

SESSIONAL PAPER No. 35

"It is in conformity with the spirit of Article 10 that, in the event of the Council considering it to be its duty to recommend the application of military measures in consequence of an aggression or danger or threat of aggression, the Council shall be bound to take account, more particularly, of the geographical situation and of the special conditions of each State.

"It is for the constitutional authorities of each Member to decide, in reference to the obligation of preserving the independence and the integrity of the territory of Members, in what degree the Member is bound to assure the execution of this obligation by employment of its military forces.

"The recommendation made by the Council shall be regarded as being of the highest importance and shall be taken into consideration by all the Members of the League with the desire to execute their engagements in good faith."

The recommendation received the endorsement of the First Committee and your delegates are pleased to report that on a vote being taken by the Assembly, it met with almost unanimous support since only one State, Persia, voted against its adoption and twenty-nine registered their approval of the Canadian proposal.

The States that voted in favour of the interpretative declaration are as follows:—

South Africa, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Chili, China, Cuba, Denmark, British Empire, Spain, France, Greece, Hungary, India, Irish Free State, Italy, Japan, Luxembourg, Norway, New Zealand, Netherlands, Portugal, Salvador, Sweden, Switzerland and Uruguay.

While it is true that unanimity is necessary under the constitution of the League to give legal effect to a declaration of this nature, it nevertheless remains that should occasion arise, the Council would be expected to give to Article 10 the interpretation which by its vote the Assembly has expressed. An additional guarantee is to be found in the fact that all the powers represented on the Council are amongst those States who voted in favour of the interpretative declaration.

Your delegates feel that, under the circumstances, a satisfactory answer has been given to the question, and in this connection desire to record their appreciation of the assistance they have received from the British Empire Delegates and the representatives of France, as well as of the courteous treatment accorded to them at all times by all the Delegates to the Assembly.

One of the items on the Agenda called for the election of a judge of the Permanent Court of International Justice to fill the vacancy created by the death of Mr. Ruy Barbosa. The vote resulted in the election of Mr. Epitacio da Silva Pessoa, of Brazil.

The Temporary Mixed Commission for the Reduction of Armaments presented its report on the Draft Treaty of Mutual Assistance and same has been circulated to the Members for consideration.

By the unanimous vote of the Assembly the Irish Free State was admitted to the League of Nations.