

## The Fifth Assembly of the League of Nations The Protocol

*For this splendid article, "The Protocol," I am indebted to the good offices of the Saskatoon Branch of The League of Nations.*

AT the fifth assembly of the League of Nations in Geneva last September and October was drawn up a draft, commonly known as the Protocol of Arbitration, Security and Disarmament. I should like to give an account of the sessions of the Fifth Assembly merely as they bear on the discussion of the Protocol.

As you know the League of Nations is composed of four different bodies.

(1) Assembly—composed of three representatives from every member state.

(2) Council—composed of ten members: Four permanent members—Italy, France, Japan, Great Britain. Six elected yearly.

(3) Secretariat—composed of some 350 experts and clerks, the permanent staff of the League working at Geneva.

(4) World Court of International Justice, which sits at The Hague.

At least four months before the sessions of the Assembly the agenda for them is sent out to every member state. In the agenda must be included—

(a) Report upon the work of the Council since last session.

(b) Report by Secretary-General upon the work of the Secretariat, and upon measures taken to execute the decisions of the Assembly.

(c) All items whose inclusion has been ordered by the Assembly at a previous session.

(d) All items proposed by the Council.

(e) All items proposed by any member of the League.

(f) The budget for the next fiscal period and the report on the accounts of the last fiscal period.

At the Fourth Assembly in 1923 was presented the Draft Treaty of Mutual Assistance, the outcome of a resolution presented at the Assembly in 1922 by the British Delegation, which laid down the principle that Security and Reduction of Armaments must go hand in hand.

This treaty was circulated among the governments of the member states, was approved by France, but emphatically rejected by Great Britain, which rejection was dispatched to the Council in July, 1924.

This left the whole matter to be discussed again at the Assembly Sessions in September.

The general scene of the 1924 Assembly was at first sight little different from that of its predecessors. Its outstanding feature, however, was its personnel. No fewer than seven premiers and sixteen foreign ministers, and some who had in the past filled either one or the other of those offices—were present. These gave the Fifth Assembly an authority none of its predecessors had enjoyed.

When the Assembly delegates gathered it was in an atmosphere of doubt whether anything could be done to make war less likely and to cut down armaments. Premiers MacDonald and Herriot, who dominated Geneva by their presence during the first week, did not dispel this atmosphere of doubt. Everything depended upon agreement between France and Great Britain. The great debate of the first week ranged round the problem of peace. On Thursday Premier MacDonald addressed the Assembly. He urged the principle of arbitration of all disputes and the speedy inclusion of Germany in the League, and attacked the network of special alliances built up on the continent of Europe. Herriot, addressing the Assembly on Friday, gave his adherence to the principle of arbitration, but not as an obligatory method for settlement of all disputes. He agreed also that Germany should be included in the League, but only when she had satisfactorily fulfilled the requirements laid upon her by the treaties of peace.

Through most of Saturday the two Premiers worked together to evolve a common plan of action and at the afternoon session brought in their joint resolution to refer the whole issue of arbitration and security, with all the plans proposed to committee discussion, for a new report to the Assembly. The first committee had to deal with the judicial and legal questions involved in the settlement of disputes; and the third committee had to deal with the questions of security, sanctions and guarantees for arbitration and disarmament.

The atmosphere of Geneva was changed—the two powers whose agreement was essential had not only come to an accord, but had urged action.

Sittings were then entirely suspended for over a week to enable the commissions to push forward with their work, after which, in the last fortnight of the session, the Assembly once more met morning by morning to receive the reports one or another of its six committees had completed on the subject entrusted to it.

The work of the League had been divided and allotted to six committees for examination. Each member state might have a representative on each committee.

The matters entrusted to first and third committees were such that a full commission of fifty members could not plunge into forthwith. Before either body applied itself seriously to its work private conversations of the highest importance took place between several of the leading delegates, notably Lord Parmoor, Monsieur Loucheur and Doctor Benes, Foreign Minister of Czechoslovakia. The drafting of the Protocol was entrusted to a sub-committee of 12 (of third committee), of which Dr. Benes was the chairman. There was also created a subcommittee of 14 of the first committee to prepare the draft of arbitration clauses, Dr. Benes acting as co-ordinator of the two committees.

While these two committees worked day and night on their task, the other committees were meeting daily. The Protocol was the great work of the Fifth Assembly, but it was not all.

Committee Two was busy with the reconstruction of Austria and Hungary, the work of the Health Commission and the Economic Commission, intellectual co-operation, problems of communication and transit, the matter of a loan of £10,000,000 for refugees in Greece.

Committee Four dealt with contributions, the building of a new conference hall, pensions for the staff of the Permanent Court of International Justice.

Committee Five had a full agenda, opium, refugees, protection of women and children in the Near East, traffic of women and children, child welfare.

Committee Six discussed the questions of mandated areas, slavery, the situation in Georgia, and the question of the admission of San Domingo to the League.

In addition to this work of the committees the League accepted from France an institute in Paris as headquarters for work of the Commission on Intellectual Co-operation, and one million francs yearly; also a foundation in Rome and one million lire yearly towards an international institute for the unification of private law.

Then came the last days of the Assembly. Notable expositions of the Protocol were given by two of its principal architects—M. Politis of Greece, on the arbitration clauses and Dr. Benes of Czechoslovakia on those concerning enforcements and armaments. On October 2nd the two resolutions presented with the Protocol to the Assembly were unanimously passed by 48 states—France declared that she was ready to sign there and then the Protocol. Some eleven other states followed her example. The British delegation felt unable to sign on the spot, wishing to act with the dominions.

In his closing speech, President Motta asked: Has our attempt been too ambitious? Have we presumed upon our strength? and he answered his own questions thus: "The moral seed that is sown is never wholly lost."

It was the consensus of opinion of all those who were in Geneva during those five weeks that this Fifth Assembly marks a tremendous step forward, and that the Protocol is the most courageous international document ever drawn up.

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