Drugs laid before the Council, at its session in March 1929, the legal difficulties which, according to the communications received from the Governments, prevented the execution of a resolution adopted at the Committee's eleventh session. This resolution urged that the Governments of countries where seizures have been effected should be able to obtain facsimiles of telegrams sent in connection with smuggling transactions (Resolution IV of the Report submitted to the Council by the Advisory Committee on the Traffic in Opium and other Dangerous Drugs on the Work of its Eleventh Session : (document C.328.M.88.1928.XI, page 344)).

“ In particular, the question was raised whether the International Telegraphic Convention of St. Petersburg, which guarantees telegraphic secrecy, did not prohibit such exchanges. The Committee requested the Council to ask the Governments to study the question and inform it of the results of their investigations.

“ The Council accepted the proposal of its Rapporteur, the Canadian representative, ‘ to refer the problem to the Legal Adviser of the Secretariat for study, with a view to its examination, if this should prove necessary, at a subsequent session of the Council by a Committee of Jurists or otherwise ’.

“ In pursuance of the Council's decision, the Secretary-General instructed the Legal Adviser of the Secretariat to undertake the necessary enquiry, and the Council is now in possession of the Legal Adviser's reply (document C.20.1930.XI).

“ It appears from this reply that the Legal Adviser considers that the administrations concerned may act in accordance with the Advisory Committee's resolution, basing their action more particularly upon what appears to be a quite defensible interpretation of Article 7 of the telegraphic Convention, providing that ‘ the High Contracting Parties reserve to themselves the right to stop the transmission of any private telegram which appears dangerous to the security of the State or which is contrary to the laws of the country, to public order or to decency ’. He cannot, however, guarantee that this interpretation would be accepted by all the States. Accordingly, he makes the following suggestion : ‘ Perhaps, in order to prevent any difficulty, it would be desirable to propose the revision of the telegraphic

Conventions which establish the rule of the secrecy of telegraphic correspondence, and to bring them into accord with the opium Conventions which relate to the suppression of the illicit traffic’.

“The question which the Council has now to settle, therefore, is whether immediate action should be taken in accordance with the above proposal or whether, before even considering such a procedure, it would not be preferable, as the Rapporteur to the Council suggested, to submit the question, with the Legal Adviser’s views, to a Committee of Jurists nominated by the Council.

“As the question stands at present, the second solution seems simpler and more expedient for the following reasons.

“As I have pointed out, the Legal Adviser is inclined to take the view, as regards the merits of the question, that the two international telegraphic Conventions — the St. Petersburg Convention of 1875 and the International Radiotelegraphic Convention of Washington of November 25th, 1927 — give the Governments sufficient powers to execute the Advisory Committee’s resolution, more particularly in view of Article 7, which provides for reasonable exceptions, where the public interest so demands, to the rule as to the secrecy of telegraphic correspondence.

“In the second place, it should be pointed out that these views appear to be shared by the majority of the Governments represented on the Advisory Committee.

“In these circumstances, if a Committee of Jurists decided in favour of the same view and thereby lent it all the weight of its authority, it is possible that the hesitation felt by certain Governments would be removed. All the Governments might, as the result, find themselves able to take the necessary steps to issue regulations which would enable them to execute the Advisory Committee’s resolution without there being, perhaps, any need to contemplate a revision of the international telegraphic Conventions.

“As regards the nomination of the Committee, I should like to point out to my colleagues that the Legal Committee of the Communications and Transit Organisation has been set up specially to examine questions of the interpretation of Conventions relating to communications, and that organisations outside the League of Nations, such as river commissions, have already applied to it for opinions. The natural course would, therefore, seem to be that the Council should apply to that Committee rather than appoint a special Committee of Jurists.

“I have, accordingly, the honour to propose that the Council instruct the Legal Committee of the Communications and Transit Organisation to submit a report to the Council on the question, taking into consideration the views expressed by the Legal Adviser.”

Mr. DALTON agreed with the proposals of the Rapporteur, and appreciated the very clear way in which he has brought out the essential points in his report.

In so far as the British Government was concerned, it was fully able, under existing law, to give effect to those methods of helping to check the illicit traffic in drugs. The British Government attached great importance to the suppression of this deleterious trade, and he therefore hoped that, as a result of the Rapporteur’s proposals, other Governments, in the subsequent enquiries that would take place, would be able to give the fullest assistance by controlling telegraphic reports, and that no merely technical objections — for they could be nothing more — would be allowed to stand in the way of this progressive step.

The conclusions of the report were adopted.

ANNEX 8.

EXTRACT FROM THE PROCEEDINGS OF THE FIFTY-EIGHTH SESSION OF THE COUNCIL OF THE LEAGUE OF NATIONS (MEETING OF JANUARY 13TH, 1930) CONCERNING THE CODIFICATION OF INTERNATIONAL LAW ON COMMUNICATIONS AND TRANSIT.

[C.C.T.423.]

2549. Codification of Certain Categories of Conventions.

M. GRANDI read the following report :

“On September 24th, 1929, the Assembly adopted the following resolution :

“‘The Assembly,

“‘Having examined with the greatest interest the report of the Committee of Three Jurists,

“‘Takes note of the systematic survey of the subjects of international law drawn up by the jurists with a view to general codification ;

“‘Observes that the report of the Committee upon the publication, in the form of a code, of the Conventions which are open to States in general shows that such a publication could not at present be achieved in a satisfactory manner ;

“ ‘ Is of opinion, in particular, that it would be necessary first to proceed to codify the various successive Conventions which deal with certain particular subjects, so as to determine what precisely are the texts in force and the States which are parties thereto ;

“ ‘ Requests the Council to call the attention of the technical organisations of the League to the possibility that it might be desirable to make an effort in this direction, with the assistance of the Secretariat and in collaboration, where desirable, with the international bureaux, with a view to having the results of their work eventually brought into force by appropriate international conferences.’

“ The suggestion made by the Assembly in the above-quoted resolution is one of which the realisation presents obvious difficulties but which is of evident interest from the point of view of the harmonious and intelligible development of international law in the form of international conventions. The Council will, I am sure, feel no difficulty in transmitting it to the technical organisations of the League. It will, of course, be understood that both the Assembly, as appears from the actual terms of its resolution, and the Council intend to leave to the appreciation of those organisations themselves the question whether, and at what date, it may be desirable and possible for them to take up the subject.

“ The Assembly’s suggestion is evidently not of equal interest to all the technical organisations. It concerns those which deal with subjects in regard to which a considerable number of Conventions are in force. Starting from this point of view, I propose that the Council should ask the Secretary-General to instruct the competent officials of the Secretariat to bring the Assembly’s resolution and the present report to the attention of the Economic and Financial Organisation, the Organisation for Communications and Transit, the Health Organisation, the Committees on Traffic in Women and Children and on Child Welfare, the Advisory Committee on Traffic in Opium and other Dangerous Drugs and the Committee on Intellectual Co-operation, for such action, if any, as it may be thought possible and desirable to take.”

The conclusions of the report were adopted.

ANNEX 9.

NOTE CONCERNING THE ANNUAL REPORT OF THE MEMEL HARBOUR BOARD.

[C.C.T.417.]

February 10th, 1930.

The annual report on the work in the Port of Memel for the year 1929 has not yet reached the Committee.

The report for the year 1928 has been received and is at the disposal of the members of the Committee.

ANNEX 10.

EXTRACT FROM THE PROCEEDINGS OF THE FIFTY-EIGHTH SESSION OF THE COUNCIL OF THE LEAGUE OF NATIONS (MEETING OF JANUARY 16TH, 1930) CONCERNING THE DISPUTE REGARDING THE COMPETENCE OF THE EUROPEAN COMMISSION OF THE DANUBE.

[C.C.T.421.]

2589. Organisation for Communications and Transit : Jurisdiction of the European Commission of the Danube.

M. Antoniadé, representative of Roumania, came to the Council table.

The PRESIDENT read the following report and draft resolution :

“ The Council will have noted the information contained in the letter from the Chairman of the Advisory and Technical Committee for Communications and Transit dated December 20th, and in the memorandum addressed to the Council by the Secretary-General on January 15th at the request of the Chairman of the Advisory and Technical Committee. The Council will no doubt desire to express its satisfaction with the result of the negotiations carried on by the delegates of France, Great Britain and Northern Ireland, Italy and Roumania, under the auspices and with the assistance of the Advisory and Technical Committee, with a view to the settlement of the difficulties which had arisen concerning the competence of the European Commission of the Danube.

“ It will no doubt wish to give effect to the proposals of the Chairman of the Advisory and Technical Committee so as to allow the agreement reached to be put into force as rapidly as possible, once the text of the draft Convention to carry the agreement into effect has been finally adopted. It will only be possible to sign the draft Convention when agreement has been reached on the regulations to be annexed thereto.

“ I accordingly have the honour to submit the following resolution.

“ ‘ The Council,

“ ‘ Has noted the information furnished in the letter from the Chairman of the Advisory and Technical Committee for Communications and Transit dated December 20th, 1929, and in the memorandum addressed to the Council by the Secretary-General on January 15th, 1930, at the request of the Chairman of the Advisory and Technical Committee, on the result of the negotiations carried on by the delegates of France, the United Kingdom of Great Britain and Northern Ireland, Italy and Roumania under the auspices and with the assistance of the Advisory and Technical Committee, with a view to the settlement of the difficulties which had arisen regarding the competence of the European Commission of the Danube ;

“ ‘ It notes the resolution adopted by the Advisory and Technical Committee on March 22nd, 1929, and

“ ‘ Expresses its great satisfaction at the successful issue of the negotiations undertaken ;

“ ‘ The Council,

“ ‘ Considers it highly desirable that the agreement reached should be put into force as rapidly as possible with the co-operation of all the countries called upon to give their assent to the changes proposed in the legal regime of the maritime Danube ;

“ ‘ It therefore instructs the Secretary-General of the League, as soon as the Chairman of the Advisory and Technical Committee has finally communicated to him the text of the draft Convention which the Powers represented on the European Commission of the Danube propose to conclude, to communicate to the Powers parties to the Convention instituting the definite Statute of the Danube the present resolution, together with the letter from the Chairman of the Advisory and Technical Committee, dated December 20th, 1929, the draft Convention mentioned above and the draft declaration annexed to the said letter ;

“ ‘ The Council,

“ ‘ Requests these Powers to appoint representatives to sign, at the seat of the League of Nations, the declaration recording their common consent, the text of which is annexed to the letter from the Chairman of the Advisory and Technical Committee. The date for these signatures shall be fixed by the President of the Council after consulting the Chairman of the Advisory and Technical Committee ;

“ ‘ It further requests the Powers represented on the European Commission of the Danube, immediately after the signature of this declaration by all the Powers parties to the Convention instituting the definite Statute of the Danube, to sign the Convention mentioned above at the seat of the League of Nations.’ ”

M. ANTONIADE, on behalf of the Roumanian Government, accepted the terms of the report and the draft resolution.

The draft resolution was adopted.

ANNEX 11.

LETTER FROM THE SECRETARY GENERAL OF THE INTERNATIONAL COMMISSION FOR AIR NAVIGATION TO THE CHAIRMAN OF THE ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT, CONCERNING COMMUNICATIONS AFFECTING THE WORKING OF THE LEAGUE OF NATIONS AT TIMES OF EMERGENCY : FACILITIES TO BE GRANTED TO AIRCRAFT.

[C.P.D.187.]
[C.A.S.84.]

[Translation.]

Paris, December 18th, 1929.

In reply to your letter of October 14th, 1929, I have the honour to inform you that, at its sessions in June and December 1929, the International Commission for Air Navigation adopted the whole of the attached provisions, which seemed to it to ensure at all times the requisite facilities for air communications affecting the working of the League of Nations, while giving the various States the guarantees necessary for their security.

If this text were inserted in the Convention on Aerial Navigation of October 13th, 1919 — and that would seem to be the most practical procedure as regards States which are contracting parties to the Convention — it would, of course, be understood that measures would have to be taken so that the provisions contemplated might also be observed by States Members of the League which are not parties to that Convention.

The International Commission for Air Navigation did not think it necessary to define the “times of crisis” or “crisis” referred to in the attached text; moreover, in view of League procedure, it did not think any difficulties could arise from the absence of such definition.

(Signed) Albert ROPER.

DRAFT TEXT TO BE INSERTED IN THE CONVENTION
ON AERIAL NAVIGATION OF OCTOBER 13TH, 1919.

[Translation.]

CHAPTER... — AIRCRAFT INTENDED TO ENSURE COMMUNICATIONS OF IMPORTANCE
TO THE WORKING OF THE LEAGUE OF NATIONS.

The High Contracting Parties,

Desiring to facilitate at all times and particularly at times of emergency, communications by aircraft of importance to the working of the League of Nations,

Have agreed to the following provisions :

Article I.

Aircraft permanently or temporarily employed in transporting the officials or correspondence of the League of Nations or in transporting League delegations or the correspondence of such delegations shall be deemed to be aircraft ensuring air communications of importance to the working of the League of Nations.

Article II.

The aircraft referred to in the preceding article shall enjoy all the rights accorded to the State aircraft of the contracting States other than the military, Customs or police aircraft referred to in the last paragraph of Article 30 of the present Convention.

Article III.

If, in order to ensure air communications of importance to its working, the League of Nations utilises aircraft belonging to the League, such aircraft shall be registered with the Secretariat of the League of Nations under the conditions prescribed by the present Convention for the registration of aircraft belonging to the contracting States.

If, for this purpose, the League of Nations utilises aircraft registered in a State and placed temporarily at its service, such aircraft shall also be registered with the Secretariat of the League of Nations, the technical particulars required being replaced by a reference to the official register of the State in which each aircraft is registered.

Copies of registrations and of cancellations of registrations shall be immediately communicated to all contracting States and to the International Commission for Air Navigation.

Article IV.

Save for any special provisions in the present Convention, the aircraft bearing the marks prescribed in Annex A, indicating that they are employed in the service of the League, shall be subject to all the stipulations of the Convention.

Nevertheless, in the case of aircraft utilised by the League and not registered in any State, the certificates of airworthiness, the certificates and licences of the crew and all other documents prescribed may be issued or made executory by any State in accordance with its laws.

Further, in the case of aircraft registered in a State which is not a contracting party, these documents shall be issued or made executory in accordance with the laws of that State.

Article V.

In order to ensure communications of importance to the working of the League in times of crisis, the High Contracting Parties undertake to grant to the aircraft referred to in Article I above the fullest freedom of navigation without subjecting them to any exceptional and temporary restrictions that may be applied to air navigation, provided always, that the normal routes to be followed, the rules to be observed and any departures from these routes and rules have been previously agreed to by the Secretary-General of the League of Nations and the respective High Contracting Parties.

In arriving at these agreements, the High Contracting Parties undertake to grant the fullest possible facilities as regards both control and the routes to be followed.

The Secretary-General will endeavour, in due time and by appropriate means, to inform States whose territory is flown over of the identification marks of the aircraft which are to fly over such States, the route contemplated and the persons on board. The crew and the persons carried shall be provided with documents certifying their status and their mission.

These agreements shall further prescribe the conditions under which States whose territory is flown over shall furnish assistance to aircraft in difficulties and to the persons on board, with a view to ensuring the continuation of the air transport for the accomplishment of their mission.

Article VI.

Notwithstanding the provisions of Article V, any State may refuse to allow its territory to be flown over by aircraft registered in a State with which it has a crisis, but in such case it shall take all measures to ensure, with the utmost rapidity, the continuation of the air transport according to the procedure laid down in the agreements referred to in Article V.

ANNEX TO THE CONVENTION.

To be inserted in Annex A :

1. The provisions already adopted by the International Commission for Air Navigation in its Resolution No. 431 (*Official Bulletin*, No. 14, page 24), namely :

National aircraft effecting transport for the League of Nations at times of emergency shall be identified by the inscription under the normal nationality and registration marks, of a black horizontal stripe, easily effaceable, of the thickness of the letters constituting these marks and completely underlining them.

2. Provisions which are now being studied by the International Commission for Air Navigation regarding the call signs of national aircraft which effect transport for the League of Nations (the Commission's Resolution No. 469 — *Official Bulletin* of the International Commission for Air Navigation, No. 15, page 42).

3. Provisions to be drawn up regarding the marks to be borne by aircraft belonging to the League of Nations.

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* *

The Japanese delegation to the International Commission for Air Navigation has made a reservation concerning the whole of these conclusions.

ANNEX 12.

MEMORANDUM BY THE SECRETARY-GENERAL OF THE COMMITTEE CONCERNING COMMUNICATIONS AFFECTING THE WORKING OF THE LEAGUE OF NATIONS AT TIMES OF EMERGENCY.

[C.C.T.428.]

February 10th, 1930.

1. WIRELESS STATION.

The Secretary-General of the Committee has the honour to forward herewith to the members of the Committee the report and resolution¹ adopted by the Assembly concerning the establishment of a wireless station. Negotiations are at present proceeding between the Secretariat of the League of Nations and the Swiss Government with regard to the application of this resolution. The result of these negotiations will be reported to the Committee so that it may be in a position to consider the constitution of the technical organs whose assistance will be required by the Secretary-General of the League of Nations in execution of the agreement now being discussed with the Swiss Government.

2. COMMUNICATIONS BY AIRCRAFT.

The Secretary-General of the Committee has the honour to forward herewith to the members of the Committee the report and resolution² adopted by the Assembly concerning facilities to be granted to aircraft engaged in transport of importance to the League of Nations at times of emergency. In execution of this resolution, the International Commission for Air Navigation was requested by the Council of the League through the Chairman of the Advisory and Technical Committee to forward as soon as possible

¹ Document A.85.1929.IX.

² Document A.82.1929.IX.

the opinion asked for by the Committee. Apart from certain technical details, the International Commission for Air Navigation has now completed its work. It has forwarded its report to the Chairman of the Advisory and Technical Committee, who has handed it to the Secretary-General of the League for communication to the Committee on Arbitration and Security. That Committee will meet on March 24th. Copies of the letters sent by the Secretary-General of the International Commission for Air Navigation and by the Chairman of the Advisory and Technical Committee are herewith communicated to the Committee (see Appendix). It will be for the Committee to submit, for the consideration of the Committee on Arbitration and Security, and for subsequent consideration by the Assembly, any observations which it may deem desirable.

3. CONSTRUCTION OF AN AERODROME NEAR THE SEAT OF THE LEAGUE.

At its last session, the Advisory and Technical Committee thought there was no need for it to study further the arrangements for an aerodrome near the seat of the League until the Assembly had reached a decision concerning the expenses to be incurred for that purpose. Subsequently, however, it appeared that it would be difficult to obtain an opinion from the Assembly on this matter unless, at the same time, the Assembly had before it an estimate, even if only approximate, of the expense involved. Moreover, new and detailed proposals have been received from the competent authorities in regard to the improvement of the Cointrin aerodrome. In view of the Advisory and Technical Committee's decision at its last session, the Secretary-General of the Committee has so far been unable to submit to experts these new proposals, which do not entirely meet with wishes previously expressed by the experts, although they involve less expense than had hitherto been contemplated.

Appendix.

LETTER FROM THE CHAIRMAN OF THE ADVISORY AND TECHNICAL COMMITTEE TO THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS

[C.C.T.415.]

[*Translation.*]

Geneva, December 27th, 1929.

I have the honour to send you herewith¹ for communication to the Committee on Arbitration and Security, in conformity with the decisions of the Council of the League, a letter I have received from the Secretary-General of the International Commission for Air Navigation forwarding the provisions adopted by that Commission in order to ensure at all times the requisite facilities for air communications affecting the working of the League of Nations, while giving the various States the guarantees necessary to their security.

I will also forward to you, if necessary, any observations which the Advisory and Technical Committee for Communications and Transit, to which I am communicating this text, may desire to submit.

(Signed) SEELIGER,
*Chairman of the Advisory and Technical
Committee for Communications and Transit.*

ANNEX 13.

RESOLUTIONS ADOPTED AT THE FIFTH CONGRESS OF THE INTERNATIONAL CHAMBER OF COMMERCE HELD AT AMSTERDAM ON JULY 8TH TO 13TH, 1929.

[C.C.T.429.]

I. HIGHWAY TRANSPORT.

1. *Triptychs.*

“The International Chamber of Commerce,

“Supports the resolutions of the Permanent Committee on Road Traffic of the League of Nations recommending the extension and simplification of the triptych or Customs pass system ;

¹ See Annex 11.

“Records the fact that strict application of the principle restricting the use of triptychs to motorists touring for pleasure necessarily entails arbitrary discriminations and is incompatible with the existing progress of motor traffic now in general use as a means of transport ;

“Emphasises the fact that the distinction between motorists touring for pleasure and for other purposes has become impossible in practice ;

“Recommends that the triptych system be extended to all motor vehicles except when some more favourable system already applies.”

2. *Restrictions on Motorists.*

“The International Chamber of Commerce,

“Whereas it is desirable in the interest of commercial relations that motor circulation from one country to another should be given every facility ;

“Warmly endorses the resolution of the ‘Association internationale des Automobile-Clubs reconnus’ calling for the suppression of circulation taxes imposed on foreign motorists in certain countries ;

“Recommends that foreign motorists should be exempt from all taxation at least during the two first months of their stay.”

3. *Highway Statistics.*

“The International Chamber of Commerce,

“Whereas all recommendations concerning automobile traffic and the best organisation of this means of transport in the general interest of economic welfare, should necessarily be based upon exact information concerning existing conditions in the various countries ;

“Whereas it is necessary to compile accurate and full information upon :

“(a) Taxes upon highway traffic and all direct and indirect charges upon motor vehicles ;

“(b) Sums expended on the highway system, before and since the advent of motor vehicles ;

“(c) The various methods of highway administration ;

“(d) The plans for the construction of new highways ;

“Recommends that all the enquiries undertaken in this connection by the various specialised organisations be effectively co-ordinated and concentrated in a general report.”

4. *Highway Finance.*

“Whereas all nations realise to-day that good roads decrease distance and transport cost, at the same time increasing the real wealth and the consuming power of the people ;

“Whereas the good roads that all nations require for modern traffic will cost vast sums of money in the next few years ;

“Whereas the business men of the world are directly interested not only in good roads but also in sound measures for financing the making and maintenance of good roads ;

“Be it resolved that the International Chamber of Commerce, through its Highway Transport Committee, in view of the importance of the question shall closely study the subject of highway finance in its various aspects endeavouring to develop the principles on which the different forms of current practice are based.”

II. SEA TRANSPORT.

1. *Customs and Consular Formalities.*

“The International Chamber of Commerce,

“Recognises the need for reasonable Customs and consular formalities in keeping with actual fiscal or administrative requirements ;

“Calls attention to the fact that in many countries formalities and charges are excessive and vexatious, and constitute a trade barrier ;

“Reminds countries that impose such barriers to international trade that the cost thereof is borne ultimately by the consumers within their own boundaries ;

“Recommends that the Committee on Co-ordination of Transport and Communications take all appropriate measures, in particular by referring each specific case to the proper national committee and obtaining its co-operation in inviting the Government concerned :

“(1) To undertake a general and thorough examination of its Customs and consular formalities with a view to their simplification ;

“(2) In particular to abolish vexatious and costly delays, avoidable overtime, fines or penalties in all cases where fraudulent intent has not been proved (*e.g.*, in cases

of error in manifests or unavoidable short-shipment of cargo), unnecessary visas on bills of health, manifests, etc., to prepare reasonable schedules of charges corresponding really to services rendered ;

“ Requests all national committees to report to international headquarters all superfluous and abusive formalities ;

“ Calls the attention of the League of Nations to the necessity of suppressing these trade barriers as quickly as possible.”

2. *Flag Discrimination.*

A. *Resolution of the International Chamber of Commerce :*

“ The International Chamber of Commerce, observing that :

“ (a) It is now about five years since the Maritime Ports Convention was signed, it has now been signed by twenty-six nations, but it has only been ratified by sixteen ;

“ (b) There has been a steady growth of public opinion against flag discrimination and a consequent diminution of this trade barrier ;

“ (c) Flag discrimination is still practised in some countries ;

“ Resolves that it is necessary to continue and intensify its efforts to realise to the full the policy laid down by the third Congress in Rome in the resolutions as shown below, and in particular with this object ;

“ (1) That further representations should be made to the League of Nations and, in co-operation with the national committees concerned, to those Governments who have not yet ratified the Convention, with a view to its prompt ratification and adoption in practice by all countries, and that the League of Nations should be urged to seize every opportunity offered to secure this object ;

“ (2) That it should be a recommendation to international headquarters, that whenever a case of flag discrimination is brought to their attention, it be taken up with the national committees, both of the country in which it occurs and of the countries affected by it, with a view to its removal.”

B. *Resolution of the Rome Congress :*

“ 1. This Congress notes with regret a growing tendency on the part of some nations to view the exports from and the imports to their countries as national commerce and so to claim the right to discriminate in favour of vessels of the national flag against vessels of an alien flag, in regard to the marine transportation of such goods and passengers. The Congress considers that such action is contrary to international rights because international commerce is not, and cannot be, the exclusive concern of any individual nation, and that while every nation is entitled to subsidise its own shipowners or traders, and to regulate and to restrict the amount of its exports and imports, emigrants or immigrants, no nation is entitled to claim exclusive rights in connection with its international commerce, or the transport of emigrants to or from the countries.

“ 2. The Congress therefore recommends that any attempt to restrict the carriage of goods or passengers between different countries to vessels sailing under the national flag of any nation by discrimination in any form should be strongly opposed as being contrary to international comity and disastrous to international commerce, the Congress being of opinion that the establishment and maintenance of commerce between the various nations on a sound basis can only be secured by equal opportunity to all ships under all flags in all parts of the world.”

III. RAIL TRANSPORT.

1. *Through Traffic Documents.*

“ The International Chamber of Commerce has considered with interest the work of the League of Nations with regard to through traffic, confirms its resolution passed at Stockholm as regards through ‘ rail and sea ’ traffic documents, and requests the Rail Transport Committee to continue its study of the questions of ‘ rail and motor ’ and ‘ air and rail ’ through traffic documents.”

2. *Uniform Nomenclature of Goods.*

“ The International Chamber of Commerce recommends :

“ That the uniform nomenclature of the International Railway Union be made to conform as closely as possible to the nomenclatures for Customs and statistics ;

“ That the work of the International Railway Union be not made final before the Customs nomenclature has been completed ; and,



"That the Standing Committee on Rail Transport of the International Chamber of Commerce pursue its inquiry into the best method of cross-references for the Customs, railway and statistics nomenclatures, in liaison with the League of Nations and the International Railway Union."

ANNEX 14.

A. MEMORANDUM FROM THE FINNISH GOVERNMENT CONCERNING SMUGGLING OF ALCOHOL.

[C.C.T.435.]

[Translation.]

Geneva, March 10th, 1930.

At its thirty-first session, the Economic Committee of the League of Nations decided to consult amongst others the Communications and Transit Section of the Secretariat with regard to a draft recommendation on the smuggling of alcohol, submitted during the Committee's discussion of that question. The Finnish Government is very glad to see that the question will thus be brought also before the organisation for Communications and Transit, for, in its opinion, the matter naturally falls within the province of that organisation. The organisation will, in its efforts to further the freedom of communications and transit, certainly endeavour to overcome all obstacles and to prevent all abuses hindering international communications. Obviously smuggling may, in various ways, cause obstacles and create difficulties in international relations in the matter of communications.

The Finnish Government ventures, therefore, to submit some observations in support of the draft recommendation.

The coast of Finland is long, dotted with islands and in places sparsely populated. It thus offers great opportunities for smuggling. At all times high Customs duties or other circumstances have made smuggling specially profitable and the smuggling of goods into Finland has flourished. Recently it has been noticed that coffee, cocoa, gramophone records, certain textile products and playing cards enter Finland through this illicit traffic. Smuggling, however, has been chiefly concerned with pure alcohol and other alcoholic drinks and this branch of contraband trade has grown during recent years. This is proved *inter alia* by the continuous increase in the quantities seized by the Customs authorities, as is shown by the following statistics (figures in litres) :

	Pure alcohol	Other alcoholic drinks	Liqueurs, etc.	Sparkling wines	Still wines
1920	98,582	9,499	579	292	1,317
1921	58,932	10,924	792	317	1,932
1922	153,101	65,988	2,601	1,181	2,588
1923	488,767	10,032	981	345	3,678
1924	511,902	4,696	824	194	3,465
1925	550,626	5,729	639	244	2,665
1926	655,781	5,170	1,631	257	1,798
1927	635,851	5,585	437	107	1,439
1928	977,872	7,107	1,130	194	4,943

The quantities seized are, of course, only part of the alcohol which is illicitly imported ; it is obviously impossible to ascertain the quantity of alcoholic beverages thus imported clandestinely into Finland. As these goods are exported almost solely through a few Baltic ports, certain conclusions may, however, be drawn from the quantities shipped there for transport to Finland.

To give only a few figures — in 1928, shipments in the few ports mentioned above amounted to 8,400,920 litres of spirits, with an alcoholic content of at least 90 per cent, consigned to other countries on the Baltic coast. Further, 8,196 cases, each containing about ten litres of best quality spirits, were exported. For 1929, the corresponding figures were still higher, viz., 10,024,640 litres of eau-de-vie and 9,382 cases of best quality spirits. Part of this alcohol is, in fact, exported in order to be smuggled into other Baltic countries but, as the figures for seizures effected in those countries are relatively low, such exports appear to be a very small proportion of the whole, although they may, even so, be very harmful to the countries affected.

This enormous smuggling trade is carried on as follows : the vessels approach the coast of Finland, anchor outside the Customs supervision zone and land their cargo at a convenient time by the aid of small motor-boats, etc. Owing to the large number of islands near the coast and the speed of the motor-boats, this landing is easy enough. The smuggling vessels may remain at anchor for weeks and renew their cargo with the help of other vessels which always come from the ports mentioned above. Under these conditions, they may thus be

said to act as permanent depots. Occasionally they have even fired on Customs vessels and sometimes, when it has been legally possible to carry out seizures, not only rifles but machine-guns have been found on board the smuggling vessels. As the smuggling trade is now so perfectly organised, measures taken by one country alone have proved insufficient. Finland, like other countries suffering from this smuggling traffic, has been unable to prevent it by her own means. International action is required. The countries on the Baltic coast and Norway (like the United States of America) concluded what is known as the Helsingfors Convention in 1925, by virtue of which the contracting parties granted each other the right to inspect their vessels and, if necessary, to seize them outside territorial waters and the Customs zone up to a limit of twelve nautical miles. This Convention, which applies only to alcohol with a content of more than 18 per cent, was fairly effective at first, but subsequently its restraining influence diminished considerably. Foreign smuggling organisations, although without any great influence in their own countries, were able through fictitious transactions and the employment of figureheads, to register vessels under the flags of countries which were not signatories of the Helsingfors Convention. Under the protection of these flags the smugglers then brought alcohol within the zone of twelve nautical miles. When Finland brought these facts to the notice of the countries concerned, however, they undertook, particularly in the case of those with which she has considerable commercial and transport relations, to adopt means of more effective supervision in order to prevent the issue of registration certificates to smuggling vessels.

As fast as these steps were taken, the smugglers endeavoured to secure flags which are rarely seen in Finnish waters. They even flew flags which are almost unknown in Finland owing, for instance, to the fact that the countries in question are so far away. The change in the vessel's nationality in such cases is entirely fictitious. This is proved by the fact that the captain and the crew remain on board and that frequently not one of them is of the nationality shown by the flag.

A further proof is furnished by the fact that some of these vessels, owing to their low tonnage, could never even have reached Finland from their country of domicile, *e.g.*, a vessel of about twenty tons may be domiciled at Punta Arenas in Chile.

The activities of these private organisations engaged in smuggling alcohol are not only an intolerable affront to the dignity of the countries concerned, but they may obviously prejudice relations between Finland and the countries whose flags are flown by the smugglers' vessels. Consequently, the Finnish Government requested the Governments of the other countries to prevent the abuse of their flag and to ensure more effective Customs supervision. Owing to the large number of States concerned, however, these steps were difficult and almost ineffective. Accordingly, the matter was brought before the League of Nations. The Ninth Assembly adopted a resolution asking the organs of the League to consider the question and, if necessary, to submit proposals. The matter then came before the Economic Committee which drafted certain proposals. Recently, Finland submitted two recommendations, one concerning the prevention of the abuse of the flag, and the other the right to seize vessels manifestly engaged in smuggling. The two proposals in their present form are as follows :

“ The Council,

“ Having had its attention drawn to the special difficulties encountered by certain countries in their campaign against the smuggling of certain products, and particularly alcohol, owing to the fact that, in order to baffle pursuit, ships engaging in the illicit traffic in these products fly the flags of countries which are not contracting parties to the agreements concluded with a view to suppressing this traffic, although in most cases the owner and the greater part of the crew are nationals of the contracting parties :

“ Recommends the Governments of Members of the League of Nations to instruct their consular agents abroad not to issue documents certifying a change in the nationality of ships until they have procured sufficient information to satisfy themselves that this change is not intended to facilitate the committing of breaches of the laws of other States, particularly with regard to smuggling.

“ The Council recommends (expresses the hope) that the Governments not parties to Conventions providing for a special zone in which the laws of the riparian country can be applied to smugglers' ships, should refrain from opposing the application of the provisions of these treaties also to vessels flying their flags and manifestly engaged in smuggling, on condition that the requisite supervision should never affect ordinary navigation (in the waters and ports of the Baltic Sea).”

Of these two proposals, the second alone will probably give rise to discussion. In the case of the first, differences of opinion are scarcely likely to arise.

It should be realised that no measure taken to prevent the abuse of flags can at present be perfectly effective. There will always be cases of smuggling vessels, operating under the protection of a false flag, entering the zone of twelve nautical miles for the purpose of engaging in illicit trade. Such cases, which are obviously reprehensible from an international point of view, demand special measures, and this is the object of the Finnish proposal at present before the Committee. A few more detailed explanations are necessary to throw

further light upon the proposal. First, it should be noted that there is no question of establishing a legal principle, but only of drafting a recommendation or expression of opinion implying no formal obligation or general extension of the local regulations involved. The countries which have not acceded to the agreements concerning these local regulations may always use their discretion in deciding in how far they wish to observe it. Consequently such a recommendation or opinion does not confer fresh rights on any country as regards seizures on the high seas. The significance of the Finnish proposal is thus rather a practical and moral one. Such an opinion expressed by the organs of the League of Nations would be tantamount to an invitation to the Powers not to exercise, in too rigid a manner, their right to protect vessels flying their flag, regardless of whether those vessels are regularly and manifestly engaged in smuggling or not.

It should, moreover, be noted that the countries which are anxious to maintain a high commercial standard already appear to be acting in the spirit of the recommendation. A typical illustration is the case of the *Henry L. Marshall* in which Great Britain renounced her right to protect a vessel flying the British flag, as soon as it was proved that the vessel was engaged in smuggling and had only acquired British nationality by doubtful means.¹ But there are other cases in which it is difficult, on account of distance or for other reasons, for States adequately to safeguard the reputation of their flags.

Whatever attitude countries adopt with regard to the seizure of smuggling vessels flying their flag, the fact that a country might waive its right to protect its flag would of itself be sufficient to make smugglers unwilling to expose themselves to the risk of seizure.

The foregoing is enough to show that there is no risk of the Finnish proposal affecting ordinary navigation and trade, even if certain vessels employed for smuggling purposes were seized in virtue of a special decision taken on the merits of the particular case. Indeed, the text of the recommendation itself contains the most express reservations with regard to the freedom of ordinary navigation. In view of the fact that the flags of the countries engaged in regular navigation and trade in the Baltic are not at present exposed to abuse by smugglers, there is no reason to fear that, in practice, the proposed measure will in any way injure their legitimate interests or hamper their ordinary navigation and the general freedom of the seas. Still less is it to be feared that the proposal could have the effect of preventing access to any part of the high seas, even if such part were entirely covered by the Customs zone which it is proposed to set up.

Finally, it is sufficiently clear from the above that this is a special case which does not in any way affect the general legal position with regard to territorial waters or their extent and which consequently can and ought to be settled without prejudice to this position.

B. SUPPLEMENTARY INFORMATION.

EXTRACTS FROM THE REPLY DATED FEBRUARY 24TH, 1930, OF THE FINNISH MINISTRY FOR FOREIGN AFFAIRS TO CIRCULAR LETTER 265.1929.II, OF OCTOBER 12TH, 1929, FROM THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS.

[C.C.T./435(a).]

[Translation.]

QUESTION (b).

Are the measures taken by your Government individually to prevent or suppress this smuggling sufficient, and has your Government endeavoured to arrange for reciprocal assistance, particularly with the nearest countries or those bordering upon the same sea?

ANSWER.

The measures taken by the Government individually to prevent smuggling have proved to be insufficient because smuggling — since the goods originate in another country — is necessarily an international matter and, more particularly, because smugglers, as already stated, shelter under a foreign flag and thus make action by the Finnish authorities possible only within very narrow limits. Consequently, Finland has been unable by independent means to suppress the alcohol smuggling. The direct assistance and co-operation of neighbouring countries has only been resorted to in a limited number of cases. Very valuable assistance has, however, been given, in particular by the Swedish Customs authorities, without any convention or written undertaking. Not only has Sweden for some time past supplied information as to smugglers' plans and movements but, after verbal negotiations, the Finnish and Swedish Customs authorities agreed that, by the most effective means at their disposal, they would endeavour to prevent smuggler's vessels from passing through their respective territorial waters to the Gulf of Bothnia. This agreement gave excellent results during the

¹ Quoted in the publication of the Harvard Law School: "Nationality: Responsibility of States; Territorial Waters.", page 338.

first year in which it was applied. The following year, however, the smugglers began to use big and very fast motor-boats which the patrol vessels were unable to capture, and these smuggling boats could not be prevented from passing through territorial waters. Nevertheless, the agreement has at least had one good effect. The "storage vessels", i.e., big steamers carrying a cargo of brandy, stationed outside the Customs limits and landing their cargo by means of small smuggling boats have, up to the present, been prevented, so far as is known, from reaching the Gulf of Bothnia. Apart from this co-operation with the Swedish Customs authorities, the Estonian authorities also, as a result of negotiations in 1928, supply information as to contraband traffic.

QUESTION (c).

Has your Government concluded bilateral or multilateral Conventions? If so, what Conventions? Please give the text or a summary of these Conventions. Do they operate to the satisfaction of the Governments concerned?

ANSWER.

Reference need be made only to the so-called Helsingfors Convention concluded in 1925 between the Baltic coastal States and Norway. This Convention relates only to alcohol above 18 per cent, i.e., strong alcoholic drinks. The contracting parties undertake, with a view to preventing the smuggling of alcohol, to allow Customs supervision to be extended to vessels flying their flag within a zone of twelve nautical miles. Further, the Convention lays down certain restrictions with regard to the minimum tonnage of vessels that may be authorised to carry alcohol for export in the ports of the contracting parties. In reply to the question as to whether this Convention operates to the satisfaction of the Governments concerned, it may be said to have been very useful in several respects and, particularly at first, was an effective check on smugglers' activities. During recent years, however, it has not given the expected results or been as effective as could be wished. This is chiefly due to the fact that foreign companies engaged in smuggling have, by means of fictitious sales and the employment of men of straw, secured authorisation to fly the flags of countries which are not parties to the Helsingfors Convention. Under the protection of these flags not only have they exported alcohol from Baltic ports in vessels of less than the minimum tonnage fixed by the Convention, but they have anchored within the zone of twelve nautical miles and have thus continued their traffic almost as if there were no Helsingfors Convention. Even the twelve mile zone has proved to be inadequate, as the smugglers have begun to use fast motor-boats.

QUESTION (d).

Would an international agreement involving certain obligations such as mutual assistance in regard to information, judicial assistance, the right to search vessels outside territorial waters, etc., be likely to be of any practical utility for the prevention of smuggling?

ANSWER.

In view of the foregoing, the Finnish Government feels bound to reply that as smuggling is, by its very nature, an international matter, effective action against it can be taken only by international co-operation, involving measures some of which might certainly be incorporated in a formal agreement. This is further confirmed by the fact that several countries have already felt the need to agree amongst themselves as to certain measures for the prevention of smuggling. These efforts would be greatly assisted if the League of Nations were to support the legal principle that international law may not be relied upon to allow the freedom of the seas — which is guaranteed in a general way by international measures — to be used as a defence for acts constituting breaches of the laws of any country and, in the case in point, the professional smuggling of goods. Finland also thinks that a decision should be reached by which, when any ship outside territorial waters causes a cargo of prohibited goods to be landed by means of its own boats or those of third parties, this operation, from the moment when the goods leave the vessel until they are landed, should be considered as continuous unloading and, therefore, a direct infringement of the laws of the coastal State and as falling within the judicial competence of that State.

Consequently, any person who, operating from a vessel outside a country's territorial waters, by means of his own boats, motor-boats, etc., or those of third parties, unloads or prepares to unload contraband goods with a view to their landing, should thereby be deemed to infringe the recognised rights and privileges of the coastal State. In such manifest cases of smuggling the State in question should, therefore, with a view to preventing such acts, be allowed to inspect vessels outside its territorial waters and take other measures to ensure respect for its Customs regulations, provided, of course, that the freedom of lawful navigation is not hampered thereby, and that such navigation is not unduly hindered. If international rules embodying these principles could be framed, they would doubtless do much to prevent fraud. Thus, the vessels of professional smugglers which anchor outside Finnish territorial waters and land their cargoes by means of small motor-boats, might then be seized without

fear of protest from any foreign country which would otherwise feel bound to interfere solely in order that a precedent should not be established by which it might subsequently be bound in a general way.

Consideration might also be given to the possibility of prosecuting a person guilty of an offence of this character against a State, not only in the country to whose prejudice the offence is committed, but also in the country of which he is a national. It should be noted that the chief offenders usually do not reside in the country where the offence was committed and therefore cannot be prosecuted in that country. It is worth mentioning in this connection that Norway, at least, has provided penalties for any person engaged in smuggling goods into a foreign country. In addition to the measures referred to above, a measure based on the co-operation of foreign countries would be likely to assist greatly in the suppression of large scale alcohol smuggling. If an international convention could be concluded for the purpose of allowing alcohol and spirits over 18 per cent to be transported from one country to another only by rail or by mechanically propelled vessels making regular voyages according to a public time-table, as is the case, for instance, in Denmark, smuggling, at all events in its present form, would be made impossible.

Experience has shown that in the case of alcohol smuggling in particular, not only when the transport vessel is unloaded outside a country's territorial waters, but often when unloading takes place within the territorial waters or even direct on to land, those concerned include nationals of foreign countries who have left their country or have never even been there. To reach and prosecute national as well as foreign offenders in such cases, it is essential that international regulations should be framed, so that, in the case of smuggling offences against a country, the procedure already in force for certain other offences should be adopted, viz., that sworn letters of request might be addressed to a foreign country and offenders might be sentenced. Finland has already had some experience of such international assistance in the matter of dealing with persons guilty of smuggling offences.

The organisation, by means of international regulations, of international assistance in securing information regarding smugglers and their operations is also of some importance. In addition to information concerning the movements of suspect vessels and preparations for smuggling, it might be helpful to have information, when necessary, as to foreign nationals who have been sentenced abroad for smuggling, or who are known by the authorities to be involved in some way in such activities.

To sum up, the Finnish Government is of opinion that the prevention of smuggling depends, in many respects, on international regulations. A start in this direction, if need be through an international conference, is most desirable.

To put such international measures into effect, however, would require much time and thorough and detailed study. In order that more effective action may be taken forthwith against alcohol smuggling, the Finnish Government has, therefore, without attempting to secure the establishment of general principles or the creation of international obligations, expressed the hope that the League of Nations will submit two recommendations for the consideration of Governments. The first of these aims at the suppression of the abuse of the flag as a cover for smuggling. The other suggests that when certain countries have agreed amongst themselves as to the extension of the zone of Customs supervision, countries that are not parties to such an agreement should not object to the same provisions being applied, in special cases, to vessels flying their flag within the extended zone of Customs supervision, in the cases of flagrant smuggling, and provided that ordinary navigation is not in any way hampered thereby.

The Finnish Government wishes once more to urge the need for such measures.

ANNEX 15.

NOTE BY THE SECRETARY-GENERAL OF THE COMMITTEE CONCERNING THE SMUGGLING OF ALCOHOL.

[C.C.T./427.]

February 10th, 1930.

The Secretary-General of the Advisory and Technical Committee has the honour to forward to the Committee the following note from the Secretariat of the Economic Committee. In order to help the Communications and Transit Committee to examine the question on which the Economic Committee requests its opinion, the Chairman of the Permanent Committee for Ports and Maritime Navigation has been requested to come, with two or three members of that Committee selected by him, to Geneva during the session of the Communications and Transit Committee.

These arrangements have been taken by the Chairman of the Advisory and Technical Committee.

The Finnish Government also has been requested by the Chairman of the Committee under Article 13, paragraph 5 of the Statute of the Communications and Transit Organisation,¹ to appoint a temporary member to sit as a member of the Committee when it is studying the question raised by the Finnish Government.

NOTE FROM THE SECRETARIAT OF THE ECONOMIC COMMITTEE

On September 24th, 1928, the Assembly adopted the following resolution :

“ 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 affects 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 to the Council any proposals arising out of its conclusions.*

“ *It is understood that this resolution does not refer to wine, beer or cider.*”

In pursuance of this resolution, the Council on September 26th, 1928, asked the Economic Committee to undertake this investigation.

The Economic Committee reported to the Council (document C.307.M.106.1929.II (page 4)). It will be seen from this report that the Economic Committee, at the request of the Finnish Government, did not inform the Council of the result of its enquiries on the subject of the smuggling of alcohol.

At its session held in January 1930, the Economic Committee examined certain suggestions submitted to it by the Finnish Government, including a proposal that the Council should send to the Members of the League a recommendation in the following terms :

“ The Council recommends (or hopes, or considers that it would be desirable) that Governments which are not parties to the Conventions prescribing a special zone in which the laws of the riparian State may be applied to vessels engaged in smuggling should at once decide not to object to the application of those provisions of such Conventions to vessels flying their respective flags, particularly in the case of store-ships which are clearly engaged in smuggling, provided always that such surveillance can in no case interfere with ordinary navigation (in the waters and ports of the Baltic Sea).”

The Economic Committee considered that before giving a final decision on this proposal it should obtain the opinion of the Communications and Transit Committee on the extent and effect of this suggestion.

The Economic Section was accordingly instructed by the Economic Committee to ask the Transit Section to obtain the Communications and Transit Committee's opinion, more especially regarding the consequences which the rule formulated in the Finnish Government's proposal might involve as regards freedom of navigation, particularly if applied in seas where the shores are in close proximity to each other or where there are islands lying between the shores, so that the practical effect would be to prevent access to the sea without entering the territorial waters of the riparian States.

The Economic Section would be grateful if the Communications and Transit Section would act on the present request as quickly as possible.

(Signed) P. STOPPANI.

ANNEX 16.

MEMORANDUM BY THE SECRETARY-GENERAL OF THE COMMITTEE CONCERNING THE RESULTS OF THE EUROPEAN CONFERENCE ON THE TRANSPORT OF NEWSPAPERS AND PERIODICALS.

[C.C.T./418.]

February 10th, 1930.

The European Conference on the Transport of Newspapers and Periodicals, provided for by the resolution adopted by the Advisory and Technical Committee at its last session, was convened by the Council and met at Geneva from November 25th to 29th, 1929. The

¹ See document C.C.T.79(2).

Final Act of this Conference is forwarded herewith to the Advisory and Technical Committee.¹ The Council, at its last session, took cognisance of the results of the Conference and adopted the following resolution :

“ The Council,

“ Observing with satisfaction the results obtained by the European Conference on the Transport of Newspapers and Periodicals, which met at Geneva from November 25th to 29th, 1929 ;

“ Noting that the Governments, administrations and organisations concerned will take all necessary steps to enable the measures recommended by the Conference to be carried into effect as soon as possible ;

“ Instructs the Advisory and Technical Committee for Communications and Transit to keep itself informed of the results obtained, to report on this question to the Council, and, with the assistance of the other technical organs of the League of Nations, to pursue the investigations recommended by the Conference.”

The work entrusted to the Advisory and Technical Committee in carrying out the decisions of the Conference relates to :

(a) The manner in which measures connected with the system of transport for daily (and similar) newspapers in international traffic are carried out (last paragraph of No. I of the Final Act) ;

(b) Customs and fiscal duties applicable to newspapers (No. IV of the Final Act) ;

(c) An international definition of the term “ periodical ” (No. VII of the Final Act).

ANNEX 17.

EXTRACT FROM THE PROCEEDINGS OF THE FIFTH MEETING OF THE FIFTY-EIGHTH SESSION OF THE COUNCIL OF THE LEAGUE CONCERNING A REQUEST PRESENTED BY THE BOLDVA VALLEY LOCAL RAILWAY COMPANY IN VIRTUE OF ARTICLE 304 OF THE TREATY OF TRIANON.

[C.C.T./413.]

2578. Dispute concerning the Boldva Valley Local Railway Company.

The PRESIDENT, speaking as Rapporteur, said that the Council, in its resolution adopted at its fifty-fifth session concerning the local railway of the Boldva Valley, had decided that the arbitral body appointed by it on March 9th, 1929, should, if no agreement had been reached by August 15th, 1929, be instructed to give its decision on the only question still outstanding between the Czechoslovak Government and the Boldva Valley Local Railway Company. That question concerned the dispute regarding the price to be paid by the Czechoslovak Government for that part of the line within its territory. The Council had asked the Chairman of the Advisory and Technical Committee for Communications and Transit to lend his good offices with a view to obtaining a friendly agreement.

In conformity with the Council's decision, the Chairman of the Advisory and Technical Committee for Communications and Transit asked General de Candolle, member of the Permanent Committee for Transport by Rail, under the auspices of which the main agreement had been drawn up and signed at Geneva on April 17th, 1929, to co-operate with the representative of the Czechoslovak Government and of the Railway Company, in order to settle the question of the cost price.

General de Candolle had asked the Czechoslovak Government and the Railway Company to send their representatives to Geneva, and a supplementary agreement concerning the cost price had been signed by those representatives on August 9th, 1929. That agreement had now come into force.

The Boldva question having, therefore, been settled in a friendly manner, the President thought he was interpreting the views of the Council in congratulating the Advisory and Technical Committee for Communications and Transit on the steps which it had taken in the matter and in thanking General de Candolle, whose experience and ability had considerably contributed to this satisfactory result, since he had lent his good offices to the parties concerned.

The Council noted the President's statement and adopted his proposal.

¹ See document C.557.M.208.1928.VIII.

ANNEX 18.

PROPOSAL RELATING TO THE ORGANISATION OF AN
ENQUIRY ON THE UTILISATION OF TONNAGE.

[C.C.T./U.S.T./14 (1).]

The Drafting Committee, having noted the resolution adopted by the Permanent Committee for Ports and Maritime Navigation at its last session held in London in February 1929, thought it advisable to examine in greater detail Mr. Flux's proposal to compile as an experiment a monograph on the ships trading between Europe and the Atlantic coast of North America.

The Committee on the Unification of Transport Statistics, in its report, has included a suggestion for worldwide statistics of shipping, and the proposed monograph was intended to serve as a test experiment preliminary to any attempt to carry out the larger scheme. The Committee considered that this study should be limited to shipping between North-Western Europe and the Atlantic coast of North America, exclusive of the Gulf of Mexico. These areas would be :

In Europe : France (Atlantic ports), Belgium, Great Britain and Northern Ireland, Irish Free State, Netherlands, Germany, Denmark, Poland, Free City of Danzig, Lithuania, Latvia, Estonia, Union of Soviet Socialist Republics (Baltic ports), Finland, Sweden and Norway.

In America : United States of America (Atlantic ports), as far as the Gulf of Mexico, Canada (Atlantic ports) and Newfoundland.

The Committee first of all considered the possibility of utilising for this purpose the existing foreign trade statistics in combination with *Lloyd's List* of shipping movements.

As a result of its examination, the Committee found that this would present several serious difficulties. In the first place, if only statistics of foreign trade were used it would be practically impossible to distinguish between the various areas : France (Atlantic ports), Union of Soviet Socialist Republics (Baltic ports), United States of America (Atlantic ports), and Canada (Atlantic ports). Further, it is doubtful whether the goods despatched by a European country through the ports of other European countries figure in the statistics of the country of origin under the heading of the overseas country of final destination, and the same doubt exists as to the statement of the origin or place of consignment of such goods made in the statistics of the country of destination.

On the other hand, the transit statistics in the majority of countries do not make it possible to trace from their origin to their final destination goods in transit through a given country. A similar question arises with regard to reconsignments in the British and other statistics which show re-exports separately. Moreover, as regards the exports and imports of countries like Austria, Hungary, Czechoslovakia and Switzerland it is not possible to discover from the foreign trade statistics whether these exports or imports are effected through ports in the north-west of Europe or through Mediterranean ports. Lastly, this method would not permit of particulars being obtained as to the amount of shipping tonnage utilised by goods loaded in one European country and unloaded in another before the carrying vessel crossed the Atlantic, or the amount of shipping tonnage utilised by goods remaining on board after partial unloading in the ports of the Atlantic coast of North America, for example, to continue their journey to destinations either in Central or South American ports or in ports of the Pacific coast of North America.

Hence the Committee thought it necessary to give up the idea of utilising foreign trade statistics in the proposed study, and came to the conclusion that the best method was to compile a schedule of the different loading and unloading operations effected in the various ports by each vessel in plying between the ports of North-Western Europe and the ports of the Atlantic coast of North America. The data to be obtained would in each case be the following :

- (1) Name of port ;
- (2) Name of vessel ;
- (3) Flag of vessel ;
- (4) Date of operations ;
- (5) Gross weight and nature of goods unloaded ;
- (6) Gross weight and nature of goods loaded.

Were these particulars already recorded, further particulars would not be required.

By this method, it would be easy to obtain very accurate data as to the goods carried by each vessel individually and hence by the whole merchant marine on the route in question, and this would make it possible to show the coefficient of tonnage utilised as a percentage of the deadweight, the net tonnage and gross tonnage, corresponding to a given deadweight, being also shown as a further basis of comparison.

The Committee considered that, for the purpose of compiling this monograph, the simplest method would be for the different statistical services concerned to communicate the particulars collected by them to the Secretariat of the Communications and Transit Organisation of the League, which would then classify the statistics and compare and arrange the individual data of the different national statistical services.

The Committee thought that, in the proposed investigation, it would be possible to leave tankers out of account, as these ships usually sail with a full cargo in one direction and sail empty in the other, and their inclusion in the totals might lead to difficulties in interpretation of results.

Data regarding the six points enumerated above would have to be collected :

(a) In the case of *liners*, with regard to ships belonging to lines plying between ports of North-Western Europe and ports of the Atlantic coast of North America, including, of course, the lines making longer voyages.

(b) In the case of *tramps*, with regard to ships embarking cargo in a port of North-Western Europe for a port on the Atlantic coast of North America and *vice versa*.

Since the full deadweight of a ship includes the weight of fuel (coal or oil), the weight of the water supply — and in passenger ships the weight of the passengers, their luggage, and the provisions and drinking water for their use — corrections would in each case have to be made in order that the deadweight used to determine the percentage of tonnage employed should accurately represent the loading capacity of the ships.

In view of the foregoing considerations, the Committee suggests that the Advisory and Technical Committee for Communications and Transit should ask the Governments of the countries enumerated in the present note whether they are in a position to supply immediately particulars under the six points mentioned above, or whether they think it possible to procure these data as a purely provisional measure and solely with a view to the proposed enquiry. (In certain countries, for instance, the gross weight of the goods loaded and unloaded may not at present be known, but it would seem easy to obtain these data by asking, for example, that the figures in question should be uniformly entered in the appropriate column of the manifest.)

Should the Governments concerned state that they can give these particulars, it should be ascertained whether they are prepared to co-operate with other Governments for this purpose through the Secretariat of the Communications and Transit Organisation of the League of Nations, as outlined in the present note, with a view to the joint utilisation of the data collected by each country on the traffic in their ports.

Naturally, all the particulars supplied by the countries concerned would be considered and treated as confidential, and the Governments in question would be previously consulted with regard to the publication of the results of the enquiry in the form of a monograph.

As an illustration, the Committee thinks that it would be possible to publish a coefficient of tonnage utilised for all the ships trading on a given route, for example, for a period of half a year and for each of the months of this half-year. The coefficient of tonnage utilised might further be given separately for steam and motor vessels. In addition, it would be possible to supply information on the percentage of tonnage utilised in each category of ships according to gross tonnage. Lastly, similar particulars might also be furnished for the different categories of ships according to age.

Should the replies of the Governments show that there are difficulties in the adoption of the suggested procedure, results could also be obtained by adopting another procedure, namely, that each of the countries concerned should itself compile statistics on the basis of the data collected by its services and should send these statistics, as already compiled, to the Secretariat of the Communications and Transit Organisation, which would then have to arrange and co-ordinate the different national statistics and calculate the total results.

The Committee wishes to point out, however, that this latter procedure would involve some duplication of work, and would necessitate the previous compilation of detailed national statistics, if these are to be co-ordinated. Hence the Committee for the moment only mentions this eventuality, while reserving the right to draw up detailed recommendations on this subject, if it is decided to adopt the second procedure.

The above plan for the enquiry was prepared by the Drafting Committee and approved by the Committee on the Unification of Transport Statistics.

ANNEX 19.

REPORT ON THE FIRST SESSION OF THE RAILWAY SECTION AND THE DRAFTING COMMITTEE OF THE COMMITTEE ON THE UNIFICATION OF TRANSPORT STATISTICS HELD IN PARIS FROM DECEMBER 9TH TO 12TH, 1929.

[C.C.T.411.]

The Railway Section and the Drafting Committee of the Committee on the Unification of Transport Statistics met in Paris from December 9th, to 12th, 1929, the Chairman being M. Colson, Member of the "Institut de France",¹ for the purpose of considering whether and to what extent it would appear possible to contemplate the unification of transport statistics by rail on the basis previously proposed for statistics for maritime navigation and inland water transport, and to consider the possibility of a general unification of technical and administrative railway statistics.

I. RAILWAY SYSTEMS TO WHICH THE STATISTICS SHOULD APPLY.

The Committee was of opinion that the statistics should deal only with railways of general concern, no account being taken of the smaller lines, not forming part of large systems, which are known in France as *chemins de fer d'intérêt local*, in Belgium as *chemins de fer vicinaux*, in Germany as *nebenbahnenähnliche Kleinbahnen* and in England as light railways, etc. These lines, which constitute very numerous special systems with very little traffic, would complicate the work and would increase the number of publications without presenting any real interest. It was decided to hold over for discussion at the next session the question of the definition of the secondary systems which are to be excluded from the present statistics, although these systems might subsequently be linked up with the statistics of the roads on which many of their lines are established.

II. TECHNICAL AND ADMINISTRATIVE STATISTICS.

M. Girard, representative of the International Statistical Institute, made a statement with regard to the work of the Warsaw Conference of his Institute, which had dealt with technical, administrative and financial railway statistics. He also informed the Committee of the very large programme which the Institute proposed to adopt with regard to unification of statistics for other means of transport.

The Committee also took cognisance of the technical, administrative and financial railway statistics published by the International Railway Union concerning the railway systems which are members of that Union.

A Sub-Committee, composed of Mr. Allport, Mr. Grening, M. Hondl and M. Steuernagel, was instructed to make a comparative study of the statistics published by the International Railway Union and of the statistics published by the Interstate Commerce Commission in respect of railways in the United States of America, such enquiry to be limited to administrative and technical statistics strictly so-called.

The Sub-Committee took note of the fact that existing statistics in respect of American railways of the first class already contain almost all the required data, and that these data might therefore be used in the present case, any necessary conversions being made in respect of units of length and weight. Since the statistical document published by the International Railway Union already contains, in the form of international statistics, data in respect of the systems operated by the administrations which are members of the Union, it was thought

¹ The following took part in the work of this first session :

Members of the Railway Section :

M. C. COLSON, Member of the "Institut de France", *Chairman* ;
M. HONDL, Ministerial Counsellor of the Ministry of Railways of Czechoslovakia ;
M. MUSELLE, Chief Engineer of the Société nationale des Chemins de fer belges ;
M. STEUERNAGEL, Director of the Reichsbahngesellschaft ;
M. TOSTI, Engineer, Chief Inspector of Railways of the Kingdom of Italy.

Experts appointed by the Government of the United States of America :

Mr. W. FAYETTE ALLPORT, Commercial Attaché at the American Embassy, Paris ;
Mr. P. C. GRENING, European Manager of the United States Shipping Board, London ;
General Wm. W. HARTS, of the United States Army, Military Attaché at the United States Embassy, Paris.

Members of the Drafting Committee :

M. CLAESSENS, Mr. FLUX, M. TEUBERT, M. WATIER, assisted by M. LEMOINE, Engineer of Roads and Bridges, and M. PAULTRE, Head of the Statistical Service of the Nord Railway.

The following were also present at the meetings :

M. J. GIRARD, Secretary-General of the "Compagnie du Chemin de fer du Nord", Professor at the School of Political Science, Paris, representing the International Statistical Institute ;
M. A. POURCEL, Assistant Secretary-General of the International Railway Union ;
Dr. P. WOHL, Director of the Transport Section of the International Chamber of Commerce.

desirable that this publication should also include the same statistical data for the administrations which were not members of the Union, at least so far as concerns tables I to VIII, which deal more especially with technical and administrative statistics. In order to attain this object, it was recognised as desirable that the Governments whose railways did not belong to the International Railway Union should be requested to send, or to arrange for their railway administrations to send regularly either to the League of Nations or to the International Railway Union, the same statistical data as were supplied by the administrations members of the International Railway Union.

It was also proposed that the Governments should publish annually, for the whole of the railways of general concern in their territories, the following data: total length of the system; total tonnage of goods carried; total number of passengers carried. The Committee decided to postpone this question. It was further pointed out that it was also desirable to know the revenue obtained from passenger traffic and from goods traffic. The International Railway Union publishes particulars on this point for the railways which are members of the Union. The Committee decided to discuss at its next session the question whether data regarding revenue should be included in its recommendations on railway statistics.

III. STATISTICS FOR GOODS TRAFFIC BY RAIL.

The Committee proceeded to consider this question on the basis of a report on statistics for inland navigation and maritime navigation (document C.C.T.381).

Several members pointed out that the compiling of such statistics for transport by rail would involve difficulties very much greater than those which arose in respect of the other two means of transport to which reference had been made, both from the point of view of the division of each country into districts and in regard to the statistics of all traffic within several districts and from district to district. The extent of the lines, the number of points of departure and arrival, and the number of shipments are much greater than in the case of navigation, while the distances covered are more unequal. The Committee, nevertheless, recognised that it was desirable that there should be a unification of the bases on which statistical data for the various means of transport were prepared, and for that purpose endeavours to ascertain the conditions under which such statistics of transport by rail might be considered possible.

The Committee began by taking note of the fact that all the data necessary for the compilation of statistics of transport of goods by categories — that is to say, the place of loading, the place of unloading, the nature of the goods and their weight — are already to be found in way-bills and receipts, and in the administrative documents required for the accounts of the railways.

The Committee also noted that the preparation of transport statistics for goods traffic by rail, classified according to categories of goods within each district or from one district to another could be carried out without excessive cost by employing statistical machines and punched cards. It should also be noted that the use of such machines is already necessary in order to enable the railway administrations to make up their internal statistics and their accounts.

The Committee thought it desirable to leave each State free to decide how the statistical work was to be organised and, more particularly, how that work should be divided between the one or more railway administrations on the one side, and the Government statistical service on the other.

As for the division of countries into districts, the Committee, while recognising that in certain cases it might be somewhat difficult to carry out, was nevertheless of opinion that such a division was absolutely necessary if it be desired to obtain comparable statistics for transport by rail and transport by maritime or inland navigation. The Committee also thought that, as these districts should be the same for the various means of transport, a satisfactory solution could generally be found without too much difficulty by taking the division into districts as made for inland navigation — which would in most cases be easy to make — and by adapting this division, if necessary, to the requirements of the other means of transport. It was, moreover, recognised that a study of the whole problem would be necessary in each country, but that it was desirable that the results (even if provisional) of such study should be communicated to the Secretariat in order that the latter might be in a position to prepare at the proper time a table showing the various districts that each Government had in mind.

The Committee also considered what shipments should be shown in the statistical returns. The Committee noted the practice at present in force in Germany, where shipments of less than half a ton are not taken into account in the special railway transport statistics, and where no account is also taken of traffic carried from one station to another in the same city. It was suggested that statistics should only be compiled in respect of traffic representing a certain number of kilometric tons, but, after considering the matter, the Committee was of opinion that the adoption of two limiting conditions in determining the consignments in respect of which statistical data should be shown would raise serious difficulties from the point of view of the examination of the way-bills and other documents used for statistical purposes and might perhaps lead to errors by complicating the work. Moreover, the adoption of such a procedure would create difficulties in the case of all mixed rail and water transport. For these reasons, the Committee decided merely to keep a minimum weight, and agreed to fix that minimum at half a ton, a figure which it might perhaps be possible to adopt for other means of transport as well.

It was proposed that, provisionally, the transport statistics for goods traffic should be limited to a very small number of categories of goods; namely, those which were most important from the point of view of transport, such as coal, grain, cotton, etc., and gradually to extend these statistics to other categories. The Committee did not think it feasible to adopt this method, which would render it impossible to establish the total tonnage of the goods carried, and was of opinion that provision should be made for a nomenclature which would allow of figures being obtained for the total traffic handled.

With regard to nomenclature of goods the Committee considered the various lists which had been drawn up for statistics relating to maritime and inland navigation, and also when considering them, took account of the statistical nomenclatures which were already used by various railways systems. The Committee was of opinion that the items included in the lists A to C could be regarded as satisfactory from the point of view of railway transport. It desired, however, to make them more precise in certain points.

The Committee entirely agreed with the opinion expressed in document C.C.T.381, to the effect that it was necessary that a list of all commodities included under each of the items of the nomenclature should be prepared. The Committee is furthermore of opinion that it is necessary to prepare an alphabetical index of the names of all products which are carried in national or international traffic by the various means of transport; this detailed list might be used by means of reference numbers both for the purposes of Customs tariffs and also for railway tariffs, foreign trade and statistics and transport statistics, the references in question indicating the special nomenclature prepared for each of these purposes.

It has been suggested that list C should be taken as the minimum nomenclature which would be obligatory from an international point of view, it being understood that the statistics for any given country might show under separate items drawn from list A goods which, for the country in question, were specially important from the point of view of transport. On the other hand it is quite possible that a certain number of countries would be already prepared to accept either list B, or even list A, as a nomenclature to be used in preparing their statistics for railway transport, which would have the advantage of allowing a more complete comparison of the railway statistics of the countries in question. Certain members of the Committee were in favour of the adoption of list A, as compulsory international nomenclature for railway transport, since they held that the use of this more detailed nomenclature would not involve a very considerable increase in work, and would make it possible to arrive at very much more satisfactory results from the point of view of statistics. The Committee, while unanimously admitting that statistics drawn up on the basis of the detailed nomenclature would be much more interesting than if they were prepared on the basis of the very restricted nomenclature of list C, nevertheless thought that it was preferable at the present stage of its work not to express any opinion as to the choice between the three lists as internationally compulsory.

The Committee also felt that it should reserve for a later session the consideration of a certain number of points of detail such as :

- (a) In what cases international traffic statistics should only show the foreign country of loading and unloading, and in what cases the foreign district of loading or unloading should be shown;
- (b) Whether, and if so to what extent, traffic by ferry-boat should be regarded as transport by rail (this question is also raised in document C.C.T.381);
- (c) How should the districts of loading and unloading be determined in the case of traffic in several stages carried on successive way-bills?
- (d) To what extent it would be possible to give statistical figures for transshipment traffic, particularly when there is a change in the means of transport?

IV. PASSENGER TRAFFIC.

The Committee also adjourned to a later session the examination of the question of the statistics of passenger traffic by rail, more particularly the examination of the possibility of obtaining particulars as to districts of departure and arrival, either within a country, or (above all) for passengers coming from or proceeding to a foreign country, or in transit.

ANNEX 20.

CORRESPONDENCE EXCHANGED BETWEEN THE PRESIDENT OF THE INTERNATIONAL INSTITUTE OF STATISTICS AND THE SECRETARY-GENERAL OF THE ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT CONCERNING FUTURE CO-OPERATION TO BE ESTABLISHED BETWEEN THE INSTITUTE AND THE COMMITTEE.

[C.C.T.425.]

I. LETTER TO M. DELATOUR, PRESIDENT OF THE INTERNATIONAL INSTITUTE OF STATISTICS, FROM THE SECRETARY-GENERAL OF THE ADVISORY AND TECHNICAL COMMITTEE.

[Translation.]

Geneva, November 26th, 1929.

The Organisation for Communications and Transit of the League of Nations has been studying the question of the unification of transport statistics in inland navigation for several years. In pursuance of the decisions taken by the third General Conference on Communications and Transit held at Geneva in August 1927, this examination, which was carried out with a view to the future conclusion of an international agreement, has been extended to include transport by sea and transport by rail. Considerable progress has been made both with the work concerning inland navigation and with that concerning maritime navigation, and I have the honour to forward you the latest report of the special Committee set up for that purpose. The Committee, which has been completed by railway experts and reorganised accordingly, will meet in Paris on December 9th to examine questions connected with transport by rail.

I understand that, at its meeting in August last at Warsaw, the International Institute of Statistics, decided to carry out similar enquiries from the scientific point of view, and has already taken cognisance of a provisional report on statistics of transport by rail.

Since both the League Advisory and Technical Committee for Communications and Transit, which will meet next March, and the International Institute of Statistics will doubtless consider it advisable to co-operate in this work, I should be glad, pending a settlement of the methods of co-operation, if you could communicate to me, or have communicated to the special Committee at its meeting in Paris, all information on the present position of the work of the International Institute of Statistics on this matter, and let me know whether the Rapporteur of the International Institute of Statistics Committee for the question of statistics of transport by rail could assist in these preliminary discussions of the League of Nations special Committee at its session of December 9th.

I should also be glad to learn the views of the International Institute of Statistics with regard to methods of co-operation so that I may communicate them to the Advisory and Technical Committee for Communications and Transit.

(Signed) Robert HAAS,
Secretary-General of the Advisory and
Technical Committee for Communications and Transit.

II. LETTER TO THE SECRETARY-GENERAL OF THE ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT FROM M. DELATOUR, PRESIDENT OF THE INTERNATIONAL INSTITUTE OF STATISTICS.

[Translation.]

The Hague, December 5th, 1929.

In your letter dated November 26th you informed me that the enquiries undertaken by the Organisation for Communications and Transit of the League of Nations with a view to the unification of statistics of transport in inland navigation and also in maritime navigation had now made considerable progress, and that therefore the special Committee, completed by railway experts and reorganised accordingly, would hold a session in Paris on December 9th in order to undertake an examination of questions connected with transport by rail.

The International Institute of Statistics, approaching the subject primarily from a scientific point of view, undertook a similar enquiry in 1926. At its eighteenth session at Cairo, at the end of December 1927, it reviewed the preliminary work of its Committee, and at its nineteenth session, at Warsaw, last August, it adopted a number of resolutions and approved certain outlines for statistics proposed by that Committee. It asked the Committee to submit proposals for the definition of the data obtained from these statistics, and to adapt these outlines to other categories of transport, e.g., tramways, transport by road, inland and maritime navigation, aviation, postal traffic, telegraph and telephones.

You will therefore see that the International Institute of Statistics agrees with you in regarding co-operation with the Organisation for Communications and Transit towards the common end as desirable. Therefore, pending the establishment of the methods for such co-operation, I hasten to inform you that, in order to meet your wishes, I have requested the Rapporteur of our Committee on Transport, M. Joseph Girard, to give the special Committee of the League of Nations on December 9th full information on the position of our work, and to supplement such information verbally by any explanations which you might require.

With regard to the methods of co-operation, concerning which you desire to know the views of the International Institute of Statistics, I have the honour to inform you that I took advantage of a meeting that our Bureau held in Paris at the beginning of this week to lay the question before them. They instructed me to inform you that our Institute would be prepared to co-operate with the Organisation for Communications and Transit by means of a joint Committee established in the same manner as all those which have been set up hitherto by mutual agreement with the organisations of the League with which we have already worked. Several of these are still in being — for instance, the joint Committee established by agreement with the International Institute of Intellectual Co-operation and that established by agreement with the Health Organisation to deal with the nomenclature of causes of death. Each of these mixed committees, established by arrangement between the organisation concerned and the International Institute of Statistics, consists of four members appointed by the organisation and four members appointed by our Institute, the President and the Secretary of the Institute and the Chairman and Secretary of the organisation concerned being also admitted to the meetings.

(Signed) Albert DELATOUR,
*President of the International
Institute of Statistics.*

III. LETTER TO M. DELATOUR, PRESIDENT OF THE INTERNATIONAL INSTITUTE
OF STATISTICS, FROM THE SECRETARY-GENERAL OF THE ADVISORY
AND TECHNICAL COMMITTEE.

[Translation.]

Geneva, December 29th, 1929.

I have the honour to acknowledge receipt of, and to thank you for, your letter of December 5th in reply to mine of November 26th. I shall communicate your letter to the Advisory and Technical Committee for Communications and Transit, which will meet at Geneva next March.

(Signed) Robert HAAS,
*Secretary-General of the Advisory
and Technical Committee for Communications and Transit.*

ANNEX 21.

MEMORANDUM BY THE SECRETARY-GENERAL OF THE COMMITTEE,
CONCERNING GRAVE OCCURRENCES OF A GENERAL CHARACTER
AFFECTING ROUTES OF COMMUNICATION.

[C.C.T.431.]

In accordance with the decisions reached by the Committee at its last session, the Secretary-General of the Committee submits herewith for consideration the texts of a draft additional protocol and a draft recommendation, which are based on the proposals of the Permanent Committee on Transport by Rail and on the results of the discussion at the Advisory and Technical Committee's last session.

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

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

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

Article 1.

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

Article 2.

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

Article 3.

In the cases contemplated in Article 1 above, the Contracting States shall, with a view to assisting in the re-establishment of traffic, take steps, as far as may be thought desirable, to ensure the co-operation of transport services, other than railway services, operated by the State or under concession.

Article 4.

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

II. DRAFT RECOMMENDATION.

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

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

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

ANNEX 22.

REPORT ON THE PROGRESS OF THE ORGANISATION OF THE
SERVICE FOR THE COLLECTION AND EXCHANGE OF INFOR-
MATION CONCERNING COMMUNICATIONS AND TRANSIT.

[C.C.T.434.]

March 10th, 1930.

The investigations have covered the following sources of information :

- (1) Government documents and documents issued by public institutions dealing with communications questions ;
- (2) Treaties between States, Conventions, Agreements and Arrangements in regard to communications and transit ;
- (3) The internal law of various countries relative to communications ;
- (4) Special reviews and periodicals dealing with communications questions and other reviews of a juridical, economic or technical nature containing information relating to communications ;
- (5) Special investigations and enquiries into certain questions connected with communications and transit.

The method of work, its organisation and the results so far obtained in regard to these different groups are as follows :

1. GOVERNMENT DOCUMENTS AND DOCUMENTS ISSUED BY PUBLIC INSTITUTIONS DEALING WITH COMMUNICATIONS QUESTIONS.

The basis of the investigations consisted in the examination of all documents dealing with communications and transit which are in the League Library and in preparing cards with brief but complete particulars of their contents. This method appeared to be the most suitable point of departure for this work, since the Library already possesses a considerable number of the documents in question, the documentation for certain countries being very ample and for others less so. It should be noted that, in the case of the countries requested in accordance with the Committee's decision of 1928 to send an initial set of documents to the Section — a list of which was communicated to the Committee at its 1929 session and which have already been examined and classified by means of cards — the Library already contained more documents than those sent.

This work is still in progress and a large number of documents have already been collected and classified, but the task is a lengthy one and will not be completed for some months. When this has been done, it will only be necessary to note the new documents which reach the Library in order to keep abreast of the entire documentation. Moreover, since a large number of these new publications merely consist of new editions on the same subjects (annual publications of statistics, other year-books or periodical reports, etc.), it will obviously be a comparatively easy matter to keep this documentation up to date in future.

When this initial work has been completed, it will at once be possible to draw up a list of the documents which have been received for each country, according to number and subject-matter; and only then will it be possible to ascertain what information is lacking for the various countries and subjects, and will need to be supplemented later. We shall then be able to decide on the best method to be followed in each particular case in order to obtain this supplementary documentation from the various countries, in so far as it exists.

As a result of this work, the Section and the Transit Committee will be able to obtain easily and without delay documents which by their nature are not always of very recent date but which are certainly the most accurate available.

2. TREATIES BETWEEN STATES, CONVENTIONS, AGREEMENTS AND ARRANGEMENTS IN REGARD TO COMMUNICATIONS AND TRANSIT.

All international Treaties and Agreements concluded with reference to communications and transit are examined and separate cards are made out by countries and by subject, in regard to each point in their contents which might affect the work of the Transit Organisation — if necessary with references to the articles in question. This work has been based on the *Treaty Series* issued by the League in which all Treaties registered are published two or three months after their submission to the League. This task, which involved a good deal of work, is nearly completed, so that in future it will only be necessary to keep abreast of the new treaties published. As regards Treaties and Agreements which have not yet been registered with the League, these are mentioned in a publication of the Legal Information Service of the Library, with a reference to the sources of information and, if necessary, they can always be procured and examined before they appear in the printed series. This collection of summaries of the provisions of Treaties will greatly facilitate the preparatory work for the drafting of future conventions, regulations, etc.

3. INTERNAL LAW OF THE VARIOUS COUNTRIES RELATING TO COMMUNICATIONS.

Apart from the information found in the various reviews examined, it has not yet been possible to undertake systematic investigations into this question, pending the organisation by the Library of a reference service with regard to municipal law. Since the beginning of the current year, the Library has begun to include in the legal publication mentioned above a list of new municipal laws and regulations which might affect the League, with references to the sources from which the information was obtained, and this has helped to meet the former deficiency in this respect. The extent to which it will be possible to rely on the Library's work and whether and how far this will have to be supplemented by the Section will be seen later. To begin with, this publication will be consulted and the sources indicated will be procured (official journals or other publications) for the purpose of an examination of laws in question and the preparation of cards giving a summary of their contents.

4. SPECIAL REVIEWS AND PERIODICALS DEALING WITH COMMUNICATIONS QUESTIONS AND OTHER REVIEWS OF A LEGAL, ECONOMIC OR TECHNICAL NATURE CONTAINING INFORMATION RELATING TO COMMUNICATIONS.

The information obtained from official documents can be supplemented by the reviews, which give more up-to-date, though usually briefer, particulars but which cannot always be absolutely relied on. Nevertheless, in conjunction with the official documents, they are indispensable as a source of information. A large number of reviews dealing wholly or in part with communications and transit questions have been analysed by the service, partly

with the help of the Library, and the number of these reviews has been constantly increasing owing to the placing of new orders. Cards are made out with references to the source of information and brief summaries of the contents of each relevant article. A very valuable collection of information has already been compiled in this way. Moreover, all the reviews and periodical publications received by the Library (of which there are over 1,200) are now being examined for the purpose of discovering fresh sources of information which have not yet been utilised for this work. Permanent cards are also being made out for certain reviews which give the same statistical and other information periodically. As regards information relating to aviation, the *Information Bulletin* of the International Air Information Centre of the Aéro-Club de France, which is based on the same principles as the work done by the Section in connection with the examination of reviews, is also being utilised.

5. SPECIAL INVESTIGATIONS AND ENQUIRIES INTO CERTAIN QUESTIONS CONNECTED WITH COMMUNICATIONS AND TRANSIT.

A special study of particular importance has been made of the traffic of the Mediterranean ports with the American countries, at the request of the American Institute of Economics, which submitted it to its Conference at Barcelona last autumn. This report, which was published by the League of Nations as document R.R.C.T.2, and then in Spanish by the Institute at Barcelona, contains information on the traffic of the principal Mediterranean ports, numbering thirty-two, *i.e.*, on the number and tonnage of the vessels entering and leaving the ports, together with the American countries of provenance or destination, and the quantities of goods unloaded or loaded. It also contains, for purposes of comparison, a general table showing the total traffic of these ports. Lastly, it contains for each port a list of existing shipping lines connecting these ports with America and showing company, flag and route. Communications with the hinterland of each port are also enumerated.

Finally, partial collections of documents have been made from time to time to meet the internal requirements of the Section or to accede to requests received from various Governments or institutions.

SPECIMENS OF CARDS RELATING TO PUBLIC DOCUMENTS, GOVERNMENTAL AND OTHERS.

GRANDE-BRETAGNE.

Ports et Navigation maritime.

Board of Trade.

Instructions as to the Survey of Passenger Steamships, Vol. I, 1928 (S.C.T.).

Contient : instructions relatives à la construction des bateaux à passagers, à leur contrôle et à celui des installations et arrangements pour passagers et émigrants, aux machines et chaudières, etc., aux moyens de sauvetage, protection contre les incendies, etc.

CHILI.

Ports et Navigation maritime.

Oficina Central des Estadística.

Anuario Estadístico, Vol. XII, *Comunicacione*, 1927. (983 : 38, 0.32).

Contient les données suivantes relatives à la navigation maritime au Chili : nombre et tonnage des bateaux entrés et sortis, en navigation internationale, d'après les pays de provenance, de destination et les pavillons, pour l'ensemble des ports chiliens, ainsi que pour chaque port à part ; données détaillées pour le mouvement du cabotage dans chaque port ; mouvement de la navigation classifié d'après la catégorie et le tonnage des navires ; mouvement des passagers débarqués et embarqués dans divers ports chiliens, arrivant du pays ou de l'étranger ; éclairage des côtes : phares, sémaphores, etc., existants et leurs emplacements ; nombre et caractère des accidents et naufrages : victimes et dommages ; effectifs de la flotte marchande chilienne : nombre, tonnage d'après catégories, âge de navires.

ÉGYPTE.

Ports et Navigation maritime.

Ministère des Finances. Département Statistique.

Annual Return of Shipping, Cargo and Passenger Traffic in the Ports of Egypt and Suez Canal Transit, 1927 (962 : 387, S.797).

Contient : a) données générales sur le mouvement de tous les ports d'Egypte ; b) données très détaillées pour le trafic des ports d'Alexandrie, Port-Saïd, Suez, Tor, Solum, Qusseir, Safaga et Marsa Matruh (nombre de bateaux, tonnage, pavillon, marchandises, passagers, pays de provenance et de destination, etc.) ; navigation avec l'étranger et cabotage ; c) données détaillées du trafic transitant le canal de Suez.

PAYS-BAS. Rotterdam.

Ports et Navigation maritime.

Chambre de Commerce de Rotterdam.

Jaaverslag — Annuaire, 1928 (S.C.T.).

Contient : a) mouvement des navires de mer dans le port de Rotterdam : nombre, tonnage, pavillon, pays et ports de provenance et de destination ; b) lignes de navigation avec Rotterdam ; c) mouvement des marchandises du trafic du Rhin sur les ports de Rotterdam, Amsterdam et Anvers ; d) mouvement

de la navigation Rhin-mer ; e) effectifs et changements dans la flotte marchande de Rotterdam, armateurs ; f) installations et outillage du port ; g) graphiques sur : 1° le mouvement de navires dans le Nieuwe Waterweg et dans les ports de Rotterdam, Amsterdam, Anvers, Brême et Hambourg ; 2° l'importation, l'exportation et le transit des marchandises dans les ports de Rotterdam et d'Amsterdam.

UNION DES RÉPUBLIQUES SOVIÉTISTES SOCIALISTES.

Navigation intérieure.

Direction centrale de Statistique.

Statisticheskii Spravotchnik S.S.S.R. — Annuaire Statistique de l'U.R.S.S. 1927, (947 : 31, T.882s).

Contient les données suivantes, relatives à la navigation intérieure en Russie : longueur des voies navigables ; résultats généraux de l'exploitation commerciale (quantités de marchandises et nombre de passagers transportés) ; effectifs de la batellerie.

ALLEMAGNE. Hambourg.

Navigation intérieure.

Handelsstatistisches Amt — Office Statistique Commercial, Hambourg.

Hamburgs Handel und Schiffahrt im Jahre 1927 — Le Commerce et la Navigation de Hambourg pendant l'année 1927 (S.C.T.).

Contient : a) un résumé général du mouvement de la navigation fluviale dans le port de Hambourg (nombre et tonnage de bateaux, réseau fluvial de provenance ou de destination) ; b) données détaillées pour les années 1871-1927 sur le trafic des bateaux fluviaux arrivant au port de Hambourg des différents réseaux fluviaux (Elbe inférieure et supérieure et ses affluents, Havel, Saale, Oder, etc.) et en partant, avec indication du nombre et tonnage des bateaux, d'après catégorie et pavillon, quantité de marchandises, pays de provenance et de destination ; c) effectif de la batellerie fluviale de Hambourg, d'après la catégorie, la grandeur et le matériel de construction des bateaux.

ÉTATS-UNIS D'AMÉRIQUE.

Navigation intérieure.

War Department. U.S. Shipping Board.

Transportation on the Great Lakes, 1926 (S.C.T.).

Contient : renseignements très détaillés, relatifs au trafic de la navigation et au mouvement des marchandises sur les Grands Lacs : a) description générale des Grands Lacs, de leur navigabilité, des ports et des canaux qui y aboutissent ; b) prescriptions législatives et traités concernant l'exercice de la navigation, les douanes, l'utilisation de l'eau, etc. ; c) description de la flotte marchande desservant les Grands Lacs ; d) données sur le trafic et le commerce des principaux ports (tonnage des bateaux, quantité de marchandises et nombre de passagers transportés, etc.) ; e) données très détaillées sur le mouvement des principales marchandises sur les Lacs et dans les différents ports (céréales, charbon, minerais, etc.). Muni de nombreuses cartes.

JAPON.

Chemins de fer.

Département des Chemins de fer.

Annual Report — Rapport annuel, 1928 (S.C.T.).

Contient : statistique détaillée de l'exploitation au Japon et dans ses Possessions, des chemins de fer d'Etat et privés : trafic et ses moyens, état et amélioration du matériel roulant ; transports effectués ; résultats financiers ; constructions nouvelles ; électrification ; main-d'œuvre, etc.

YOUGOSLAVIE.

Chemins de fer.

Direction générale des Chemins de fer de l'Etat.

Statistique des Chemins de fer du Royaume S.H.S., 1926 (949.74 : 385, S.326).

Contient : a) renseignements suivants pour toutes les lignes normales exploitées par la Direction générale : longueur, de lignes, ponts et tunnels en exploitation ; constructions nouvelles ; gares et autres installations ou ouvrages ; état du matériel roulant ; personnel ; données sur l'exploitation technique (parcours kilométriques effectués par les trains de différentes catégories) ; données statistiques relatives à l'exploitation commerciale (nombre de passagers et quantité de marchandises transportées, par région, grande et petite vitesse) ; b) mêmes renseignements pour les lignes des chemins de fer à voie étroite ; c) résultats financiers de l'exploitation des chemins de fer.

TOUS LES PAYS.

Circulation routière.

Chambre de Commerce internationale.

Les transports par route dans le monde, 1929 (S.C.T.).

Contient : données statistiques détaillées sur : a) le nombre de véhicules de différentes catégories en usage dans les divers pays du monde ; b) la longueur kilométrique des routes de différentes catégories dans les divers pays, avec indication sur leur état ; c) recettes provenant des taxes sur les automobiles dans les divers pays ; d) dépenses encourues dans les divers Etats pour l'entretien des routes existantes et pour la construction de routes nouvelles ; e) renseignements sur l'administration des routes dans les différents pays (construction, entretien, classification, budget, taxes, etc.).

ITALIE.

Aéronautique.

Ministero dell' Aeronautica.

Statistica delle Linee Aeree Civili Italiane, 1928 (945 : 329.13, M.665s).

Contient : données statistiques très détaillées relatives à l'aviation civile en Italie en général, et à l'exploitation des différentes lignes existantes, à part nombre d'avions, longueur parcourue, nombre et régularité de vols, passagers, bagages, marchandises et poste transportés. Mouvement dans les aérodromes italiens desservis par les lignes régulières. Graphiques et diagrammes relatifs aux renseignements susmentionnés.

AUTRICHE.

Postes, Télégraphes, Téléphones.

Generaldirektion der P.T.T.

Geschäftsbericht — Annuel, 1928 (943.6 : 38, G.326g).

Contient : législation intérieure relative aux P. T. T. ; conventions et accords avec l'étranger ; liaisons postales avec l'étranger ; poste aérienne ; chiffres relatifs au trafic à l'intérieur et avec l'étranger, selon la nature des envois ou communications ; données correspondantes pour les télégraphes, téléphones, avec indication des longueurs des réseaux, et pour le radio.

FRANCE.

Questions électriques.

Présidence du Conseil. — Conseil national économique.

Problème de l'outillage national, 1927-29 (944 : 330, C.755).

Contient : rapports présentés au Conseil national économique par des personnages compétents du monde économique et industriel, se rapportant entre autres à l'état de la production et de la distribution de l'énergie électrique des usines thermiques et hydrauliques en France ; aux besoins à satisfaire ; à l'aménagement des forces hydrauliques ; aux disponibilités en énergie et à son emploi par régions.

**SPECIMENS OF CARDS RELATING TO TREATIES AND AGREEMENTS
BETWEEN STATES.**

ALLEMAGNE. — U. R. S. S.

Navigation maritime.

Traité, signé à Moscou le 12 octobre 1925, ratifié le 2 février 1926. *Recueil* LIII, N° 1257, page 84.

IV. — Arrangement concernant la navigation (page 126) : principe de la parité de traitement dans les ports, et exceptions ; reconnaissance mutuelle des documents de nationalité et de jaugeage ; exonérations des droits de tonnage et d'expédition, exceptions ; aide et assistance ; parité de traitement dans l'usage des ports, canaux, installations, services, etc. ; reconnaissance des prescriptions nationales concernant l'armement des navires ; protocole final page 156.

JAPON — MEXIQUE.

Transit, Navigation maritime.

Traité de commerce et de navigation, signé à Mexico, le 8 octobre 1924, et Echange de notes y relatif à la même date, ratifié le 4 mai 1925. *Recueil* XXXVI, N° 927, page 260.

Articles VI et VII. — Traitement réciproque de la nation la plus favorisée en matière de commerce et de navigation, d'importation et d'exportation.

Articles VIII et XI. — Exemption des droits de transit : engagement de ne pas imposer des prohibitions ou restrictions à l'importation, l'exportation ou au transit ; exceptions.

Articles XV et XXIV. — Navigation. Traitement de la nation la plus favorisée : égalité de traitement dans les eaux territoriales, en matière de placement, chargement et déchargement, droits de tonnage, de transit, etc., et en cas de naufrage. Exceptions à l'égard de la pêche, des Etats limitrophes et de la marine nationale.

ITALIE — HONGRIE.

Transit, Navigation maritime.

Convention pour le développement du trafic hongrois en transit par le port de Fiume, signée à Rome, le 25 juillet 1927, ratifiée le 11 mai 1928. *Recueil* LXXIV, N° 1731, page 54.

Parité de traitement pour le transit des marchandises. Tarifs. Utilisation du port de Fiume comme port d'armement par les navires hongrois. Douanes. Magasins.

PÉROU — COLOMBIE.

Transit, Navigation intérieure.

Traité relatif aux frontières, et à la libre navigation fluviale, signé à Lima, le 24 mars 1922, ratifié le 19 mars 1928. *Recueil* LXXIV, N° 1726, page 13.

Article 8. — Liberté de transit terrestre et de navigation sur les rivières communes.

GRANDE-BRETAGNE — FRANCE (Territoires sous mandat).

Chemins de fer.

Conventions sur certains points se rattachant à l'attribution des mandats pour la Syrie et le Liban, la Palestine et la Mésopotamie, signée à Paris le 23 décembre 1920. *Recueil* XXII, N° 564, page 354.

Article 5. — Engagement du Gouvernement français de faciliter l'exploitation en commun du tronçon de chemin de fer existant entre le lac de Tibériade et Nasib. Accord relatif à la construction d'un chemin de fer britannique, reliant la Palestine avec le chemin de fer du Hedjaz et la vallée de l'Euphrate.

Voir aussi l'Accord concernant le tracé de la frontière syro-palestinienne entre la Méditerranée et El Hammé. Paris, le 7 mars 1923, page 365.

POLOGNE — PAYS-BAS.

Navigation aérienne.

Convention provisoire concernant la navigation aérienne, signée à La Haye le 4 novembre 1925, ratifiée le 18 octobre 1926. *Recueil* LVIII, N° 1371, page 180.

Liberté de passage inoffensif. Liberté de survol des frontières. Zones interdites. Aérodromes. Dispositions concernant les documents de bord, les passagers, la cargaison, etc.

GRANDE-BRETAGNE — BELGIQUE (Possessions en Afrique).

Transit.

Convention entre la Belgique et la Grande-Bretagne en vue de faciliter le trafic belge à travers les territoires de l'Afrique orientale, signée à Londres le 1^{er} mars 1921. *Recueil V*, N° 138, page 320.

La Grande-Bretagne accorde des facilités au transit à travers l'Afrique orientale vers le Congo belge, et des emplacements dans les ports de Dar-es-Salaam et de Kigoma, en vue de faciliter l'accès du Congo belge à la mer.

HEDJAZ — SOUDAN.

Télégraphes.

Accord entre le Gouvernement du Soudan et le Gouvernement du Hedjaz avec l'assentiment du Gouvernement de Sa Majesté Britannique, relatif au câble télégraphique de Port-Soudan-Djeddah, signé le 18 décembre 1926. *Recueil LXIII*, N° 1489, page 187.

Propriété commune du câble. Exploitation par la « Eastern Telegraph Co. »

ITALIE — LETTONIE.

Passeports et visas.

Echange de notes comportant un accord par lequel les visas d'entrée et de transit sont réciproquement supprimés pour les citoyens des deux pays. Rome, les 27 mai et 12 juin 1926. *Recueil LI*, N° 1222, page 66.

**SPECIMENS OF CARDS RELATING TO ARTICLES PUBLISHED
IN PERIODICALS.**

GRANDE-BRETAGNE.

Ports et Navigation maritime.

United Kingdom. Foreign trade. Monthly statistics. Number of vessels and net tonnage (in thousands of tons). *Board of Trade Journal*.

Statistiques mensuelles, donnant pour chaque port : nombre de navires (entrées et sorties), pavillon et tonnage net. Ces données paraissent dans le premier numéro de chaque mois, pour l'avant-dernier mois.

OCÉANIE FRANÇAISE.

Ports et Navigation maritime.

Etablissements français de l'Océanie (Iles de la Société, Marquises, Paumotu, Tubuai, etc.). Navigation 1926-27. *Bulletin de l'Agence générale des colonies*, 22, 937-938, août 1929.

Nombre de bateaux (entrées et sorties dans tous les ports des îles), par provenance et destination ; tonnage ; valeur.

BULGARIE.

Navigation intérieure.

BOJINOFF, B. : Bulgarie. — « Le port de Roustchouk. » *Bulletin de l'Association internationale permanente des Congrès de navigation*, N° 6, 39-48, juillet 1928.

Statistiques comparatives pour 1911 et 1926 : Nombre de bateaux (entrées et sorties) ; trafic de voyageurs et marchandises ; extension du port ; installation ; zones franches ; port de transit.

BRÉSIL.

Chemins de fer.

STINNER. : « A estrada de ferro central do Brazil ». *Archiv für Eisenbahnwesen*, Heft 3, 535-564, Mai-Juni 1929.

Historique du développement des chemins de fer au Brésil. Situation en 1927 : description des réseaux de l'Etat et des compagnies privées ; matériel roulant ; personnel ; tarifs ; recettes ; dépenses ; ouvrages d'art ; carte de tout le réseau.

CHINE.

Chemins de fer.

WUISIN SIAO : « Die Entwicklung des Eisenbahnwesens in China. » *Archiv für Eisenbahnwesen*, Heft 1, 12-56, Januar-Februar, und Heft 2, 249-313, März-April 1929.

Lignes : 1° appartenant à l'Etat, exploitées et en voie de construction ; 2° concessions des Etats européens et extra-européens ; 3° propriété des compagnies étrangères privées ; 4° propriété des pays étrangers. Historique de la construction ; tracés ; conditions financières. Situation économique des chemins de fer en Chine.

UNION DES RÉPUBLIQUES SOVIÉTISTES SOCIALISTES.

Chemins de fer.

POHL, H. : « Das Eisenbahnrecht der U. d. S. S. R., insbesondere das neue Statut der russischen Eisenbahnen vom 1. Oktober 1927. » *Archiv für Eisenbahnwesen*, Heft 3, 613-642, Mai-Juni 1928.

Etude analytique de la législation de l'U. R. S. S. en matière de chemins de fer. Trois périodes : 1917-1920, 1920-1922 et 1922-1927. Principes fondamentaux de l'ancien statut des chemins de fer, du 12 juin 1922, et du nouveau, du 16 juin 1927.

ÉTATS-UNIS D'AMÉRIQUE.

Aéronautique (Aérodromes).

Liste par catégorie et par Etats des aérodromes américains en service au 1^{er} décembre 1929.

Il y a actuellement aux Etats-Unis 1.509 aéroports, soit 440 municipaux, 465 commerciaux, 278 terrains intermédiaires, 86 militaires et 240 auxiliaires. La Californie vient en tête pour le nombre des terrains avec 161. — *Air Commerce Bulletin*, 2 décembre 1929. Dix-neuf colonnes.

FRANCE.

Circulation routière (Automobiles).

« La puissance imposable des automobiles en France. » *Génie civil*, 92, 546, 2 juin 1928.

Nombre d'automobiles en France en 1926, par catégories ; répartition de ces catégories entre quelques départements les mieux pourvus ou les plus dépourvus ; nombre d'automobiles par chiffre d'habitants, tableau indiquant la progression du produit de la taxe sur les automobiles (contribution directe jusqu'à 1920 et indirecte à partir de cette année) pour les années 1899-1927.

GRANDE-BRETAGNE.

Transports combinés.

Nouveaux accords entre compagnies de chemins de fer et entreprises de transports routiers. Société d'études et d'informations économiques. *Chronique des transports*, Nos 16, 17 et 18, 25 août 1929.

Le « London-Midland and Scottish Rly. » et le « London and North-Eastern Rly. » ont conclu le 31 juillet 1929 un accord provisoire avec la « British Electric Traction Company », en vue d'une participation financière et d'une coopération effective des trente-six compagnies adhérentes à cette entreprise.

TOUS LES PAYS.

Postes, Télégraphes, Téléphones.

ROSCHER, M. : « Chronik des internationalen Post und Schnellnachrichtenverkehrs. » *Weltwirtschaftliches Archiv*, 28, 113-130, Juli 1928.

Revue des récentes conventions internationales, postales et aéropostales.

SUÈDE.

Questions électriques.

RYDMAN, E. : « Schwedische Wasserwirtschaft ». *Wasserwirtschaft*, 22, 639-642, 25. Dezember 1929.

Développement de l'industrie de l'énergie électrique en Suède. Description des aménagements. Production.

TOUS LES PAYS.

Réforme du calendrier.

« Can we rescind our calendar ? » *Advocate of Peace*, 90, 72-74, February 1928.

Examen critique du système de calendrier actuel (avantages d'un calendrier international immuable pour les relations économiques, l'établissement de toutes statistiques, etc.).

COLLECTION OF INFORMATION : LIST OF PERIODICALS USED.

1. PERIODICALS ABSTRACTED BY THE SECTION.

(a) Periodicals already received in the Section.

<i>Afrique française</i>	Monthly	Paris
<i>Aeronautics Bulletins</i> (Department of Commerce, Aeronautic Branch)	Irregular	Washington
<i>Africains sous Mandat</i>	Monthly	Paris
<i>American Journal of International Law</i>	Quarterly	New York
<i>Analele economice si statistice</i>	Monthly	Bucharest
<i>Annales de l'économie collective</i>	Quarterly	Geneva
<i>Annales de géographie</i>	Bi-monthly	Paris
<i>Annales des Ponts et Chaussées</i> (parties technique et administrative)	Bi-monthly	Paris
<i>Annales des Postes, Télégraphes et Téléphones</i>	Monthly	Paris
<i>Annali di economia</i>	Quarterly	Milan
<i>Archiv für Eisenbahnwesen</i> (document)	Quarterly	Berlin
<i>Asiatic Review</i>	Quarterly	London
Association internationale du trafic aérien (<i>Bulletin d'information</i>)	Monthly	The Hague
Association internationale permanente des congrès de navigation (<i>Bulletin</i>)	Half-yearly	Brussels
Association internationale du congrès des chemins de fer (<i>Bulletin</i>)	Monthly	Brussels
Baltic and White Sea Conference		
<i>Bureau Circular</i> }	Monthly	Copenhagen
<i>Monthly Circular</i> }		
<i>Bank for Russian Trade Review</i>	Monthly	London
<i>Bank of Finland</i>	Monthly	Helsingfors
<i>Bank of Latvia</i>	Quarterly	Riga
<i>Banque d'Athènes</i>	Monthly	Athens
<i>Board of Trade Journal</i>	Weekly	London
<i>Boletim de Agencia Geral das Colonias</i>	Monthly	Lisbon
<i>Bollettino dell' Istituto Statistico-Economico</i>	Bi-monthly	Trieste
<i>Bollettino dell' Aviazione civile e del traffico aereo</i>	Monthly	Rome

<i>Bollettino di informazioni commerciali</i>	Weekly	Rome
<i>Buletinul institutului economic romanesc</i>	Monthly	Bucharest
<i>Buletinul statistic al Romaniei</i>	Quarterly	Bucharest
<i>Bulletin de l'Agence générale des colonies</i>	Monthly	Paris
<i>Bulletin de l'Association internationale permanente des Congrès de la route</i>	Bi-monthly	Paris
<i>Bulletin de documentation économique et financière (France-Belgique)</i>	Monthly	Paris
<i>Bulletin de la Chambre de commerce de Paris</i>	Weekly	Paris
<i>Bulletin des transports internationaux par chemins de fer</i>	Monthly	Berne
<i>Bulletin économique de Budapest</i>	Monthly	Hanoï
<i>Bulletin économique de l'Indo-Chine</i>	Monthly	Toronto
<i>Canadian Railway and Marine World</i>	Weekly	Calcutta
<i>China Critic</i>	Weekly	Shanghai
<i>China Weekly Review</i>	Fortnightly	Paris
<i>Comité central des armateurs de France</i>	Weekly	Calcutta
<i>Commerce</i>	Monthly	Galatz
<i>Commission européenne du Danube (Bulletin)</i>	Monthly	Paris
<i>Commission internationale de navigation aérienne</i>	Weekly	Paris
<i>Bulletin officiel</i>	Monthly	Brussels
<i>Bulletin de renseignements</i>	Bi-monthly	Bucharest
<i>Congo (Revue de la colonie belge)</i>	Monthly	Copenhagen
<i>Correspondance économique roumaine</i>	Monthly	Danzig
<i>Danish Foreign Office Journal</i>	Weekly	Berlin
<i>Danziger Wirtschaftszeitung</i>	Weekly	Berlin
<i>Deutsche Oekonomist</i>	Weekly	Rome
<i>Deutsche Volkswirt</i>	Bi-monthly	London
<i>Diritto aeronautico</i>	Weekly	Melbourne
<i>East Africa</i>	Half-yearly	
<i>Economic Record</i>	Quarterly	Paris
<i>Economie internationale (Chambre de Commerce internationale)</i>	Weekly	Rotterdam
<i>Economisch-Statistische Berichten</i>	Weekly	London
<i>Economist</i>	Fortnightly	Constantinople
<i>Economiste d'Orient</i>	Weekly	Paris
<i>Economiste français</i>	Monthly	Lima
<i>Economista peruano</i>	Monthly	Cairo
<i>Egypte contemporaine</i>	Weekly	New York
<i>Engineering News Record</i>	Monthly	Belgrade
<i>Ekonomist</i>	Weekly	Madrid
<i>España económica y financiera</i>	Quarterly	Tallinn
<i>Estonian Economic Review</i>	Quarterly	Berlin
<i>Europäischer Fernsprechdienst</i>	Weekly	Paris
<i>Europe nouvelle-</i>	Weekly	London
<i>Fairplay</i>	Monthly	Shanghai
<i>Far-Eastern Review</i>	Weekly	Oslo
<i>Farmand</i>	Weekly	Shanghai
<i>Finance and Commerce</i>	Weekly	Paris
<i>Génie civil</i>	Monthly	Rome
<i>Giornale degli Economisti</i>	Weekly	Amsterdam
<i>In-en-Uitvoer</i>	Monthly	Rome
<i>Ingenere</i>		
<i>Institut international du commerce</i>		
<i>Recueil mensuel</i>		Brussels
<i>Revue trimestrielle</i>		Moscow
<i>Institute of Conjuncture (Economic Bulletin)</i>	Monthly	Jena
<i>Jahrbücher für Nationalökonomie</i>	Weekly	Kobe
<i>Japan Chronicle</i>	Monthly	Tokio
<i>Japan Financial and Economic Monthly</i>	Monthly	Tokio
<i>Japan Magazine</i>	Weekly	Paris
<i>Journal de la marine marchande</i>	Monthly	Paris
<i>Journal des économistes</i>	Monthly	Berne
<i>Journal télégraphique</i>	Quarterly	London
<i>Lloyd's Register (Shipbuilding Returns)</i>	Monthly	London
<i>London and Cambridge Economic Service</i>	Weekly	Berlin
<i>Magazin der Wirtschaft</i>	Fortnightly	Helsingfors
<i>Merkator</i>	Weekly	London
<i>Modern Transport</i>	Monthly	Strasburg
<i>Navigation du Rhin</i>	Monthly	Berlin
<i>Neue Russland</i>	Monthly	London
<i>Nineteenth Century</i>	Fortnightly	Tel-Aviv
<i>Palestine and Near East Economic Magazine</i>	Monthly	Washington
<i>Pan-American Union Bulletin</i>	Monthly	Warsaw
<i>Polish Economist</i>	Weekly	Warsaw
<i>Polska gospodarcza</i>		

<i>Polytechnisch Weekblad</i>	Weekly	Amsterdam
<i>Przegląd gospodarczy</i>	Fortnightly	Warsaw
<i>Railway Age</i>	Weekly	New York
<i>Recueil de droit commercial et de droit social</i>	Monthly	Paris
<i>Record (Siam)</i>	Quarterly	Bangkok
<i>Review of the River Plate</i>	Weekly	Buenos Ayres
<i>Revista de economia argentina</i>	Monthly	Buenos Ayres
<i>Revista económica</i>	Monthly	San Salvador
<i>Revue de droit international</i>	Quarterly	Paris
<i>Revue de droit</i>	Quarterly	Geneva
<i>Revue de droit international et de législation comparée</i>	Bi-monthly	Paris
<i>Revue économique de Belgrade</i>	Monthly	Belgrade
<i>Revue économique internationale</i>	Monthly	Brussels
<i>Revue générale des chemins de fer</i>	Monthly	Paris
<i>Revue juridique internationale de la radioélectricité</i>	Quarterly	Paris
<i>Revue maritime</i>	Monthly	Paris
<i>Revue politique et parlementaire</i>	Monthly	Paris
<i>Rhein</i>	Monthly	Duisburg
<i>Rheinquellen</i>	Monthly	Basle
<i>Rivista del diritto commerciale</i>	Bi-monthly	Milan
<i>Roads and Road Construction</i>	Monthly	London
<i>Ruhr und Rhein</i>	Weekly	Essen
<i>Rivista Aeronautica</i>	Monthly	Rome
<i>Saar Wirtschafts Zeitung</i>	Weekly	Saarbruck
<i>Schweizerische Blätter für Handel und Industrie</i>	Fortnightly	Geneva
<i>Shipbuilding and Shipping Record</i>	Weekly	London
<i>Société belge d'études et d'expansion</i>	Five times yearly	Liège
<i>Société d'études et d'informations économiques</i>		
<i>Chronique des transports</i>	Fortnightly	Paris
<i>Etudes aéronautiques</i>	Bi-monthly	Paris
<i>South African Railways and Harbours Magazine</i>	Monthly	Johannesburg
<i>Statistiske efterretninger</i>	Weekly	Copenhagen
<i>Statistische Nachrichten</i>	Monthly	Vienna
<i>Survey of Current Business</i>	Monthly	Washington
<i>Union internationale des chemins de fer (Bulletin)</i>	Monthly	Paris
<i>Union postale universelle</i>		
<i>Journal</i>		
<i>Annuaire (Statistique générale)</i>	Monthly	Berne
<i>Union télégraphique : Annales statistiques : (1) Télégraphique, (2) Téléphonique, (3) Radiotélégraphique</i>		
<i>United States Commerce Reports</i>	Weekly	Berne
<i>United States Trade Information Bulletin</i>	Irregular	Washington
<i>Vie économique des soviets</i>	Fortnightly	Paris
<i>Vierteljahrshefte für Konjunkturforschung</i>	Quarterly	Berlin
<i>Vierteljahrshefte zur Statistik des Deutschen Reichs</i>		Berlin
<i>Vodnyi transport</i>		Moscow
<i>Wasserwirtschaft</i>	Weekly	Vienna
<i>Weltwirtschaft</i>	Monthly	Berlin
<i>Weltwirtschaftliches Archiv</i>	Quarterly	Kiel
<i>Wirtschaftsdienst</i>	Weekly	Hamburg
<i>Wirtschaft und Statistik</i>	Fortnightly	Berlin
<i>Zeitschrift für Binnenschifffahrt</i>	Monthly	Berlin
<i>Zeitschrift für Verkehrswissenschaft</i>	Quarterly	Cologne
<i>Zentralblatt der Bauverwaltung</i>	Weekly	Berlin

(b) Periodicals on Order for 1930.

<i>Aeronautica</i>	Rio de Janeiro
<i>Air Transportation</i>	East Stroudsburg, Pa.
<i>Boletín del Aero Club Argentino</i>	Buenos Ayres
<i>Eisenbahn und Industrie</i>	Vienna
<i>Hafen-Verkehrs-Zeitung</i>	Hamburg
<i>Hansa</i>	Hamburg
<i>Highway Transportation</i>	Elisabeth, N.J.
<i>Jahrbuch der drahtlosen Telegraphie und Telephonie</i>	Berlin
<i>Merchant Fleet News</i>	Washington
<i>Motor Transport</i>	London
<i>Nachrichten für Luftfahrer (official document)</i>	Berlin
<i>Nachrichten für Seefahrer (official document)</i>	Berlin
<i>Radio</i>	Berlin
<i>Railway Gazette</i>	London
<i>Reichsbahn (official document)</i>	Berlin
<i>Scandinavian Shipping Gazette</i>	Copenhagen
<i>Science et industrie</i>	Paris
<i>Shipping World</i>	London

Telegraph and Telephone Journal
Transportes, Los
Verkehrsnachrichten
Verkehrstechnische Woche
World's Carriers

London
Madrid
Berlin
Berlin
London

(c) *Periodicals to be ordered shortly for Examination by the Section.*

Sociétés d'études géographiques maritimes et coloniales (*Bulletin*)

France-Amérique

Ostasiatische Rundschau

Rumänische Wirtschaftszeitung

Schiffahrtszeitung

Nordisk statistik Tidskrift

Boletín Oficial de la Sociedad Mexicana de Geografía e Estadística

Pologne politique et économique

Revue industrielle

Statistiska Meddelanden

Boletín comercial e industrial

Boletín de agricultura, industria, y comercio de Guatemala

Boletín de industrias (Secretaría de industria, comercio y trabajo)

Boletín de las cámaras de comercio, industria y navegación

Boletín de obras públicas e industrias, República Argentina

Revista comercial

Revista commercial brasileira

Revista commercial da Brazil

Revista de agricultura, comercio y trabajo

Revista de commercio e industria do Rio Grande do Sul

Revista de derecho maritime y legislación comercial

Revista de industrias

Revista de marina

Revista de obras públicas de Porto Rico

Revista del comercio

Revista económica

Revista económica

Revista económica del comercio, la agricultura y las industrias

Revista general de marina

Revista industrial y agrícola de Tucuman

Revista marítima brasileira

Revista marítima sud-americana

Revista mensual B. A. P. (Ferrocarril Buenos Ayres al Pacífico)

Revista mercantil

Revista sud-americana de bancos, ferrocarriles, seguros y comercio

Revista telegráfica

Revista telegráfica

Revista marítima de intereses marítimos y comerciales

Revista portuguesa colonial marítima

Ecuador comercial

Associação commercial de São Paulo (*Revista*)

Brazil ferrocarril

Brazilian Review: A Weekly Record of Trade and Finance

Railway Union Gazette (Australian Railway Union)

Chinese Economic Monthly

Khoziaistvo severo-zapadnog kraja

Khoziaistvo Ukraini

Sotsialisticheskoe khoziaistvo

Ekonomicheskoe Obozrenie

Mirovoe khoziaistvo

Egyptian Commercial and Shipping Review

Paris

Berlin

Bucharest

Hamburg

Stockholm

Mexico

Paris

Stockholm

Caracas (Venezuela)

Guatemala

Mexico

Madrid

Buenos Ayres

Valparaiso

Santos

Rio de Janeiro

Havana

Porto Alegre (Brazil)

Buenos Ayres

Bogotá

Valparaiso

San Juan

Asunción (Paraguay)

Buenos Ayres

San Salvador

Guayaquil (Ecuador)

Madrid

Tucuman (Argentina)

Rio de Janeiro

Buenos Ayres

Buenos Ayres

Maracaibo (Venezuela)

Buenos Ayres

Buenos Ayres

San Salvador

Barcelona

Lisbon

Quito

São Paulo

Rio de Janeiro

Rio de Janeiro

Melbourne

Peking

Leningrad

Kharkov

Moscow

Moscow

Moscow

Alexandria

2. AVIATION PERIODICALS, ABSTRACTED BY THE INTERNATIONAL AVIATION INFORMATION CENTRE OF THE AÉRO-CLUB DE FRANCE, EXTRACTS FROM WHICH, PUBLISHED IN ITS *Fortnightly Bulletin*, ARE USED BY THE SECTION IN MAKING OUT CARDS.

Germany: *Flug, Luftwacht, Flugsport, Luftfahrt, Nachrichten für Luftfahrer.*

England: *Aeroplane, Aircraft Engineering, Flight, Journal of the Royal Aeronautical Society.*

Argentina: *Boletín de aeronáutica.*

Belgium: *La conquête de l'air.*

Canada: *Canadian Air Review.*

Spain: *Alas, Boletín Oficial de la Dirección General de Navegación y Transportes Aéreos.*

United States of America: *Aero-Digest, Air Commerce Bulletin, Airports, Airway Age, Aviation, Domestic Air News, Flight.*

France : *L'Aéronautique, Les Ailes, L'Air, Bulletin de la Chambre syndicale des industries aéronautiques, Technique aéronautique.*

Holland : *Het Vliegveld.*

Italy : *Aeronautica, l'Ala d'Italia.*

3. OTHER PERIODICALS OF LESS IMPORTANCE TO THE SECTION, WHICH OCCASIONALLY PUBLISH ARTICLES ON COMMUNICATIONS AND TRANSIT. THE CARDS FOR THESE ARTICLES ARE BASED ON THE *Monthly List of Selected Articles*, PUBLISHED BY THE LIBRARY.

<i>Advocate of Peace</i>	Monthly	Washington
<i>American Bar Association Journal</i>	Monthly	Chicago
<i>American Economic Review</i>	Quarterly	Ithaca
<i>Amsterdamsche Bank</i>	Fortnightly	Amsterdam
<i>Annales des mines</i>	Monthly	Paris
<i>Annalist</i>	Weekly	New York
<i>Annals of the American Academy of Political and Social Science</i>	Five times yearly	Philadelphia
<i>Archiv für Sozialwissenschaft und Sozialpolitik</i>	Quarterly	Tübingen
<i>Army Quarterly</i>	Quarterly	London
<i>Atlantic Monthly</i>	Monthly	Boston
<i>Boletim da faculdade de direito</i>	Half-yearly	Coimbra
<i>Brücke zur Heimat</i>	Monthly	Berlin
<i>Bulletin commercial</i>	Weekly	Brussels
<i>Bulletin économique de la Chambre de commerce suisse en Italie</i>		
<i>Bulletin mensuel de la Chambre de commerce franco-sarroise</i>	Monthly	Saarbruck
<i>Capital</i>	Weekly	Calcutta
<i>Central Corporation of Banking Companies (Economic Bulletin)</i>		
<i>Conference Board Bulletin</i>	Monthly	New York
<i>Danziger juristische Monatsschrift</i>	Monthly	Danzig
<i>Deutsche Juristenzeitung</i>	Fortnightly	Berlin
<i>Deutschen-Spiegel</i>	Weekly	Berlin
<i>Economia</i>	Monthly	Rome
<i>Economic Journal</i>	Quarterly	London
<i>Edinburgh Review</i>	Quarterly	Edinburgh
<i>Geopolitik</i>	Monthly	Berlin
<i>Glückauf</i>	Weekly	Essen
<i>Grande Revue</i>	Monthly	Paris
<i>Harvard Business Review</i>	Quarterly	Chicago
<i>Haagsch Maandblad</i>	Monthly	The Hague
<i>Holland's Import and Export Trader</i>	Monthly	Amsterdam
<i>Indian Trade Journal</i>	Weekly	Calcutta
<i>Industrie</i>	Weekly	Vienna
<i>Journal of Land and Public Utility Economics</i>	Monthly	Chicago
<i>Journal of Political Economy</i>	Bi-monthly	Chicago
<i>Journal of the Royal Institute of International Affairs</i>	Bi-monthly	London
<i>Koloniale Rundschau</i>	Monthly	Berlin
<i>Kommerciella meddelanden</i>	Fortnightly	Stockholm
<i>Mid-Pacific Magazine</i>	Monthly	Honolulu
<i>Monde colonial illustré</i>	Monthly	Paris
<i>Neue Orient</i>	Monthly	Berlin
<i>National Review</i>	Monthly	London
<i>New Statesman</i>	Weekly	London
<i>Nord und Süd</i>	Monthly	Berlin
<i>North American Review</i>	Monthly	New York
<i>Oekonomisk Revue</i>		
<i>Oesterreichische Volkswirt</i>	Weekly	Vienna
<i>Palestine Weekly</i>	Weekly	Jerusalem
<i>Paneuropa</i>	Monthly	Vienna
<i>Petroleum</i>	Weekly	London
<i>Quarterly Journal of Economics</i>	Quarterly	Cambridge
<i>Rassegna economica delle colonie</i>	Bi-monthly	Rome
<i>Rassegna italiana</i>	Monthly	Rome
<i>Revue de Paris</i>	Fortnightly	Paris
<i>Revue des deux mondes</i>	Fortnightly	Paris
<i>Revue des vivants</i>	Monthly	Paris
<i>Review of Reviews</i>	Monthly	London
<i>Rivista bancaria</i>	Monthly	Milan
<i>Rivista di politica economica</i>	Monthly	Rome
<i>Rotterdamsche Bankvereniging</i>	Monthly	Rotterdam
<i>Scottish Geographical Magazine</i>		
<i>Société de banque suisse (Bulletin)</i>	Monthly	Zürich

<i>South African Mining and Engineering Journal</i>	Weekly	Johannesburg
<i>South American Journal</i>	Weekly	London
<i>Statist</i>	Weekly	London
<i>Udenrigsministeriel's tidsskrift</i>	Weekly	Copenhagen
<i>Vie méditerranéenne</i>		
<i>Volkenbond</i>	Monthly	Leiden
<i>Weltwirtschaft und Weltluftpolitik</i>		
<i>Wirtschaft und Recht</i>	Monthly	Stuttgart
<i>Wissen und Wehr</i>	Monthly	Berlin
<i>Wirtschaftliche und sozialistische Mitteilungen</i>	Monthly	Berne
<i>World Trade</i>		
<i>Zeitschrift für die gesamte Staatswissenschaft</i>	Bi-monthly	Vienna
<i>Zeitschrift für Oestrecht</i>	Monthly	Breslau
<i>Zeitschrift für schweizerische Statistik und Volkswirtschaft</i>	Quarterly	Berne
<i>Zentralblatt für Handelsrecht</i>	Monthly	Berlin

ANNEX 23.

DRAFT RESOLUTION CONCERNING COMPETITION BETWEEN RAILWAYS AND WATERWAYS.

[C.C.T.451.]

The Committee,

Appreciating the thorough and impartial work of the Special Committee on Competition between Railways and Waterways, whose report may be taken as a basis for any subsequent studies that the Committee decides to undertake in this particular sphere, and already constitutes a most valuable contribution towards the study and solution of problems of the highest importance to European economic life ;

Considering it inexpedient to examine in connection with the single problem which forms the subject of the Committee's report, the question of the use of national means of transport for the protection of certain forms of national economic life ;

Notes, apart from this question and simply from the standpoint of the legitimate interests of all the users of the means of communication on the one hand, and of transporters employing the railways and waterways on the other, that the general conclusions of the report are such as to form a useful indication of the normal lines of tariff policy ; and

Decides to transmit to the Governments the report of the Special Committee, together with the present resolution and an extract from the Minutes of the Advisory and Technical Committee.

ANNEX 24.

DRAFT REPORT OF THE SUB-COMMITTEE ON THE SMUGGLING OF ALCOHOL.

[C.C.T.450.]

The Sub-Committee was instructed to ascertain whether the measures contemplated by the Economic Committee for the suppression of alcohol smuggling were of a nature to "interfere unduly with the freedom of communications", and, if so, to state what measures might be recommended for that purpose.

In the course of its discussions, the Sub-Committee established that the Helsingfors Convention of 1925 did not in practice fulfil the aims of the Governments parties to that Convention, since smuggling vessels now as a rule sail under the flag of various non-contracting States and not under the flag of any of the contracting States, while the latter alone are, under the Convention, subject to supervisory measures outside the limits of territorial waters. The Sub-Committee further realised that, in view of this situation, effective protection against the smuggling of alcohol could only be afforded, properly speaking, by a series of bilateral conventions with all the States not parties to the Helsingfors Convention. The Sub-Committee recognised, however, that such a procedure would necessarily take a considerable time, apart from the fact that the object could not be fully achieved unless all Governments agreed

to the conclusion of such bilateral conventions. In those circumstances, the Sub-Committee thought it should also consider the possibility of finding a satisfactory solution by some other, more expeditious procedure.

From the information given by the Finnish member, it appears that alcohol is being smuggled into Finnish waters on such a large scale and in such an open manner as to affect public order in Finland very seriously.

Further, smuggling is apparently carried on almost entirely by boats specially set apart for the purpose, and the Finnish authorities have been able, in the course of their investigations, to ascertain exactly which ships these are. This being so, it also appears that the wishes of the Finnish Government in regard to exercising control outside its territorial waters would be to a very large extent met, in practice, if special control could be exercised over such ships.

The Sub-Committee thought it desirable that the League should not, for the time being, formulate any recommendation such as that submitted to the Committee for Communications and Transit, inasmuch as the adoption of such a recommendation would have the effect of involving changes in the general practice of States. On the other hand, the Sub-Committee thought that without prejudice to the legal position it was fair to say that agreements affecting specified vessels openly engaged in smuggling alcohol — such agreements being concluded with the State whose flag is flown by the vessels in question and relating to supervision over such vessels outside the limits of territorial waters — would not be of a nature to “interfere unduly with the freedom of communications”.

The Sub-Committee is sure that the Governments will, in a spirit of international solidarity, give favourable consideration to such requests of this nature as may be made to them, if they are deemed legitimate.

One member, however, expressed the opinion that it was preferable for the Advisory and Technical Committee for Communications and Transit to await the issue of the First Conference on the Codification of International Law before pronouncing upon the question.

The Sub-Committee unanimously recognised the importance of the general problem raised by the Economic Committee's first recommendation of the granting of the right to fly a flag. In the Sub-Committee's view this recommendation is not acceptable in its present form since it does not seem possible to make a general rule that the granting of the right to fly a national flag to vessels which satisfy all the conditions laid down in the national legislation should be conditional upon an enquiry into the owners' intentions as to the employment of the ship.

On the other hand, as cases have been reported in which the Finnish authorities are of opinion that ships have been nationalised without satisfying the conditions laid down by the laws of the State whose flag has been granted to them, the Sub-Committee thinks that it might not be out of place — in view of the moral and sometimes even legal responsibility that Governments may incur by granting the right to fly their national flag — to point out to Governments that it is important that, before delivering the national flag, their officials should satisfy themselves that the conditions required by the national laws are actually fulfilled.

The Sub-Committee thinks that while for the time being this recommendation — incomplete as it is — represents all that can be done, it would be distinctly desirable, both in connection with the question with which the Sub-Committee has to deal and possibly from a more general point of view, that a comparative study should be undertaken of the laws of different countries governing the granting of the right to fly the maritime flag.

ANNEX 25.

DRAFT RESOLUTION CONCERNING SMUGGLING OF ALCOHOL PROPOSED BY THE TEMPORARY MEMBER APPOINTED BY THE FINNISH GOVERNMENT.

Whereas alcohol smuggling in the waters of the Baltic has assumed such dimensions and forms as to constitute, in some cases, a serious impediment to international order, as well as to legitimate trade and ordinary navigation ;

And whereas the riparian States of the Baltic concluded, on August 19th, 1925, a Convention for the suppression of such smuggling by the institution of a special zone within which the laws of the coastal State may be applied to vessels engaged in contraband traffic ;

And whereas certain countries, in their campaign against this clandestine traffic, encounter special difficulties owing to the fact that, in order to baffle pursuit, smuggling vessels fly the flags of countries which are not parties to the aforesaid Convention, although in most cases the owner, the master and the majority of the crew are nationals of the contracting parties and the low tonnage of the vessel proves that the particulars regarding port of registry are fictitious ;

And whereas international solidarity demands that in such circumstances every State should endeavour to come to an agreement with the States affected by the smuggling in question whereby the latter may exercise the necessary supervision over vessels engaged in such traffic;

The Committee expresses the opinion that the Governments of States Members of the League of Nations should be recommended to supervise very closely changes made by their consular agents abroad in the nationality of vessels, particularly where such a change might serve no purpose but to facilitate smuggling;

And considers that it would be desirable to invite Governments not parties to the above Convention to co-operate and arrange with the signatories thereof, who are injured by smuggling, so that in obvious cases illicit traffic may be effectively suppressed, especially by admitting the right of coastal States to carry out the necessary inspection even outside territorial waters.

ANNEX 26.

NOTE CONCERNING THE AGENDA OF THE FOURTH GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT.

[C.C.T.426.]

According to the Statute of the Organisation for Communications and Transit, the Fourth General Conference is to be held in 1931.

The Committee will perhaps wish to consider forthwith the agenda for this Conference. At its last session, the Assembly adopted the following report and resolution:

.....

* "The Transit Committee's report finally mentions the great progress that has been made in the enquiries into the question of the simplification of the calendar and the stabilisation of Easter. Following the procedure suggested by the Transit Committee, national committees of enquiry have been set up in a large number of countries, more especially on the American continent. The report of the American National Committee has just reached the Secretariat. It contains objective data, mainly economic, and concludes by stating that the Government of the United States of America is prepared to take part in a conference to be convened for the examination of these problems. It seems highly probable that, in 1930, committees of enquiry will have been established in most countries and that their reports will be received in the course of that year. Further, a Bill concerning the stabilisation of Easter has been passed in Great Britain. The Congress of the International Chamber of Commerce, recently held at Amsterdam, in a special resolution requested the League to summon a conference to submit recommendations on these problems. For the reasons mentioned above, the immediate convocation of such a conference does not seem advisable. Moreover, as an Œcumenical Council is likely to be held shortly, it would be desirable, in order to assist the religious authorities, who alone are competent to decide this question, to collect the authentic and collective views of the lay population of the various countries. It is, however, doubtful whether a special conference is necessary. The Communications and Transit Organisation is to hold its Fourth General Conference in 1931. It is within the normal powers of this Conference to examine all the work done under the auspices of the organisation since the last Conference. It is therefore competent to examine reports received either on the question of the stabilisation of Easter or on that of the simplification of the Gregorian Calendar, and to consider what recommendations might be made in that field. Consequently, it would only be necessary to place these questions on the agenda of the Fourth General Conference on Communications and Transit which could express the opinion of the Governments and of those specially interested in the question of the stabilisation of Easter, leaving the religious aspects of the problem out of account altogether. The Conference might also examine the results of the studies undertaken on the question of the simplification of the Gregorian Calendar with a view to giving at all events a preliminary opinion as to whether it is desirable to simplify the calendar, and, if so, in what manner.

.....

"The Assembly,

.....

"Notes the great interest taken by the economic circles of various countries in the studies undertaken regarding the simplification of the calendar, and also the establishment of national committees to enquire into this question. The Advisory and Technical Committee is requested to place on the agenda of the Fourth General Conference on Communications and Transit the consideration of any recommendations which might be made as a result of these enquiries.'"

ANNEX 27.

LETTER FROM THE MEDICAL DIRECTOR TO THE CHIEF OF THE
COMMUNICATIONS AND TRANSIT SECTION.

[C.C.T.452.]

[Translation.]

Geneva, March 13th, 1930.

I have the honour to inform you that, at its fifteenth session, the Health Committee had before it proposals from the National Government of the Republic of China concerning collaboration with the League of Nations in health questions.

Annexed is the text of these proposals, taken from page 3 of the letter from Dr. Heng Liu, Minister of Health.¹

I would draw your special attention to proposal (a), which reads as follows :

“(a) The previous decision of the Government to transfer to the Health Ministry the quarantine service, at present under the Finance Ministry, has induced it to ask for the co-operation, in accordance with certain precedents, of the League of Nations, with a view to obtaining the benefit of the experience of health services in other countries and stimulating a revival of confidence in the health administration of ports when re-organised and provided with up-to-date technical equipment. The Health Organisation is asked to consider, in collaboration with the Communications and Transit Organisation of the League of Nations, what steps should be taken to provide for the transfer and re-organisation of the existing quarantine service. The Director of the Health Organisation intimated that it would be possible to frame a plan during 1930 and that the preliminary survey undertaken by the present mission would be completed this year.”

In this connection the Health Committee has adopted the attached resolution (see Appendix).

I should be glad if you would put this letter and annex before the Advisory and Technical Committee for Communications and Transit.

(Signed) L. RAJCHMAN,
Medical Director.

Appendix.

RE-ORGANISATION OF THE QUARANTINE SERVICE OF THE CHINESE PORTS

The Health Committee,

After study of the proposals of the National Government of the Republic of China, concerning the collaboration of the League of Nations in the re-organisation of the quarantine services of the Chinese ports, and on the advice of the Commission for Quarantine Measures in China, nominated during the present session ;

(1) Accepts the proposals made by the Chinese Government to obtain the benefit of the experiences of health services in other countries in the re-organisation of the present quarantine services ;

(2) Approves the arrangements proposed by the Health Section that Dr. Park should visit China forthwith in order to complete the survey which has already been begun, and report to the Commission thereon at an early date (In his report, Dr. Park should give special consideration to the possibilities of the satisfactory application of the provisions of the International Sanitary Convention of 1926) ;

(3) Notes that the Commission has given Dr. Park certain guiding lines for this survey, including the sanitary equipment of ports, the nature of the action to be taken against the importation and exportation respectively of infectious diseases and the measures needed to deal with the special conditions of coastal traffic ;

Notes that on the completion of Dr. Park's survey he will submit proposals for consideration by the Commission regarding the scheme to be submitted to the Chinese National Government ;

(4) Requests that the Commission, in so doing, should confer with any experts who may be delegated by the Transit Organisation of the League, in conformity with the request of the Chinese Government, before submitting the scheme to the Health Committee.

Section II. — Results.

ANNEX 28.

RESOLUTIONS ADOPTED BY THE COMMITTEE AT ITS FOURTEENTH SESSION.

Official No. : C.168.M.77.1930.VIII.
[C.C.T.455.]

I. DRAFT BUDGET OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT FOR 1931 (Item 24 of the Agenda).

The Committee approves the Secretary-General's proposals (see annexed table) regarding the draft budget of the Organisation for Communications and Transit for 1931.

	1931	Estimates 1930 Swiss Francs	1929	Expenditure 1929
1. General Conference	60,000	—	—	—
2. Meetings of the Organisation for Communications and Transit (sessions of the Advisory and Technical Committee, other committees, sub-committees, and special conferences) and technical work of experts.	136,000	136,000	136,000	128,610.60
3. Printing of documents :				
(a) For meetings and other work under 2	18,000	18,000	18,000	18,513.10
(b) Collection and exchange of information regarding communications and transit (including miscellaneous expenses)	14,000	14,000	14,000	10,677.15
4. Settlement of disputes referred to the Committee and examination of similar questions submitted to the Committee by the Council	20,000	20,000	20,000	38,246.50
5. Salaries (permanent secretariat)				
6. Travelling (including removal) expenses of secretariat				
7. Cables, telegrams and trunk telephone calls, sundry expenses	5,000	4,000	3,500	4,976.40

Note. — The next General Conference will have to deal, amongst other matters, with the question of the reform of the calendar, which the Assembly has asked to be placed on the agenda of the Conference. It is anticipated that the preparatory work, and particularly the printing of the preparatory documents (including the reports of the National Committees for the Reform of the Calendar), will involve considerable expense, these documents being absolutely essential for a proper discussion of the question at the Conference. Furthermore, the expenses of the Conference itself (staff and printing) will certainly be higher than those of the Third General Conference, for which a credit of 40,000 francs was provided. It seems probable that the total expenses of the next Conference will be at least equal to those of the Second General Conference, which cost approximately 60,000 francs.

The expenses under No. 4 (Conciliation of Disputes) greatly exceeded the budget estimates both in 1928 (32,163 francs) and in 1929. It will, however, always be extremely difficult to estimate with any accuracy the expenditure under this item. Only several years' experience may make it possible to have a clearer idea on the subject. For these reasons, and in order to maintain the budget figures as far as possible at the same level, it does not seem advisable for the moment to contemplate any increase in the estimate for this item.

The increase provided for in the case of Item 7 (cablegrams, etc.) is due to the extension of the Transit Organisation's work, particularly in its relations with countries at a distance from the seat of the League.

II. ROAD TRAFFIC (Item 2 of the Agenda).

The Committee notes the statement of its Secretary-General on the work in connection with road traffic, to the effect that it is proposed to hold the next meeting of the Permanent Committee next spring, and that the Committee is to consider in particular the text of a draft Convention on commercial motor traffic and the results of the discussions of the Joint Committee consisting of members of the Fiscal Committee and the Permanent Committee on Road Traffic, which has prepared a draft International Convention on the taxation of foreign motor vehicles. The Transit Committee has noted the replies of Governments to the circulars sent out on Customs questions affecting motor traffic (visas at frontiers and the triptych system).

III. INLAND NAVIGATION (Item 3 of the Agenda).

The Committee notes the Secretary-General's statement that a Conference for the Unification of River Law will meet on November 17th, 1930. It has also noted the procedure followed in investigating, conjointly with the International Labour Organisation, questions relating to conditions of labour in inland navigation. The Transit Committee will submit any observations it thinks desirable when the results of the work of the Committee of Experts are laid before it by the Joint Committee (International Labour Organisation and Transit Committee).

IV. TRANSPORT BY RAIL (Item 4 of the Agenda).

(a) The Committee was requested by the Council to consider the application from the Nagyikikinda-Arad Local Railway Company. It decides to send the annexed report (see Appendix 1) forthwith to the Secretary-General for transmission to the Council. It further decides that, failing an amicable settlement within reasonable time of the dispute referred to in the application, the Chairman shall send the annexed supplementary report (see Appendix 2) to the Secretary-General to be transmitted to the Council and placed on the agenda of the Council session of September 1930.

(b) The Committee was requested by the Council to consider the application from the South East Hungary (Délkeleti) Local Railway Company. It decides to send the annexed report (see Appendix 3) forthwith to the Secretary-General for transmission to the Council. It further decides that, failing an amicable settlement within reasonable time of the dispute referred to in the application, the Chairman shall send the annexed supplementary report (see Appendix 4) to the Secretary-General to be transmitted to the Council and placed on the agenda of the Council session of September 1930.

(c) The Committee was requested by the Council to consider the application from the Halas-Bácsalmas-Rigyicza Local Railway Company. It decides to send the annexed report (see Appendix 5) forthwith to the Secretary-General for transmission to the Council. It further decides that, failing an amicable settlement within reasonable time of the dispute referred to in the application, the Chairman shall send the annexed supplementary report (see Appendix 6) to the Secretary-General to be transmitted to the Council and placed on the agenda of the Council session of September 1930.

(d) The Committee was requested by the Council to consider the application from the Dravavölgy (Kisköszeg-Siklos-Bárcs) Local Railway Company. It decides to send the annexed report (see Appendix 7) forthwith to the Secretary-General for transmission to the Council. It further decides that, failing an amicable settlement within reasonable time of the dispute referred to in the application, the Chairman shall send the annexed supplementary report (see Appendix 8) to the Secretary-General to be transmitted to the Council and placed on the agenda of the Council session of September 1930.

(e) The Committee was requested by the Council to consider the application from the Zsebely-Csákvár-Bóka Local Railway Company. It decides to send the annexed report (see Appendix 9) forthwith to the Secretary-General for transmission to the Council. It further decides that, failing an amicable settlement within reasonable time of the dispute referred to in the application, the Chairman shall send the annexed supplementary report (see Appendix 10) to the Secretary-General to be transmitted to the Council and placed on the agenda of the Council session of September 1930.

(f) The Committee decides that, as soon as the application from the Gyulavidék Local Railway Company has been forwarded by the Council to the Chairman of the Committee, the latter shall send the Secretary-General the annexed report (see Appendix 11) for transmission to the Council, such transmission to take place in sufficient time for the question to be placed on the agenda of the Council session of September 1930.

(g) The Committee notes the statements of its Secretary-General on the work in connection with transport by rail.

(h) The Committee decides to invite Colonel Hiam, Assistant to the President of the Canadian National Railways and late Secretary to the Permanent Committee on Transport by Rail, to serve on that Committee as an expert attached to the Chairman of the Committee.

V. MARITIME NAVIGATION (Item 5 of the Agenda).

The Committee notes the statement of its Secretary-General on the work in connection with maritime navigation, to the effect that the Conference for the Unification of Buoyage and the Lighting of Coasts will meet at Lisbon on October 6th next.

It further notes that the Technical Committee for the Unification of Maritime Tonnage Measurement will probably be able, in the course of 1930 or at the beginning of 1931, to submit

draft international regulations for maritime tonnage measurement, and that some material has already been collected to assist the Permanent Committee on Ports and Maritime Navigation in attempting to define maritime coasting trade.

In pursuance of the resolution passed at its thirteenth session on the regime of territorial waters, the Committee requests its Secretary-General to follow as closely as possible the discussions now proceeding on the question of territorial waters at the Conference on the Codification of International Law at The Hague.

VI. RESULTS OF THE EUROPEAN CONFERENCE ON CARDS FOR EMIGRANTS IN TRANSIT (Item 6 of the Agenda).

The Committee notes the results of the European Conference on Cards for Emigrants in Transit and trusts that those Governments which are not yet contracting parties to the Arrangement concluded at that Conference will seriously consider the possibility of adhering thereto.

VII. RESULTS OF THE EUROPEAN CONFERENCE ON THE TRANSPORT OF NEWSPAPERS AND PERIODICALS (Item 7 of the Agenda).

The Committee notes the results secured by the European Conference on the Transport of Newspapers and Periodicals and the resolution on that subject adopted by the Council at its session in January 1930, and decides :

(a) To ask the Administrative Section of the Permanent Committee on Transport by Rail to draft the report to the Council referred to in the last paragraph of Chapter I of the Final Act of the Conference. The Chairman of the Committee may, if he thinks fit, attach to the Administrative Section of the Permanent Committee on Transport by Rail certain members of the Permanent Legal Committee selected by the Chairman of that Committee. This report may, if the Chairman thinks it advisable, be forwarded to the Council in the name of the Transit Committee ;

(b) To propose to the Fiscal Committee the formation of a joint committee of the Fiscal Committee and the Transit Committee, to consider the question raised in Chapter IV of the Final Act of the Conference (Customs and fiscal taxes applicable to newspapers). The joint committee will report to the Fiscal Committee and to the Transit Committee. The members of the joint committee appointed by the Transit Committee will be selected by the Chairman, who is requested to choose for that purpose one member of the Committee and two or three experts from persons concerned with the publication or the distribution of newspapers ;

(c) To instruct the Permanent Legal Committee to study, with the assistance of representatives of this particular trade, the international definition of periodicals, which was raised in Chapter VII of the Final Act of the Conference. The Secretariat is instructed to collect the information required.

VIII. UNIFICATION OF TRANSPORT STATISTICS (Item 8 of the Agenda).

The Committee notes the information furnished on the present state of the work on the unification of transport statistics. It calls the attention of the Committee dealing with that subject to the importance of continuing its work so that the whole of its proposals may be submitted to the Transit Committee in the course of 1931.

The Committee has studied the correspondence between its Secretary-General and the President of the International Institute of Statistics and approves the formation of a joint committee of the two organisations. It would be the duty of this joint committee to keep in touch with the proceedings of both, so as to ensure the best possible co-ordination of their work. It would report to both organisations, and each would retain complete freedom of action. The Chairman of the Committee for the Unification of Transport Statistics would be empowered to select the representatives of the Transit Committee on the joint committee, those representatives not to exceed four in number.

The Committee has considered the proposal of the Committee for the Unification of Transport Statistics regarding the institution of an enquiry into the utilisation of tonnage, and decides to ask those Governments which the latter Committee considers may be able to help in the matter whether they can furnish the information required. Should it seem from the replies of these Governments possible to collect this information, they should also be asked whether they would be prepared to arrange to make common use of the information collected in accordance with the Committee's suggestions.

IX. INTERPRETATION OF THE ST. PETERSBURG TELEGRAPHIC CONVENTION (Item 12 of the Agenda).

In accordance with the Council's report of January 15th, 1930, the Committee instructs its Permanent Legal Committee to examine the question of the interpretation of the St. Petersburg Telegraphic Convention with reference to the exchange of facsimiles of telegrams despatched in connection with cases of smuggling opium and other dangerous drugs. The Permanent Legal Committee's report will be forwarded to the Council by the Chairman of the Transit Committee.

X. CODIFICATION OF INTERNATIONAL LAW IN MATTERS OF COMMUNICATIONS AND TRANSIT
(Item 13 of the Agenda).

The Committee has had before it the Council resolution of January 13th, 1930, and has noted, in accordance with this resolution, the Assembly's resolution of September 24th, 1929, on the codification of certain kinds of conventions.

It instructs the Permanent Legal Committee to examine this question.

The Permanent Legal Committee is asked to study the principles of important Conventions regarding transit generally, inland navigation, maritime navigation and communications, transport by rail, road transport, air transport, and postal and telegraphic communications (including telephonic and wireless) in order to indicate to the Committee the points on which codification seems possible and desirable.

XI. ANNUAL REPORT OF THE MEMEL HARBOUR BOARD (Item 14 of the Agenda).

The Committee notes the receipt of the 1928 report of the Memel Harbour Board.

XII. GRAVE OCCURRENCES OF A GENERAL CHARACTER AFFECTING ROUTES OF COMMUNICATION
(Item 15 of the Agenda).

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

It nevertheless resolves to forward to the Fourth General Conference the annexed draft recommendation and draft Additional Protocol (see Appendix 12) to the Convention on the International Regime of Railways, which have been framed to carry out the resolution of the Third General Conference.

XIII. DISPUTES RELATING TO THE COMPETENCE OF THE EUROPEAN COMMISSION OF THE DANUBE
(Item 16 of the Agenda).

The Committee notes the information given by its Secretary-General regarding the steps taken to facilitate the early application of the agreement reached, under the Committee's auspices, among the States represented on the European Commission of the Danube.

XIV. EXECUTION OF THE DECISIONS OF THE COMMITTEE RELATING TO THE CONVOCAION OF
AN AIR TRAFFIC CO-OPERATION COMMITTEE (Item 17 of the Agenda).

The Committee notes the information furnished by its Secretary-General to the effect that the Air Traffic Co-operation Committee will probably be able to meet early in the summer of 1930.

It also notes the measures taken to supply this Committee with the information it requires.

XV. COMMUNICATIONS BY RAIL WITH THE SEAT OF THE LEAGUE (Item 18 of the Agenda).

The Committee notes the information furnished by its representative at the European Conference on Time-tables and by its Secretary-General.

As regards sleeping-car facilities between Geneva and Berlin, it notes that there are no further difficulties between the sleeping-car companies and that the German Railways Administration is prepared to organise a permanent service of this kind if the need thereof is proved.

The Committee requests the Swiss Federal Railways Administration, which has hitherto not agreed to arrange for such a service except for certain special periods, to give it a trial for a number of months in order to ascertain the economic value of this service.

XVI. COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS AT TIMES OF EMERGENCY
(Item 19 of the Agenda).

(a) *Wireless Station.*

The Committee notes the information furnished by its Secretary-General regarding the construction of a wireless station. With a view to the execution of the Agreement and of the Convention between the Secretary-General of the League on the one hand and the Swiss Government and the "Société Radio-Suisse" on the other, and, in order to furnish the

Secretary-General of the League with the technical assistance he requires, the Committee resolves to form a Wireless Technical Committee and a Committee for the Working of the League's Wireless Station.

Subject to any later decision of the Committee, the Wireless Technical Committee will include the members previously appointed to draw up the construction scheme for the station (Committee under the chairmanship of General Ferrière).

The Committee for the Working of the Wireless Station will be appointed later, on the request of the Secretary-General of the League.

These Committees will send their reports direct to the Secretary-General of the League. Copies will, however, be forwarded to the Transit Committee, which reserves the right to submit to the Secretary-General of the League any observations that it considers desirable. These observations can be forwarded — in the interval between the Committee's sessions — by a Rapporteur of the Committee specially appointed therefor.

(b) Facilities to be granted to Aircraft.

The Committee has not considered it necessary to examine in detail the proposals submitted by the International Air Navigation Commission, as these are to be studied by the Committee on Arbitration and Security. It thinks, however, that the attention of the latter should be drawn to the fact that the International Air Navigation Commission, which was set up by the International Convention of 1919, very naturally drafted its proposals in the form of amendments to the said Convention, and that, if this were the only procedure contemplated, it would offer the serious inconvenience of discriminating between States which were and States which were not parties to the 1919 Convention. It would also delay the application of its provisions and the opening of the necessary negotiations between the Secretary-General of the League and the Governments until the suggested amendments to the 1919 Convention had been put into force.

The Committee believes that it would save time and be more satisfactory if the Assembly adopted a resolution laying down the general rules to be applied by Members of the League, with due regard to their obligations, defining the aircraft to be used for air communications of importance to the working of the League, and enunciating the principles on which negotiations could be opened immediately between the Secretary-General of the League and the Governments.

For the above reasons, the Committee thought it should assist the Committee on Arbitration and Security by redrafting on the above lines the proposals of the International Air Navigation Commission. The proposed draft resolution of the Assembly must therefore be consistent both with the provisions of the 1919 Convention and with those of Conventions in force between States parties to the 1919 Convention and States not parties to that Convention. It is also clear that the adoption by the Assembly of such a draft resolution would not prevent States from subsequently codifying the provisions adopted to facilitate air transport of importance to the League, by inserting the necessary provisions in international Conventions dealing with air transport questions.

In these circumstances, the Committee has the honour to communicate to the Committee on Arbitration and Security the following draft Assembly resolution :

"The Members of the League are under the obligation to facilitate by all means in their power the meeting of the Council in times of emergency and the working of the League in general.

"The use of air transport may be necessary to enable the League to take rapid action to safeguard the peace.

"The Assembly therefore considers it important that the Members of the League should, in order to discharge their obligations, grant to aircraft used for air communications of importance for the working of the League all facilities for navigation and passage to enable them to discharge their missions. Such aircraft should enjoy all the rights granted by existing international Conventions to Government aircraft other than military, Customs or police aircraft, and should at no time be subject to any exceptional and temporary restrictions that may be imposed on air navigation.

"The conditions on which the various Governments will grant the facilities mentioned in the previous paragraph shall be laid down in advance by each of the Governments concerned, after consulting the Secretary-General of the League. In particular, the routes to be normally followed by aircraft and the procedure contemplated for notifying the Secretary-General without delay of any changes in such routes should be fixed in advance.

"The Assembly requests the Secretary-General immediately to open negotiations on this matter and also on the conditions under which the States whose territory is crossed will assist aircraft in difficulties and the persons on board to complete the journey by air and carry out their mission.

"The Assembly trusts that the Members of the League will grant to aircraft used for communications of importance to the working of the League all facilities in regard both to supervision and to the routes to be followed.

“Aircraft used for communications of importance to the working of the League, within the meaning of the present resolution, are aircraft permanently or temporarily engaged in conveying League officials or League correspondence or in conveying delegations to the League or their correspondence. Should such aircraft be the property of the League, the Secretary-General shall have them registered in the Secretariat of the League. Should such aircraft be used for communications of importance to the working of the League but be registered in any country and only temporarily placed at the League's disposal, the Secretary-General shall likewise have them registered in the Secretariat of the League. All detailed regulations regarding conditions of registration, the communication of entries and the cancellation of entries, identification marks on aircraft showing that they are on the service of the League, certificates and licences for the crew, and other documents generally required by international Conventions, shall be laid down by the Council of the League of Nations after consulting the competent international bodies.

“Should aircraft used for communications of importance to the working of the League be required to fly over a State, the Secretary-General of the League will endeavour to give that State due notice by suitable means of the identification marks of the aircraft, of the route to be taken and of the persons on board — the crew and the passengers to be provided with documents certifying their status and mission.

“This resolution is not to be understood as affecting the liberty of any State to prohibit its territory being crossed by aircraft registered in another State when such prohibition appears justified by motives of national safety. In such case, the State in question should do everything to ensure that the journey is completed by air as quickly as possible under conditions to be determined by the negotiations above referred to.

“The Secretary-General will report to the next Assembly on the steps taken to ensure the execution of this resolution.”

(c) Construction of an Aerodrome near the Seat of the League.

The Chairman of the Committee will consult experts on the new proposals submitted, and will forward their report to the Secretary-General of the League for submission to the Assembly.

XVII. RESOLUTIONS ADOPTED BY THE FIFTH CONGRESS OF THE INTERNATIONAL CHAMBER OF COMMERCE AT AMSTERDAM (Item 21 of the Agenda).

The Committee forwards the resolutions adopted by the Fifth Congress of the International Chamber of Commerce to the appropriate Permanent Committees, and draws the special attention of the Permanent Committee for Ports and Maritime Navigation to the resolution concerning Customs and consular formalities in respect of maritime navigation.

Any information subsequently received from the International Chamber of Commerce will be sent to the competent Committees.

XVIII. RULES OF PROCEDURE ADOPTED BY THE COMMITTEE (Item 23 of the Agenda).

Article 1.

The Advisory and Technical Committee shall elect from among its members a Chairman and two Vice-Chairmen, who shall take office on the date of their appointment and remain in office until the beginning of the first session of the calendar year following that of their election. They shall not be immediately re-eligible.

Article 2.

The Committee shall hold at least one session annually. Except in special circumstances, it shall meet at the seat of the League.

The Committee shall be convened on the Chairman's initiative. Notices of meeting shall be sent out by the Secretary-General of the Committee, acting on the Chairman's instructions. Except in urgent cases, they shall be sent to members of the Committee at least one month before the opening of each session.

The Chairman shall order the Committee to be convened either upon the decision of the Council of the League of Nations or if requested to do so by one-third of the members of the Committee, such request to be addressed to the Secretary-General of the Committee.

In exercising the powers defined in the present article, the Chairman of the Committee shall take into consideration the financial position, having regard to Article 29 of the Regulations for the Financial Administration of the League. The financial position shall be submitted for the Chairman's consideration by the Secretary-General of the Committee.

Genève, le 12 février 1931.

SOCIÉTÉ DES NATIONS

**Commission consultative et technique des communications
et du transit.**

PROCÈS-VERBAL DE LA QUATORZIÈME SESSION

Tenue à Genève du 10 au 15 mars 1930 (avec annexes).

ERRATUM

ANNEXE 28.

XVIII. Règlement intérieur adopté par la Commission.

Page 137 : Ajouter, à la fin de l'article 6, le paragraphe suivant :

« Les décisions prises par le président en vertu du présent article sont communiquées sans délai aux membres de la Commission. »

LEAGUE OF NATIONS

**Advisory and Technical Committee for Communications
and Transit.**

MINUTES OF THE FOURTEENTH SESSION,

Held at Geneva from March 10th to 15th, 1930 (with Annexes).

ERRATUM

ANNEX 28.

XVIII. Rules of Procedure adopted by the Committee.

Page 137 : The following paragraph should be added at the end of Article 6 :

“ Decisions taken by the Chairman in virtue of this article shall be made known to the members of the Committee without delay. ”

Article 3.

The Chairman shall draw up a draft agenda for each session, which shall accompany the notices convening the session.

Any member of the Committee may, at least 15 days before the opening of the session, make application to the Secretary-General of the Committee for a specific question to be placed on the agenda of the session. In such case the Secretary-General of the Committee shall prepare a supplementary agenda and communicate it to the members of the Committee without delay.

At the beginning of each session, the Committee shall decide upon its final agenda. It may, in the course of a session, decide by a majority of two-thirds of the votes of the members present to add a question to its agenda.

The Committee's agenda shall be communicated to the Council of the League of Nations in conformity with the Assembly resolution of December 8th, 1920.

Article 4.

With a view to the application of Article 13, paragraph 5, of the Statute, which confers powers on the Committee as regards the invitation of temporary members, these powers may, in cases of urgency or necessity, be exercised by the Chairman before the Committee meets, when the draft agenda submitted to the Committee appears to him clearly to require such invitation.

The same procedure shall be followed as regards the invitation of representatives of States not members of the organisation, and of representatives of qualified international or national organisations in an advisory capacity.

Decisions taken by the Chairman in virtue of this article shall be made known to the members of the Committee without delay.

Article 5.

In accordance with the provisions of Article 15 of the Statute, the Committee shall set up five permanent committees. These committees shall conduct a continuous enquiry into questions relating respectively to transport by rail, inland navigation, ports and maritime navigation, road traffic, and electric power.

The Committee shall also set up a permanent legal committee.

The committees referred to in the preceding paragraphs shall hold office for the same term as the Advisory and Technical Committee. They shall enjoy complete freedom in their discussions. All resolutions of these committees involving recommendations to Governments or proposals to the Council or the Assembly shall be forwarded to those authorities by the Advisory and Technical Committee in its own name as soon as they have received the approval of the Committee in plenary session. As an exception, in cases which must be justified by reasons of urgency or necessity, this approval may be given on behalf of the Committee by its Chairman, who, if in doubt, may consult his colleagues by correspondence, and in any event shall report his decision to the next plenary session.

The present provisions shall not apply to cases in which the Advisory and Technical Committee is called upon to discuss a question in dispute between States under the conditions laid down in Article 18 of the Statute. The Committee in plenary session shall alone be competent to express an advisory opinion in such a case.

Article 6.

The Committee may set up temporary or permanent sub-committees composed of its own members, obtain the assistance of experts, and appoint temporary committees of experts, in accordance with the provisions of Article 15 of the Statute. In cases of urgency or necessity, the Chairman may appoint experts in the interval between sessions, or subject to the Committee's subsequent approval, set up temporary committees of experts, when such measures seem to him necessary for the preparation of the Transit Committee's work.

Article 7.

The present rules shall be applicable to committees and sub-committees ; but the chairmen and (if appointed) the vice-chairmen, of committees and sub-committees, shall be appointed, in the case of temporary committees or sub-committees, for the term of office of such committees or sub-committees and, in the case of permanent committees and sub-committees, for the term of office of the Transit Committee.

The term of office of these chairmen or vice-chairmen is renewable.

The meeting places of committees and sub-committees shall be determined by their respective chairmen in agreement with the Secretary-General of the Committee, account being taken both of practical needs and of budgetary considerations.

Article 8.

When the term of office of the Committee expires in accordance with the conditions laid down in Article 13 of the Statute, the Chairman and Vice-Chairman of the Committee shall continue to discharge their duties pending the election of the new Committee's officers,

provided they have been appointed members of the latter Committee ; otherwise, the member of the Committee who last acted as Chairman, or, if none such be available, who last acted as Vice-Chairman, shall temporarily act as Chairman. If there be no member who has previously acted as Chairman, the duties of Chairman shall be discharged by the member who is senior in membership of the Committee.

Article 9.

The present Rules of Procedure may at any time be altered by a majority of the votes of the members present.

XIX. REPORT OF THE SPECIAL COMMITTEE ON COMPETITION BETWEEN RAILWAYS AND WATERWAYS (Item 9 of the Agenda).

The Committee compliments the special Committee on Competition between Railways and Waterways on its exhaustive and impartial report, which will serve as a basis for any subsequent surveys that the Transit Committee may decide to undertake on this subject, constitute an immediate and very important contribution to the study of problems closely affecting European economy and help in the solution of such problems.

It does not think it advisable to consider, in connection with the single problem dealt with in the Committee's report, the general question of the utilisation of national forms of transport for the protection of certain aspects of national economy.

Apart from this general question and looking at the matter solely from the standpoint of the legitimate interests both of private individuals and of rail and water transport undertakings, the main conclusions of the report bring out the principles on which tariff policy is normally based.

The Committee resolves to forward to the Governments the special Committee's report, together with this resolution and an extract from the Minutes of the Transit Committee.

XX. RELATIONS BETWEEN THE VARIOUS MEANS OF TRANSPORT IN CONTINENTS OTHER THAN EUROPE.

In execution of the recommendations of the Genoa Conference and in pursuance of Mr. Walker D. Hines' report, the Committee examined certain questions regarding competition between railways and waterways affecting the European economic system. The secretariat is instructed to collect information on the problems arising in continents other than Europe connected with co-operation and competition between various modes of transport, more particularly between railways and waterways, and on the manner in which these problems are dealt with.

XXI. COLLECTION OF INFORMATION ON COMMUNICATIONS AND TRANSIT (Item 22 of the Agenda).

The Committee notes the information given by its Secretary-General on the work done by the service for the collection of information on communications and transit.

It approves its Secretary-General's suggestions for future work.

XXII. SMUGGLING OF ALCOHOL (Item 11 of the Agenda).

A. Letter from the Chairman of the Advisory and Technical Committee for Communications and Transit to the Chairman of the Economic Committee. (Text adopted by the Committee.)

At its thirty-first session, the Economic Committee decided to ask the opinion of the Communications and Transit Organisation on a draft recommendation regarding the smuggling of alcohol, which was submitted by the Finnish Government when this question was under discussion in the Economic Committee.

I have the honour to inform you that, at its fourteenth session, held at Geneva from March 10th to 15th, 1930, the Advisory and Technical Committee for Communications and Transit adopted the annexed report,¹ the object of which is to ascertain whether the measures contemplated by the Economic Committee for suppressing the smuggling of alcohol were likely to interfere unduly with the freedom of communications.

¹ See B, page 139.

In the Transit Committee's opinion, it may be said, without prejudice to the legal position, that agreements affecting specified vessels openly engaged in smuggling alcohol (agreements concluded with the State whose flag is flown by the vessels in question and relating to supervision over such vessels outside the limits of territorial waters) would not be likely to interfere unduly with the freedom of communications.

The Transit Committee thinks that it might be well to point out to Governments that it is important that, before granting the right to fly the national flag, officials should satisfy themselves that the conditions required by the national laws are actually fulfilled. If the Economic Committee agrees with this view, the Transit Committee could propose to the Council that representations to that effect be made to Governments.

I may add that, while the Transit Committee does not see what other steps can be taken for the moment, it fully realises that its recommendation is incomplete. It has accordingly adopted a resolution stating that it thinks it desirable, both in connection with this particular question and possibly from a more general point of view, that a comparative study should be made of the laws of different countries governing the granting of the right to fly the merchant flag. It has accordingly instructed its Secretariat to obtain from Governments all the information required on the subject.

(Signed) HEROLD.

B. Report.

1. The Committee was instructed to ascertain whether the measures contemplated by the Economic Committee for the suppression of alcohol smuggling were likely to "interfere unduly with the freedom of communications".

In the course of its discussions, the Committee came to the conclusion that the Helsingfors Convention of 1925 did not, in practice, fulfil the aims of the Governments parties to that Convention, since smuggling vessels now as a rule sail under the flag of various non-contracting States and not under any of the flags which are, under the Convention, subject to supervision outside the limits of territorial waters. The Committee further realised that, in view of this situation, effective protection against the smuggling of alcohol could in reality only be afforded by a series of bilateral conventions with all the States not parties to the Helsingfors Convention. The Committee recognised, however, that such a procedure would necessarily take a considerable time, apart from the fact that the object could not be fully achieved unless all Governments agreed to the conclusion of such bilateral conventions. In those circumstances the Committee thought it should also attempt to find a satisfactory solution by some other more expeditious procedure.

From the information given by the Finnish member, it appears that alcohol is being smuggled into Finnish waters on such a large scale and in such a manner as to affect very seriously public order in Finland.

2. Further, smuggling is apparently carried on almost entirely by boats specially engaged for the purpose, and the Finnish authorities have, in carrying out the work of supervision, ascertained exactly which ships these are. This being so, it also appears that the wishes of the Finnish Government in regard to exercising control outside its territorial waters would, in fact, be met to a very large extent if special control could be exercised over such ships.

The Committee thought it desirable that the League should not, for the time being, formulate any recommendation such as that submitted to it, since the adoption of such a recommendation would involve changes in the general practice of States. On the other hand, the Committee thought that it could be said, without prejudice to the legal position, that agreements affecting specified vessels openly engaged in smuggling alcohol (agreements concluded with the State whose flag is flown by the vessels in question and relating to supervision over such vessels outside the limits of territorial waters) would not be likely to "interfere unduly with the freedom of communications".

The Committee is sure that the Governments will, in a spirit of international co-operation, give favourable consideration to any legitimate requests of this kind which they receive.

3. The Committee unanimously recognised the importance of the general problem of the granting of the right to fly a flag raised by the Economic Committee's first recommendation. In the Transit Committee's view, this recommendation is not acceptable in its present form since it does not seem possible to make a general rule that the granting of the right to fly a national flag to ships which satisfy all the conditions laid down in the national legislation should be conditional upon an enquiry into the owners' intentions as to the employment of the ship.

On the other hand, as cases have been reported in which the Finnish authorities are of opinion that ships have been nationalised without satisfying the conditions laid down by the laws of the State whose flag has been granted to them, the Committee thinks that it might be well — in view of the moral, and sometimes even legal, responsibility that Governments may incur by granting the right to fly their national flag — to point out to Governments that it is important that, before granting the national flag, their officials should satisfy themselves that the conditions required by the national laws are actually fulfilled.

XXIII. SURVEY OF NATIONAL LEGISLATION GOVERNING AUTHORISATION TO FLY A MERCHANT FLAG (Item 11 of the Agenda).

The Committee was requested by the Economic Committee to examine the measures contemplated by the latter for suppressing the smuggling of alcohol in Finland.

It has come to the conclusion that certain of the difficulties reported are due to the circumstances under which merchant flags are sometimes granted to vessels engaged in the smuggling traffic.

It considers it extremely desirable, both as regards this particular question and possibly from a more general point of view, that a comparative study should be made of the laws of different countries governing the granting of the right to fly the merchant flag. It therefore instructs its secretariat to obtain from Governments all the information required on this subject.

XXIV. QUESTIONS RAISED BY THE COUNCIL IN CONNECTION WITH THE FREEDOM OF COMMUNICATIONS AND TRANSIT DURING ITS EXAMINATION OF THE STATE OF THE RELATIONS BETWEEN POLAND AND LITHUANIA (Item 10 of the Agenda).

The Committee approves the following proposals presented by its Sub-Committee :

“The Sub-Committee under the Chairmanship of M. de Vasconcellos has been informed of the conversations that took place between M. de Vasconcellos and the representatives of the Lithuanian and Polish authorities during his visit to Kaunas and Warsaw at the invitation of the Lithuanian and Polish Governments. On the basis of this information, the Sub-Committee has begun a discussion which it has not been able to conclude at the present session.

“The Sub-Committee asks the Committee temporarily to postpone consideration of the draft report to be laid before the Council by the Committee. It suggests that the Committee should hold another session to adopt its report at the beginning of September next.”

The Committee decides to meet on September 4th, 1930 ; the Sub-Committee will meet a few days earlier.

XXV. AGENDA OF THE FOURTH GENERAL CONFERENCE ON COMMUNICATIONS AND TRANSIT (Item 20 of the Agenda).

As a result of its discussions, the Committee feels that it is already justified in placing on the agenda of the Fourth General Conference the questions of calendar reform and of grave occurrences of a general character affecting routes of communication.

The Committee resolves to postpone to its session of September 1930 the preparation of the agenda for the Fourth General Conference.

The date of meeting of the Conference will also be considered during the September session.

XXVI. STATE OF THE RATIFICATIONS OF CONVENTIONS DRAWN UP UNDER THE AUSPICES OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT (Item 25 of the Agenda).

The Committee notes the statement of the Secretariat on the present position as regards ratifications.

XXVII. INVITATION FROM THE BRITISH GOVERNMENT TO THE COMMITTEE TO BE REPRESENTED AT A CONFERENCE WITH A VIEW TO THE CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE LOAD-LINES OF MERCHANT SHIPS (Item 26 of the Agenda).

The Committee accepts with thanks the British Government's invitation, and instructs its Secretary-General to represent it.

XXVIII. INVITATION TO THE COMMITTEE TO EXHIBIT AT THE INTERNATIONAL EXHIBITION TO BE HELD AT POSEN (Item 27 of the Agenda).

The Committee accepts the invitation to exhibit at the International Exhibition at Posen, and instructs its Secretary-General to make arrangements similar to those for the Inland Navigation Exhibition at Basle.

XXIX. VARIOUS COMMUNICATIONS (Item 29 of the Agenda).

(a) *Re-organising Quarantine Services in China.*

The Committee notes the letter from the Medical Director of the League Secretariat, and agrees to the request of the National Government of the Chinese Republic regarding the co-operation of the Communications and Transit Organisation in re-organising quarantine services in China. The Secretary-General of the Committee is empowered to give the Medical Director every assistance.

The Committee resolves to delegate for the moment three experts to confer with the Commission appointed by the Health Committee on the scheme for the re-organisation of quarantine services in China, these experts to be M. Hörnell, member of the Committee, Sir Alan Anderson, member of the Permanent Committee for Ports and Maritime Navigation (who may name a substitute), and M. Kroeller, member of the Permanent Committee for Ports and Maritime Navigation.

(b) *Request from the Advisory Committee of the Singapore Epidemiological Bureau of the Health Organisation, for Help in improving its Radiotelegraphic Service.*

The Committee requests the Chairman to make the necessary arrangements for complying with the request of the Advisory Committee of the Singapore Epidemiological Bureau.

The Chairman will consult the League's Advisory Committee on Wireless.

(c) *International Life-Saving and First Aid Association.*

The Committee empowers its Chairman, with M. Schlingemann's help, to obtain the information asked for by the Secretary-General of the League on the International Life-Saving and First Aid Association.

(d) *Representation of the Committee on International Association of Road Congresses.*

The Committee instructs its Chairman to take steps to ensure its representation at the next congress held by the International Association of Road Congresses.

(e) *Representation of the Communications and Transit Organisation on the Permanent International Association of Railway Congresses.*

The Committee notes :

(1) That the Permanent International Association of Railway Congresses is the only important international organisation with Government representatives and dealing with communications questions, at whose meetings the Organisation for Communications and Transit is not represented ;

(2) That the Association, which includes representatives of railway companies and of Governments, has admitted as members organisations comprising operating services, but not an organisation like the Communications and Transit Organisation, which, for the study of questions of communications — and especially, through its Permanent Committee on Transport by Rail, questions discussed at railway congresses — comprises all the States Members of the League of Nations.

It therefore requests the Governments represented on the Communications and Transit Organisation and on the Association of Railway Congresses to examine this situation.

[C.C.T.440(1).]

Appendix 1.

APPLICATION BY THE NAGYKIKINDA-ARAD LOCAL RAILWAY COMPANY.

REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Nagyikinda-Arad Local Railway Company.

After studying the application and the correspondence received from the Yugoslav and Roumanian Governments, and after hearing the representatives of the applicant company, the Committee considered that it was unnecessary for the Council to examine the application until it was certain that a friendly agreement could not be reached between the parties concerned.

It would therefore be advisable to await the result of the negotiations which are at present in progress or which are about to be re-opened, and for which a reasonable period should be given.

The Committee accordingly considers that it would be advisable for the Council to postpone the examination of the petition until its session of September 1930. If no friendly agreement is reached before this session, the Committee will make a supplementary report to the Council in good time.

[C.C.T.439(1).]

Appendix 2.

APPLICATION BY THE NAGYKIKINDA-ARAD LOCAL RAILWAY COMPANY.

SUPPLEMENTARY REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Nagyikinda-Arad Local Railway Company.

The questions which the Committee thus has to consider are previous questions. It is not for the Committee to examine the substance of the dispute between the Nagyikinda-Arad Company on the one hand and the Yugoslav and Roumanian Governments on the other, but simply to consider whether the Council should take a decision regarding the request for arbitration. If arbitrators are appointed, it will be for them alone to examine the substance of the dispute.

If the conditions laid down in that article are fulfilled, the Council is obviously obliged to appoint arbitrators in virtue of Article 304 of the Treaty of Trianon. The Committee, adopting this point of view, decided that it should consider separately :

(1) Whether the nature of the dispute was such as to bring it within the scope of Article 304, and

(2) Whether, in conformity with the terms of Article 304, according to which the arbitration in question only applies to differences "on which agreement is not reached", there was no prospect of an agreement being reached.

The first question was mainly a question of interpretation of the Treaty, and the second one of appreciating the actual position of negotiations.

As to the first point, the Committee considers that there can be no doubt that the difference between the Nagyikinda-Arad Local Railway Company and the Yugoslav and Roumanian Governments comes, as a whole, within the scope of Article 304 of the Treaty of Trianon. This article is absolutely imperative. It lays down in all cases that the administrative and technical re-organisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies and henceforward situated in the territory of several States shall be regulated in each instance by an agreement between the company holding the concession and the States territorially concerned, this provision not being subject to any condition.

As regards the second point, the company's overtures did not seem, up to the moment when the case came before the Committee, to have received any definite reply pledging the Governments. Since that time the negotiations undertaken, which the Committee had hoped would be successful before September 1930, have given no results and the Committee is accordingly of opinion that the Council should now proceed to appoint the arbitrators requested by the company.

Appendix 3.

**APPLICATION BY THE SOUTH-EAST HUNGARY (DELKELETI)
LOCAL RAILWAY COMPANY.**

REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the South-East Hungary (Délkeleti) Local Railway Company.

After studying the application and the correspondence received from the Yugoslav and Roumanian Governments, and after hearing representatives of the plaintiff company, the Committee considered that it was unnecessary for the Council to examine it until it was certain that a friendly agreement could not be reached between the parties concerned.

The results of the negotiations at present in progress or shortly about to be resumed should therefore be awaited and a reasonable period allowed for them to be pursued.

The Committee accordingly considers that it would be advisable for the Council to postpone the examination of the petition until its session of September 1930. If no friendly agreement is reached before this session, the Committee will make a supplementary report to the Council in good time.

[C.C.T.437(1).]

Appendix 4.

**APPLICATION BY THE SOUTH-EAST HUNGARY (DELKELETI)
LOCAL RAILWAY COMPANY.**

SUPPLEMENTARY REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the South-East Hungary (Délkeleti) Local Railway Company.

The questions which the Committee thus has to consider are in the nature of previous questions. It is not for the Committee to examine the substance of the dispute between the South-East Hungary (Délkeleti) Local Railway Company on the one hand and the Yugoslav Government on the other, but simply to consider whether the Council should take a decision regarding the request for arbitration. If arbitrators are appointed, it will be for them alone to examine the substance of the dispute.

If the conditions laid down in that article are fulfilled, the Council is obviously obliged to appoint arbitrators in virtue of Article 304 of the Treaty of Trianon. The Committee, adopting this point of view, decided that it should consider separately :

(1) Whether the nature of the dispute was such as to bring it within the scope of Article 304, and

(2) Whether, in conformity with the terms of Article 304, according to which the arbitration in question only applies to differences "on which agreement is not reached", there was no prospect of an agreement being reached.

The first question was mainly a question of interpretation of the Treaty, and the second one of appreciating the actual position of negotiations.

As to the first point, the Committee considers that there can be no doubt that the difference between the South-East Hungary (Délkeleti) Local Railway Company and the Yugoslav and Roumanian Governments comes, as a whole, within the scope of Article 304 of the Treaty of Trianon. This article is absolutely imperative. It lays down in all cases that the administrative and technical re-organisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies and henceforward situated in the territory of several States shall be regulated in each instance by an agreement between the owning company and the States territorially concerned, this provision not being subject to any condition.

As regards the second point, the company's overtures did not seem, up to the moment when the case came before the Committee, to have met with any definite reply pledging the Government. Since then, the negotiations undertaken, which the Committee had hoped would be successful before September 1930, have given no results. The Committee is accordingly of opinion that the Council should now proceed to appoint the arbitrators requested by the company.

Appendix 5.

APPLICATION BY THE HALAS BACSALMAS-RIGYICZA LOCAL
RAILWAY COMPANY.

REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Halas Bácsalmás-Rigyicza Local Railway Company.

After studying the application, the Committee considered that it was unnecessary for the Council to examine it until it was certain that a friendly agreement could not be reached between the parties concerned.

From information received by the Committee it appears that negotiations are at present in progress between the Yugoslav Government and the petitioning company. A reasonable period should be left to permit of these negotiations being pursued.

The Committee accordingly considers that it would be advisable for the Council to postpone the examination of the petition until its session of September 1930. If no friendly agreement is reached before this session, the Committee will make a supplementary report to the Council in good time.

Appendix 6.

APPLICATION BY THE HALAS BACSALMAS-RIGYICZA LOCAL
RAILWAY COMPANY.

SUPPLEMENTARY REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Halas Bácsalmás-Rigyicza Local Railway Company.

The questions which the Committee thus has to consider are in the nature of previous questions. It is not for the Committee to examine the substance of the dispute between the petitioning company and the Yugoslav Government, but simply to consider whether the Council should take a decision regarding the request for arbitration. If arbitrators are appointed, it will be for them alone to examine the substance of the dispute.

If the conditions laid down in this article are fulfilled, the Council is obviously obliged to appoint arbitrators in virtue of Article 304 of the Treaty of Trianon. The Committee, adopting this point of view, decided that it should consider separately :

(1) Whether the nature of the dispute was such as to bring it within the scope of Article 304, and

(2) Whether, in conformity with the terms of Article 304, according to which the arbitration in question only applies to differences " on which agreement is not reached ", there was no prospect of an agreement being reached.

The first question was mainly a question of interpretation of the Treaty, and the second one of appreciating the actual position of negotiations.

As to the first point, the Committee considers that there can be no doubt that the difference in question comes, as a whole, within the scope of Article 304. This article is absolutely imperative. It lays down in all cases that the administrative and technical re-organisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies and henceforward situated in the territory of several States shall be regulated in each instance by an agreement between the owning company and the States territorially concerned, this provision not being subject to any condition.

As regards the second point, the company's overtures did not seem, up to the moment when the case came before the Committee, to have met with any definite reply pledging the Government. Since then, the negotiations undertaken, which the Committee had hoped would be successful before September 1930, have given no results. The Committee is accordingly of opinion that the Council should now proceed to appoint the arbitrators requested by the company.

Appendix 7.

APPLICATION OF THE DRAVAVÖLGY (KISKÖSZEG-SIKLOS-BARCS) LOCAL RAILWAY COMPANY.

REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Dravavölgy (Kisköszeg-Siklos-Barcs) Local Railway Company.

After studying the application, the Committee considered that it was unnecessary for the Council to examine it until it was certain that a friendly agreement could not be reached between the parties concerned.

From information received by the Committee, it appears that negotiations are at present in progress between the Yugoslav Government and the petitioning company. A reasonable period should be left to permit of these negotiations being pursued.

The Committee accordingly considers that it would be advisable for the Council to postpone the examination of the petition until its session of September 1930. If no friendly agreement is reached before this session, the Committee will make a supplementary report to the Council in good time.

[C.C.T.445(1).]

Appendix 8.

APPLICATION BY THE DRAVAVÖLGY (KISKÖSZEG-SIKLOS-BARCS) LOCAL RAILWAY COMPANY.

SUPPLEMENTARY REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Dravavölgy (Kisköszeg-Siklos-Barcs) Local Railway Company.

The questions which the Committee thus has to consider are in the nature of previous questions. It is not for the Committee to examine the substance of the dispute between the petitioning company and the Yugoslav Government, but simply to consider whether the Council should take a decision regarding the request for arbitration. If arbitrators are appointed, it will be for them alone to examine the substance of the dispute.

If the conditions laid down in that article are fulfilled, the Council is obviously obliged to appoint arbitrators in virtue of Article 304. The Committee, adopting this point of view, decided that it should consider separately :

(1) Whether the nature of the dispute was such as to bring it within the scope of Article 304, and

(2) Whether, in conformity with the terms of Article 304, according to which the arbitration in question only applies to differences "on which agreement is not reached", there was no prospect of an agreement being reached.

The first question was mainly a question of interpretation of the Treaty, and the second one of appreciating the actual position of negotiations.

As to the first point, the Committee considers that there can be no doubt that the difference in question comes, as a whole, within the scope of Article 304. This article is absolutely imperative. It lays down in all cases that the administrative and technical re-organisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies and henceforward situated in the territory of several States shall be regulated in each instance by an agreement between the owning company and the States territorially concerned, this provision not being subject to any condition.

As regards the second point, the company's overtures did not seem, up to the moment when the case came before the Committee, to have met with any definite reply pledging the Government. Since then, the negotiations undertaken, which the Committee had hoped would be successful before September 1930, have given no results. The Committee is accordingly of opinion that the Council should now proceed to appoint the arbitrators requested by the company.

[C.C.T.442(1).]

Appendix 9.

APPLICATION OF THE ZSEBELY-CSAKOVAR-BOKA LOCAL
RAILWAY COMPANY.

REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Zsebely-Csákovárbóka Local Railway Company.

After studying the application, the Advisory and Technical Committee considered that it was unnecessary for the Council to examine it until it was certain that a friendly agreement could not be reached between the parties concerned.

From information received by the Committee, it appears that negotiations are at present in progress between the Yugoslav Government and the petitioning company. A reasonable period should be left to permit of these negotiations being pursued.

The Committee accordingly considers that it would be advisable for the Council to postpone the examination of the petition until its session of September 1930. If no friendly agreement is reached before this session, the Committee will make a supplementary report to the Council in good time.

[C.C.T.443(1).]

Appendix 10.

APPLICATION BY THE ZSEBELY-CSAKOVAR-BOKA LOCAL
RAILWAY COMPANY.

SUPPLEMENTARY REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Zsebely-Csákovárbóka Local Railway Company.

The questions which the Committee thus has to consider are in the nature of previous questions. It is not for the Committee to examine the substance of the dispute between the petitioning company and the Yugoslav Government, but simply to consider whether the Council should take a decision regarding the request for arbitration. If arbitrators are appointed, it will be for them alone to examine the substance of the dispute.

If the conditions laid down in that article are fulfilled, the Council is obviously obliged to appoint arbitrators in virtue of article 304. The Committee, adopting this point of view, decided that it should consider separately :

- (1) Whether the nature of the dispute was such as to bring it within the scope of Article 304, and
- (2) Whether, in conformity with the terms of Article 304, according to which the arbitration in question only applies to differences "on which agreement is not reached", there was no prospect of an agreement being reached.

The first question was mainly a question of interpretation of the Treaty, and the second one of appreciating the actual position of negotiations.

As to the first point, the Committee considers that there can be no doubt that the difference in question comes, as a whole, within the scope of Article 304. This article is absolutely imperative. It lays down in all cases that the administrative and technical re-organisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies and henceforward situated in the territory of several States shall be regulated in each instance by agreement between the owning company and the States territorially concerned, this provision not being subject to any condition.

As regards the second point, the company's overtures did not seem, up to the moment when the case came before the Committee, to have met with any definite reply pledging the Government. Since then, the negotiations undertaken, which the Committee had hoped would be successful before September 1930, have given no results. The Committee is accordingly of opinion that the Council should now proceed to appoint the arbitrators requested by the company.

Appendix 11.

APPLICATION BY THE GYULAVIDÉK LOCAL RAILWAY COMPANY.

REPORT.

The Council of the League of Nations has asked the Advisory and Technical Committee for Communications and Transit for a report to assist it in taking a final decision on the application submitted under Article 304 of the Treaty of Trianon by the Gyulavidék Local Railway Company.

The questions which the Committee thus has to consider are previous questions. It is not for the Committee to examine the substance of the dispute between the petitioning company and the Roumanian Government, but simply to consider whether the Council should take a decision regarding the request for arbitration. If arbitrators are appointed, it will be for them alone to examine the substance of the dispute.

If the conditions laid down in this article are fulfilled, the Council is obviously obliged to appoint arbitrators in virtue of Article 304 of the Treaty of Trianon. The Committee, adopting this point of view, decided that it should consider separately :

(1) Whether the nature of the dispute was such as to bring it within the scope of Article 304, and

(2) Whether, in conformity with the terms of Article 304, according to which the arbitration in question only applies to differences "on which agreement is not reached", there was no prospect of an agreement being reached.

The first question was mainly a question of interpretation of the Treaty, and the second, one of appreciating the actual position of negotiations.

As to the first point, the Committee considers that there can be no doubt that the difference in question between the petitioning company and the Roumanian Government comes as a whole within the scope of Article 304 of the Treaty of Trianon. This article is absolutely imperative. It lays down in all cases that the administrative and technical re-organisation of the railroads of the former Austro-Hungarian Monarchy owned by private companies and henceforward situated in the territory of several States shall be regulated in each instance by an agreement between the owning company and the States territorially concerned, this provision not being subject to any condition.

As regards the second point, the negotiations undertaken, which the Committee had hoped would be successful before September 1930, have given no results. The Committee is accordingly of opinion that the Council should now proceed to appoint the arbitrators requested by the company.

[C.C.T.453 Annex.]

Appendix 12.

GRAVE OCCURRENCES OF A GENERAL CHARACTER AFFECTING ROUTES OF COMMUNICATION.

I. DRAFT RECOMMENDATION.

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

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

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

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

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

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

Agree as follows :

Article 1.

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

Article 2.

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

Article 3.

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

Article 4.

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