lutely necessary to undertake a general revision of the Statute, then it would be desirable to consult the Court in the first place, and to allow certain States, non-Members of the League, to participate in the study of the question. M. Pella (Roumania) felt that, before the mandate of the members of the Court were renewed, consideration should be given to the report submitted to the Council in 1920 by M. Caclamanos (Greece) in favour of conferring on the Court a certain jurisdiction in penal matters. After considerable discussion on this point, during the course of which reference was made to the work of various law associations and of the Inter-Parliamentary Union in the field of penal reform, a resolution was agreed upon which called the attention of the Council to the advisability of proceeding to the examination of the Statute of the Court with a view to the introduction of the necessary amendments and to submitting any proposals to the next ordinary session of the Assembly. M. Pella's suggestion was not embodied in the resolution, it being considered foreign to the question under discussion.

Advisory Opinions of the Permanent Court of International Justice

"The Assembly recommends the Council to consider whether it would not be desirable to submit to the Permanent Court of International Justice, for an advisory opinion, the question whether the Council or the Assembly can, by a simple majority, request an advisory opinion under Article 14 of the Covenant of the League of Nations."

The above resolution proposed by the Swiss delegation gave rise to one of the most interesting and lengthy debates in the First Committee. Participated in by many of the leading legal experts of various States, the discussion centred around the constitution of the Covenant, the prestige of the Court, and ways and means of arriving at a solution of the problem. M. Fromageot (France), in opening the debate, felt that, if an advisory opinion meant merely an investigation, a question of procedure, then a majority vote would suffice, but if it were to have a decisive binding effect, unanimity would be required. In his opinion, the authors of the Covenant had expressly avoided anything savouring of compulsory arbitration, and the question at issue was whether advisory opinions were to be merely advisory, as provided by the Covenant, or decisive as they were in practice.

On this latter point, M. Burckhart (Switzerland) claimed that, from a strictly legal point of view, an advisory opinion was never binding or decisive. He then explained why his delegation had brought forward the proposal. It was a question of particular interest to small states, and had been raised two years ago, when the reservations of the United States had been discussed, but thereafter the matter was dropped. The question had several angles and several possible solutions, and, while no particular interpretation was favoured, a definite and clear one was desired.

M. Scialoja (Italy), M. Ito (Japan) and Sir Cecil Hurst (Great Britain), were all in favour of withdrawing the resolution. The representative of Norway, on the contrary, could see no harm in the proposal, and would welcome its adoption by the Committee.

The representative of Greece was of the opinion that the Court could not be asked to make a change, but that an amendment could be brought about by the Member States. A study could be made, in the first place, by the Council or a Committee formed within it, or by a special committee of jurists. A report would then be made to the Assembly, with a proposal either for an official interpretation or for an amendment to the Covenant. If Article 14 could be amended by transferring the advisory function from the Court to a special organ, the question of unanimous and majority votes would disappear, since for this organ a majority would be sufficient in every case.