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REPORT
OF THE
CANADIAN DELEGATES
TO THE
ELEVENTH ASSEMBLY OF
THE LEAGUE OF NATIONS

GENEVA, SEPTEMBER 10-OCTOBER 4, 1930



OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1931

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Report of the Canadian Delegates to the Eleventh Assembly of the League of Nations

TO HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL:

The Eleventh Ordinary Session of the Assembly of the League of Nations was held in Geneva from September 10 to October 4, 1930.

ORGANIZATION

Fifty-two of the fifty-four States Members of the League were represented. The Argentine Republic and Honduras did not send delegations.

There were present six Prime Ministers, six former Prime Ministers or Heads of States, eighteen Ministers of Foreign Affairs, ten former Ministers of Foreign Affairs, and twenty-three delegates with a rank corresponding to that of Cabinet Minister.

The Canadian delegation consisted of the Right Honourable Sir Robert Laird Borden, former Prime Minister, the Honourable Thomas Chapais, Senator, Member of the Legislative Council of Quebec, and the Honourable Irene Parlby, Minister without Portfolio, of Alberta, with the following as alternate delegates: the Honourable Philippe Roy, Minister for Canada in France, Dr. W. A. Riddell, Dominion of Canada Advisory Officer accredited to the League of Nations, and Lieutenant-Colonel George P. Vanier, Canadian Representative on the Permanent Advisory Commission for Military, Naval and Air Questions.

The election of the President of the Assembly, the six Vice-Presidents, and the Chairman of the six Committees, who together constitute the General Committee of the Assembly, resulted as follows:—

President

M. TITULESCO (Roumania)

Vice-Presidents

Mr. Henderson (British Empire).	Dr. Curtius (Germany).
M. Matsudaira (Japan).	M. Quinones de Leon (Spain).
M. Briand (France).	M. Costa du Rels (Bolivia).

Chairman of the Committees

First Committee (Legal and Constitutional Questions):
M. Scialoja (Italy).

Second Committee (Technical Organizations):
M. Colijn (Netherlands).

Third Committee (Reduction of Armaments):
M. Politis (Greece).

Fourth Committee (Budget and Financial Questions):
Count Carton de Wiart (Belgium).

Fifth Committee (Social and Humanitarian Questions):
Count Apponyi (Hungary).

Sixth Committee (Political Questions):
Sir Robert Borden (Canada).

The Canadian Delegation was represented on the six committees as follows:

First Committee: Hon. T. Chapais. Hon. Irene Parlby.	Fourth Committee: Hon. Philippe Roy. Dr. W. A. Riddell.
Second Committee: Dr. W. A. Riddell. Hon. Philippe Roy.	Fifth Committee: Hon. Irene Parlby. Hon. T. Chapais.
Third Committee: Sir Robert Borden. Lt.-Col. G. P. Vanier.	Sixth Committee: Sir Robert Borden. Lt.-Col. G. P. Vanier.

PLENARY MEETINGS OF THE ASSEMBLY

The Eleventh Assembly opened under less auspicious circumstances than usual. Its deliberations as was inevitable, were coloured by a world situation of political unrest and economic depression. This, however, as will be seen, did not prevent the Assembly from accomplishing work of value in the fields of peace and international co-operation.

(a) General Debate

Pan-European Union.

The idea of a Pan-European Union, which had been sponsored by M. Briand, the French Foreign Minister, during the Tenth Assembly, was officially recognized in a resolution in which the Assembly, while expressing the conviction that close co-operation between the Governments of Europe is of capital importance for the preservation of peace, insisted that co-operation should be within the framework of the League. The resolution went on to invite the European Governments, acting as a Commission of the League, to pursue the inquiry already begun, in conjunction with other Governments as far as this might seem useful, and to present proposals to the next Assembly.

A special "Commission of Enquiry for European Union" was set up in accordance with this resolution, and met on September 23. It elected M. Briand as Chairman, appointed Sir Eric Drummond, Secretary, decided that each State should be represented by one member, and outlined the preparatory work to be done for its next meeting on January 16.

It was considered that effective European collaboration might at this stage take the form of collaboration between banks, reduction of tariffs, better organization of production, and the establishment of freer communications.

Disarmament

The general tone of the debate was influenced by the following factors: the London Naval Agreement, which would enable the Preparatory Disarmament Commission at its next session to fill in the naval dispositions of the draft Convention; the work done by the Committee on Arbitration and Security at its Fourth Session (April 28-May 9, 1930), when the Financial Assistance draft Convention was completed; and the certainty that the General Disarmament Conference would be convened in the near future.

The draft Convention on Financial Assistance was signed on October 2 by the representatives of twenty-six States; the signatory Powers now number twenty-eight, which include Great Britain, Australia and the Irish Free State.

Economic Problems

The economic work of the League, as was to be expected during a period of depression, received more attention than usual in the general debate.

Stress was laid by many delegates, during the general discussion, on the urgent need of steps to put an end to the present state of "economic anarchy" before it led to a complete economic collapse. It was urged that the policy of commercial isolation, economic nationalism and destructive competition must give way to a policy of international collaboration, particularly among the European States. The British Delegate announced that as a step in this direction the British Government had decided to ratify the Commercial Convention dealing with concerted economic action, signed at Geneva, on March 14, 1930.

Much was said about customs barriers, protective tendencies and irrational distribution of raw materials, gold, capital and labour. Reference was made to over-production, the fall in prices, the disquieting growth of unemployment, and the consequent undermining of the social structure. Attention was drawn to the interdependence of agriculture and industry, and to the fact that both required to be lifted out of their present grave depression. In this connection, the resolutions of the recent Agricultural Conference in Warsaw were mentioned. The most important of these proposed that European-grown cereals should be given preferential treatment in European markets. Russian dumping was frequently referred to and came in for considerable criticism.

Reorganization of the Secretariat

Approval was expressed of the proposals for the reorganization of the Secretariat, which was considered essential for the maintenance of a high standard of efficiency and of its impartial international character.

Arrangements for Assembly Sessions

The Assembly decided that future Sessions should open on the second Monday in September unless this falls later than September 10, in which case the Session will open on the first Monday.

(b) Elections to the Council

On September 9, the Assembly elected Guatemala, the Irish Free State and Norway to be non-permanent Members of the Council, in succession to the retiring Members (Canada, Cuba, and Finland). Guatemala received 41 votes, Norway 38, and the Irish Free State 36.

The request of China to be declared re-eligible for a seat on the Council was refused, as it did not receive the necessary two-thirds majority.

(c) Elections to the Permanent Court of International Justice

On September 25 elections were held for the second term of office of the Judges of the Permanent Court of International Justice.

Judges re-elected.—Rafael Altamira (Spain); Dionisio Anzilotti (Italy); Antonio de Bustamante (Cuba); Henri Fromageot (France); Sir Cecil Hurst (England); Frank B. Kellogg (United States).

Former Deputy Judges Elected to Full Judgeships.—Demetre Negulesco (Roumania); Wang Chung-Hui (China).

New Judges.—Mincitciro Adatci (Japan); Willem van Eysinga (Netherlands); Gustavo Guerrero (Salvador); Baron Edouard Rolin-Jaequemyns (Belgium); F. J. Urrutia (Colombia); Count Michael Rostworowski (Poland); Walter Schücking (Germany).

New Deputy Judges.—Rafael Erich (Finland); José Caeiro da Matta (Portugal); Miléto Novakovitch (Yugoslavia); Josef Redlich (Austria).

MEETINGS OF THE COUNCIL

The Sixtieth and Sixty-first Sessions of the Council were held from September 8 to September 12 and from September 17 to October 3 respectively, under the presidency of the Venezuelan Representative. Canada's term of membership on the Council expired on September 16.

In addition to the usual routine in connection with the work of the Assembly, the Council was occupied with the adjustment of a number of political differences, with the election of members to the Economic Committee and Economic Consultative Committee and of judges to the Permanent Court of International Justice, with the problems of health, opium and refugees, of penal reform, traffic in women and intellectual co-operation.

The Report of the Permanent Mandates Commission on Palestine it was thought for a time would create a rather delicate situation for the Council. It was found possible, however, to agree upon a report which gave a measure of satisfaction to the members of the Mandates Commission and proved acceptable to the British Representative on the Council.

The question of freedom of transport and transit in the Saar territory was also settled by a decision of the Council to suppress both the Saar Railway Committee and the Defence Force within a maximum period of three months.

The Lithuanian and Polish Governments were invited to enter into direct negotiations with the object of restoring order and tranquillity on the boundary where incidents had occurred and to communicate any observations they might desire to make on the conclusions of the Transit Committee with regard to obstacles to freedom of communications within their territories.

An amicable settlement was arranged between the German and Lithuanian representatives providing for a modification of the Memel Directorate.

After hearing the parties and consulting a committee of juries, the Council appointed M. Uden (Sweden) to arbitrate a dispute between the Bulgarian and Greek Governments relating to measures taken by the former in regard to forests situated in Bulgaria, the property of Turkish nationals who became Greek nationals as a result of the Treaties which ended the Balkan Wars. It was understood that Bulgaria should have the right to contest the Greek Government's claim before the arbitrator, either in respect of receivability or of the substance of the question.

No objection was raised to the amendments to the Constitution of the Free City of Danzig, adopted by the Popular Assembly (Volkstag) of the Free City at its sittings on May 26 and June 27, 1930. By the proposed amendments the number of deputies to the Volkstag at present one hundred and twenty, is reduced to seventy-two. The Volkstag, which is elected for four years and formerly could not be dissolved during this period, may, in future, be dissolved during this period by its own decision or by a referendum. As regards the Senate, which at present consists of two categories of Senators (one category being elected for four years, the other for an indefinite period), the amendment provides that all Senators shall in future be elected by the Volkstag for an indefinite period and be responsible to it. The number of Senators will be reduced from twenty-two to twelve.

The opinion of the Permanent Court that the special legal status of the Free City of Danzig does not enable the Free City to become a Member of the International Labour Organization was noted on September 9. The opinion of the Court on the interpretation of certain clauses of the Greco-Bulgarian Emigration Convention of November 27, 1919, which relate to communities, was also noted.

Out of four appeals from the German minority in Upper Silesia two were declared closed in view of conciliatory decisions recently taken by the Polish Governments, and the two others were adjourned to a future session.

Six applications for the appointment of arbitrators to decide on the disputes between the Roumanian, Hungarian and Yugoslav Governments and certain Railways were considered. The Council decided to make the appointments at its January 1931 Session, if the disputes were then unsettled.

The fifteen ordinary members and the corresponding members of the Economic Committee were appointed for the period September 1930 to September 1933. The countries which will for the first time have a national on the Committee are Sweden, Yugoslavia, the Argentine Republic and South Africa.

Since it has not been possible to summon the Economic Consultative Committee this year, the revision of its composition was postponed until next September so as to enable the Committee, as now constituted, to hold a session in 1931.

In the course of the survey of the economic work of the League, Sir Robert Borden moved an amendment to the preliminary draft Convention for the regulation of whaling. The text of this amendment will be circulated at the same time as the draft Convention for consideration by the Governments concerned.

The Council approved arrangements for a second session of the Conference for the Unification of Laws on Bills of Exchange. This second session will deal with cheques. It also decided that early next year the first Conference of Central Police Offices recommended by the Conference for the Suppression of Counterfeiting Currency should be convened.

The Financial Committee was authorized to undertake an inquiry concerning the manner in which the statistics on the industrial use of gold can be improved and to prepare drafts of the various documents, such as protocols, loans, contracts, etc., for the Convention on Financial Assistance.

The Greek Refugee Settlement Commission is to be dissolved on December 31, though it has the right, if unforeseen circumstances arise, to prolong its own existence. The settlement of Bulgarian Refugees is also about to enter upon its final stage. It is expected that it will be completed by the middle of 1931. The political and legal protection of Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish Refugees will be entrusted to the League's regular organs, and an International Office for Refugees will be created to deal with the humanitarian work hitherto entrusted to the High Commissioner for Refugees.

As regards communications, a European Conference on Road Traffic was convened for March, 1931; and the procedure for the settlement of disputes laid down in the Agreement, signed on May 21, 1931, between the Swiss Federal Council and the Secretary-General of the League, concerning the establishment at Geneva of a wireless station, was found satisfactory and the Secretary's General's signature was confirmed.

Revision of the composition of the Permanent Court and of the salaries of the judges was proposed to the Assembly, and the examination of the Finnish proposal to confer on the Court jurisdiction as a tribunal of appeal in respect of arbitral tribunals established by States was placed upon its agenda.

The Council approved of the recommendations of the Committee of Inquiry into the Traffic in Women and Children in the East respecting its investigations there.

On offer of the French Government to found in Paris, under the auspices of the League, an international school for advanced health studies was accepted. On the proposal of the Spanish Government a European Conference on Rural Hygiene was convened for April 23, 1931.

The Secretary-General was requested to communicate the Standard Minimum Rules for the Treatment of Prisoners, drafted by the International Prison Commission, to all Governments for their observations.

The Council approved the reorganization of the Committee on Intellectual Co-operation and decided to renew one-third of the members of the Committee at its next Session.

THE FIRST COMMITTEE

The Amendment of the Statute of the Permanent Court

It will be recalled that the 10th Assembly on September 14, 1929, approved the Protocol for the Revision of the Statute of the Permanent Court of International Justice embodying certain changes in the organization and composition of the Court that its ten years of experience had indicated as desirable. It was hoped that these changes which had been unanimously endorsed by the Assembly would receive the prompt ratification of the States signatories of the original Protocol of December 16, 1920. In order to facilitate the entry into force of these amendments a novel procedure was agreed upon. The Council of the League was empowered to declare the amendments in effect on September 1, 1930, provided that no objections to such a course had been received from States whose ratifications would otherwise have been necessary to bring the Protocol into force. However, on August 26, four days before the period for registering objections expired, the Government of Cuba exercised its liberum veto and informed the Secretary-General that it could not consent either to the summary procedure employed in lieu of the regular receipt of ratifications or to certain of the substantial changes incorporated in the Protocol of Amendment.

In view of the fact that the conditions necessary to bring the Protocol into force had not yet been fulfilled, the Council, at its meeting of September 12, requested a Committee of Jurists to study the complicated situation created by the action of Cuba and suggest what steps the Assembly could take before proceeding to the election of the new bench of the Permanent Court.

The proposals of the Committee of Jurists were approved by the Council and commended to the Assembly which referred them to the First Committee for examination and report. After an exhaustive examination of the ways and means by which the Assembly could extricate the Court from the impasse in which the Cuban action had placed it, it was decided to use the machinery of the Assembly to attain some of the objects sought in the Protocol of Amendment. As the Assembly had the power under Article 3 of the Court Statute to increase the number of judges constituting the Court but had no authority to abolish the post of deputy-judge, the First Committee recommended that the number of judges be increased from 11 to 15, as would have been the case if the Protocol of Amendment had entered into force, but was compelled to leave the deputy-judges in being—although their functions would disappear with the increase in the number of regular judges. Similarly the Committee advised the Assembly that it had the power to institute the revised schedules of salaries and pensions which had been incorporated in the Protocol of Amendment. The Committee expressed the hope that, pending the coming into force of the Protocol, the Court would consider the possibility of settling the question of its sessions and of the presence of judges, in the spirit of the Protocol, in accordance with Article 30 of the original Statute which gave it power to create its own internal regulations and rules of procedure. Although some of the more important objects of the 1929 Protocol were thus attained, it was not felt that the Protocol itself should be allowed to lapse. It was generally recognized that the Protocol for the Revision of the Statute of the Court was closely linked with the Protocol for the Accession of the United States of America to the Court and that it would be difficult for the United States to accept the jurisdiction of the Court until the Protocol which, *inter alia*, clarified the procedure

in respect to advisory opinions, came into force. This consideration was an important factor in the Committee's conclusion that the Assembly should be invited to request all States which had not yet ratified the Protocol of Amendment to do so as soon as possible.

The recommendations of the Committee were approved by the Assembly which proceeded forthwith to elect the new members of the Permanent Court under authority of the original Statute of 1920 as modified by the Assembly resolutions embodying the recommendations of the First Committee.

The Ratification of Conventions Concluded Under the Auspices of the League of Nations

The question of ratification of League Conventions was considered by the First Committee in the light of the report of the special committee of jurists appointed to study this question which was first raised at the 10th Assembly by the Danish delegation. After a brief general discussion, which disclosed no great divergence of opinion, the Committee unanimously approved a resolution drafted by the Danish and British delegations which set forth the steps that could be taken to increase the number of ratifications of treaties signed under the auspices of the League, and reduce the delays between the date of signature and that of ratification.

Each year the Secretary-General will request any State that has signed a general Convention, but has not ratified it before the expiry of one year from the date on which the Protocol of Signature is closed, to state its intentions as regards ratification.

At suitable times and intervals the Secretary-General will request Governments of State Members that have neither signed nor ratified a Convention within a period of five years from the date on which it was open for signature to state whether they think it possible to communicate their views regarding the Convention, *i.e.*, whether they see any possibility of acceding thereto, or the reasons for which they feel unable to accept it.

As regards Conventions adopted by an inadequate number of States, the Council of the League will consider whether it is desirable to summon a new Conference to amend the Convention or take other suitable steps to facilitate acceptance of the Convention by a greater number of States.

Supplementing these steps designed to secure the ratification of existing Conventions are a series of recommendations concerning the procedure to be followed before summoning general conferences in future. The procedure proposed is based on the experience gained at recent conferences, some of which, in the opinion of many competent judges, failed to achieve their object because the ground had not been adequately prepared in advance. Henceforward, if the conclusion of a General Convention is recommended by an organ of the League, *i.e.*, by the Economic Committee or the Health Committee or the Organization for Communication and Transit, that organ must prepare a memorandum explaining the objects and advantages to be expected from such a Convention. If the Council of the League approves the proposal in principle, a first draft will be prepared and communicated with the explanatory memorandum to the various Governments which will be invited to inform the Secretary-General whether they consider that the draft merits consideration. The draft Convention and the observations of the various Governments will then be communicated to the Assembly which will have to decide, in the light of this information, whether or not it will ask the Council to convoke the contemplated Conference.

The purpose of this rather elaborate preparatory procedure is to make the position of the various Governments and the possibility of success very clear before the convoking of the Conference is decided. The Council will then be in a position to decide whether, and on what date, the Conference should meet.

In so doing it will endeavour, as far as possible, to avoid simultaneous conferences or of the holding of one conference too soon after another.

These recommendations of the First Committee were unanimously approved by the Assembly.

Amendment of the Covenant

The proposals of the Eleven Jurists who studied, at the Council's request, the possibility of bringing the Covenant into harmony with the Briand-Kellogg Pact were thoroughly examined by the First Committee, which finally came to the conclusion that they should be referred to the Governments for further consideration.

On certain points the proposals gave very general satisfaction. They included the desired general prohibition of resort to war. They provided a new procedure for the settlement of disputes by pacific means even if, as some thought, they converted the functions of the League Council from those of a mediatory and conciliatory body to those of an arbitral and judicial authority. But the Report was criticized for not taking sufficiently into account the inherent differences which lawyers held to exist between the Covenant and the Pact, the political and juridical difficulties which might ensue from any attempt to fuse them, and, most important of all, the extension of sanctions. Doubts were expressed, in particular, on the possible effect of the amendments on the reservations and interpretations which certain States have made in acceding to the Kellogg Pact. It was suggested that the existing treaties, which, either textually or implicitly, contemplate the possibility of war or contain definite obligations of military action, would become obsolete. The question of the conditions of the coming into force of the amendments was also a question on which all the delegates did not hold the same views. Some declared their intention to sign and ratify, but subject to the ratification of a disarmament convention as contemplated under Article 8 of the Covenant.

These outstanding questions were referred to a Sub-Committee which counselled postponement and submitted new texts. These texts, which are given below, will be communicated to Governments for their observations, together with the report of the Committee of Eleven Jurists.

The broad principles of both documents are the same. In each case the proposal is that war would be definitely and completely excluded from international life, and that the nations should agree never to employ other than pacific means for the settlement of their disputes. As a corollary to that, certain proposals have been made for strengthening the means of pacific settlement already existing in the Covenant. But, in the new draft, there is noticeable a certain re-arrangement of phrasing, carried out with a view to rendering the text clearer and more logical, while the binding character of a unanimous report by the Council has been done away with, and with it has disappeared paragraph 7 bis (Article 15). The word "invite" has been introduced into Article 15, paragraph 6, as has also the undertaking by Members of the League in no way to support any party in refusal to comply with the recommendations of the Council. The Sub-Committee only returned to the original principles established by the existing Covenant from a conviction that the Council was essentially a political organ and, as such, should retain an elasticity and a freedom of decision which might be seriously hampered if its recommendations were recognized as binding.

Amendments Proposed by the Committee of Eleven.

Preamble

In order to promote international co-operation and to achieve international peace and security *by accepting the obligation* not to resort to war.

Article 12, Paragraph 1.

The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will *only employ pacific means for its settlement.*

If the disagreement continues, the dispute shall be submitted either to arbitration or judicial settlement, or to enquiry by the Council. The Members of the League agree that they will in no case resort to war for the solution of their dispute.

Article 13. Paragraph 4.

The Members of the League agree that they will carry out in full good faith any award or decision that may be rendered and that they will not *take any action* against any Member of the League which complies therewith.

In the event of any failure to carry out such award or decision, the Council shall propose what *measures of all kinds* should be taken to give effect thereto; *the votes of the representatives of the parties shall not be counted.*

Article 15. Paragraph 6.

If the report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League agree that they will *comply with the recommendations of the report.* *If the Council's recommendation is not carried out, the Council shall propose suitable measures to give it effect.*

Amendments Proposed by the Subcommittee of the First Committee

Preamble

In Order to promote international co-operation and to achieve international peace and security by accepting the obligation not to resort to war.

Article 12, Paragraph 1 and 2.

1. The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will *in no case have recourse to war for the settlement of the dispute and will only employ pacific means for this purpose.* *If the dispute cannot be otherwise settled, it shall be submitted either to arbitration or judicial settlement or to enquiry by the Council.*

2. *The award of the arbitrators or the judicial decision shall be given and the report of the Council shall be made within a reasonable period.*

Article 13. Paragraph 4.

The Members of the League agree that they will carry out in full good faith *the award or decision rendered in a dispute to which they have been parties.* *They further undertake in no way to support a State in refusal to carry out an award or decision.* In the event of any failure to carry out such an award or decision, the Council shall propose what measures of all kinds should be taken to give effect thereto; the votes of the representatives of the parties shall not be counted.

Article 15. Paragraph 6.

If the report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the *Council shall invite the parties to comply with the recommendations of the report.* *The Members of the League undertake in no way to support any party in refusal to comply with such recommendations.*

Article 15. Paragraph 7.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, *it shall examine the procedure best suited to meet the case and recommend it to the parties.*

Article 15. Paragraph 7 bis.

(New Paragraph).

At any stage of the examination, the Council may, either at the request of one of the parties or on its own initiative, ask the Permanent Court of International Justice for an advisory opinion on points of law relating to the dispute. Such application shall not require a unanimous vote by the Council.

Article 16.

(No change proposed).

Article 15. Paragraph 7.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, it shall examine the procedure best suited to meet the case and recommend it to the parties.

Article 15. Paragraph 7 bis.

(Suppressed).

Article 16. Paragraph 1.

(First Sentence.)

1. Should any Member of the League resort to war in disregard of its covenants *under Article 12*, it shall, ipso facto, be deemed to have committed an act of war against all other Members of the League. . .

Codification of International Law

The First Committee once more emphasized the importance which it attached to the development of international law, in particular by codification. It considered that the results of the First Codification Conference, which was held at The Hague in March and April, 1930, were not of a nature to discourage further efforts.

But as the minutes of the Conference were not yet printed, and as they would have to be studied before any idea can be formed of the results obtained and the action to be taken, the Committee proposed to adjourn this question until its next session. It recommended that the Assembly request the Council meanwhile to invite the Governments to communicate, if they so desire, their observations on the suggestions of the Codification Conference with regard to future work and, in particular, the procedure to be followed in preparing for subsequent conferences.

Vice-Presidents of the Assembly

The First Committee also considered the proposal to increase the number of Vice-Presidents from six to eight, which had been submitted to the Assembly at its tenth ordinary session, and decided not to recommend its acceptance.

The conclusions of the report were adopted.

SECOND COMMITTEE
(Technical Organizations)

Economic Work

The economic work of the League, as was to be expected during a period of depression, received more attention than usual in the Second Committee.

Greater international co-operation was considered by many representatives to be essential for a return of prosperity. Opinions differed, however, as to the form which such co-operation should take. Certain delegates objected to the League being used to unify existing economic policies and to advance any particular commercial system, such as free trade, protection, preference. It was pointed out that a policy of protection might be of more value to certain countries at certain stages in their economic development than free trade and that therefore the League should not be committed to any definite policy.

The concerted economic action which was undertaken last year came in for considerable attention. The Committee was generally of opinion that such action was more than ever urgent and should be vigorously pursued. It accordingly recommended that as large a number of States as possible should ratify the Commercial Convention of March 24, 1930, and that States which had not signed or ratified it should in practice give effect to its provisions. This recommendation naturally placed the overseas Dominions and certain other non-European States which had taken no part in drafting the Convention in an embarrassing position. The Canadian Delegate (Dr. W. A. Riddell) pointed out that he must dissociate his delegation from this recommendation.

The members of the Committee were asked to declare their attitude towards two questions which are of particular interest to Canada: the most-favoured-nation clause as embodied in commercial treaties, and tariff preferences.

The need for an enquiry into the use and limitations of the most-favoured-nation clause was generally recognized. Agreement as to the terms of reference was more difficult to obtain. Some delegates thought that the clause ought to be defined in such a way as not to exclude exceptions such as measures against dumping. Others favoured an exception for the agricultural products of certain European countries. It was also contended that even the exigencies of a depression did not justify reducing the scope of the clause and tampering with its integrity. Eventually the Second Committee decided to recommend that the Economic Committee should go again into the whole problem, in view of the new facts available.

It was frequently questioned in the course of this discussion whether Customs quotas, Customs specifications, anti-dumping measures, countervailing duties, and plurilateral conventions are compatible with the most-favoured-nation principle.

On Customs quotas opinions differed widely. Customs quotas were defined as "regulations establishing, for fixed quantities of certain goods, lower rates of customs than for quantities exceeding these limits." Some delegates considered that quotas were in conformity with the most-favoured-nation clause when the maximum quantity laid down as admissible for import under favourable terms into a particular country was fixed for each exporting country in proportion to its normal exportation of the goods in question to the importing country, and that, on the contrary, quotas were not in conformity with the clause when the quantities granted were the same for all exporting countries whatever their normal volume of exports might be. Other Delegates did not think that the quota system afforded a means of evading the clause. In their opinion it was perfectly compatible with the clause to treat all countries alike in regard to quantities allowed for importation under a customs quota. They contended that it would be unjust and contrary to the more liberal conception

governing the exchange of goods if customs quotas were to be granted under most-favoured-nation treatment in proportion to the export requirements and to the power of production in the exporting countries.

Another question which was not free from difficulties was the question of the relation between bilateral agreements based on the most-favoured-nation clause and multilateral economic conventions. The German Delegate thought that it was fair that the advantages involved in multilateral treaties, which were open to the adhesion of all other States, should be excepted from the most-favoured-nation clause and limited to the countries which were parties to such multilateral conventions. The other countries had an opportunity of joining such conventions, and if, for reasons of their own policy, they remained outside these multilateral conventions, they did not undertake the respective obligations involved. They could, therefore, not lay claim to the rights which these conventions gave.

The British Delegate (Miss Lawrence) recognized that parties to the latter class of treaties might sometimes feel it unreasonable that they should be bound to accord to other countries the advantages of multilateral treaties which they did not enjoy in those countries. Nevertheless this was an essential feature of the most-favoured-nation clause itself. It would in her opinion cause conflict with the whole spirit of the clause if it were open to any group of countries to conclude arrangements with each other which they did not extend to other countries.

The Canadian Delegate supported the proposal for resuming the enquiry on the most-favoured-nation clause. On the other hand, he frankly refused to co-operate in the scheme of European preference for European grain which had been put forward by the eight States signatories of the so-called Warsaw Resolutions. The representatives of these countries in the Committee pointed out the necessity of such preferential treatment and explained that, as they could only supply a small percentage of the demand, their plan would not be detrimental to the great overseas producing countries. They stressed that what they wanted was not a regional agreement but an exception to the most-favoured-nation clause, and stated that, if they were unable to obtain the recognition of this exception, they would have to fall back upon regional agreements. Such preferential treatment, once obtained, they argued would be temporary and would be limited to cereals and to those European countries which were organized on a capitalist basis. Russian cereals would be excluded from the benefits of the preference because these were sold at "dumping" prices and for political ends. They did not address their request for preference to the free trade countries of Europe. On the markets of those countries they proposed to face free competition.

A number of overseas countries, in particular India, Australia, South Africa and Canada, took part in opposing this proposal. It was also opposed by other countries, including Great Britain.

The Canadian Delegate, while appreciating the value of certain of the Warsaw resolutions, raised serious objections to the one dealing with preferences and took the position that the Committee should merely note its contents.

At the conclusion of the debate, the Rapporteur, as is customary, prepared a Report summarizing the discussion and the general proposals before the Committee. The overseas Commonwealth Delegations and the British Delegation considered that this Report did not take sufficient account of their point of view on the matter of preference as expressed during the debate. The Canadian Delegate, acting as representative of the Commonwealth group, after considerable negotiation had the following statement inserted in the Report to the Assembly:

The Delegations of Australia, Canada, India, New Zealand and the Union of South Africa, without pronouncing upon the substance of the

question, have expressed the opinion that the proposal contained in the Warsaw resolutions to accord preferential treatment on the European markets to cereals produced in Europe is not a question on which the Eleventh Assembly of the League of Nations should express an opinion.

The resolution finally submitted to and adopted by the Assembly made no pronouncement on the subject, contenting itself with stating that it was a proper question to raise during the negotiations to be opened in November.

When the Report was before the Assembly the Delegate of Canada (Sir Robert Borden) and certain other Dominion delegates reiterated their reservations.

After some discussion, the Assembly adopted the nineteen resolutions presented by the Second Committee.

Work of the Financial Committee

The Report of the Financial Organization of the League laid before the Second Committee was of more than usual importance as it contained not only a summary of the year's work but also a review of the Financial Committee's past work and a considered statement of its functions.

The first part of the report records the successful termination or proximate termination of four of the major pieces of work which have occupied so much of the Financial Committee's time in recent years—the Greek refugee settlement scheme, measures in connection with the financial reconstruction of Greece, the Bulgarian refugee settlement scheme, and the monetary and banking re-organization of Estonia. With reference to the financial reconstruction of Greece, the Second Committee expressed the opinion that the work had been remarkably successful. The Greek budget had been balanced during the past three years and a number of financial and administrative reforms had been adopted. The problem of financial reform in Estonia arose rather from currency and banking than from budgetary difficulties. The period of three years during which an adviser appointed by the Council was attached to the Central Bank had now come to an end and the reform has been successfully completed.

Other questions on which the Financial Committee has been engaged during the year include the Convention on Financial Assistance, the falsification of documents of value, Greco-Bulgarian emigration, the proposed Saar Loan, the Hungarian Committee of Control and the Agrarian Fund, the Danzig loans, etc.

The successful conclusion of the work of financial restoration led the Financial Committee to explain its views regarding its future work and the principles by which it would be guided, in a statement which was approved by the Second Committee.

The Financial Committee states that it proposes, as in the past, to watch general financial developments and, from time to time, to take the initiative of making proposals to the Council for the study of any general question that seems at the time to be of special importance. It has already studied general questions such as the suppression of counterfeiting currency, double taxation and tax evasion, and the fluctuations in the purchasing power of gold; other studies which may be initiated are those concerning the conditions determining the flow of capital from one country to another, the recurrence of periods of prosperity and depression, agricultural credit, etc.

Similarly, the Financial Committee will continue to advise Governments on problems which do not demand for their solution the flotation of special loans, such as treasury, budget or taxation systems, currency and central bank systems; the organization of agricultural credit, general financial conditions, etc.

There remain the exceptional cases in which the Committee may be called upon to deal with questions of financial reconstruction combined with the issue

of a loan under the League's auspices, and even to consider loans for the economic development of a country, when they present special international interest or advantages. Finally, the Financial Committee suggests that its assistance may take the form of conciliation and arbitration for disputes of a financial character, in particular those concerning loan contracts.

As in the past, the Financial Committee will continue to advise the Council on all financial questions arising in the course of the Council's current political and administrative activity.

A new piece of work, undertaken by the Financial Committee at the request of the Bulgarian Government, is a study of the organization of the co-operative system in Bulgaria. It has now been definitely arranged that two experts of recognized authority on co-operative questions shall be sent to study the situation on the spot. The Second Committee's rapporteur to the Assembly expressed the opinion that the enquiry was likely to prove of value not only to the country directly concerned, but also to the Financial Committee itself in connection with another question of general importance that had recently come before it, namely, that of agricultural credits referred to it by the Conference on Concerted Economic Action. This recent development, he considered, would no doubt be watched by all agricultural States that were interested either in the assistance that might be afforded by special enquiries and advice or in the wider problem of the organization of agricultural credit.

The Second Committee recommended the Assembly to draw the special attention of all States to the interim report on the purchasing power of gold issued by the Gold Delegation of the Financial Committee. It suggested that the Secretary-General should undertake an enquiry, in consultation with the Financial Committee, concerning the manner in which statistics of the industrial use of gold might be improved.

Work of the Fiscal Committee

This youngest standing committee of the League is preparing at the moment a multilateral convention for the avoidance of double taxation. With the help of a grant from the Rockefeller Foundation it is enquiring into the manner in which branches of foreign companies are taxed in different countries. It has drafted rules for distinguishing an autonomous agent from a permanent establishment. It has adopted on first reading rules for taxing patent and copyright royalties and has prepared a statement on the bearing of the most-favoured-nation clause upon taxation questions. With the Transit Organization it has prepared a draft convention on the taxation of foreign cars.

The Second Committee expressed the view that the work of the League in the field of double taxation had already brought about more equitable conditions.

The Canadian Delegate referred to the progress which had been made in avoiding multiple taxation of shipping profits, but pointed out that less progress had been made in the prevention of double taxation of other kinds of business profits and of investment income. A number of countries still attempted to levy taxes both in the place in which the goods or funds originated and in the place to which they went. Uniform rules should be drawn up governing the allocation and distribution of profits as between the various branch establishments of one and the same concern where these branch establishments were situated in different countries, so that profits should not undergo a double assessment. Financial corporations and their holdings abroad should not be considered as one but as two or more entities, and each should be taxed in its respective jurisdiction only, without regard to where or by whom the shares were held.

Communications and Transit

The work of the Organization for Communications and Transit was considered by the Second Committee with special reference to the results obtained in the following fields: transport facilities for newspapers, unification of transport statistics, air transport co-operation, unification of river law, unification of buoyage and lighting of coasts, the efforts made to bring commercial motor transport within the scope of international regulations for freedom of communications and transit, and the reform of the calendar.

It now seems probable that, in the course of 1931, the Transit Committee may be able to reach definite conclusions, and present a comprehensive plan for the unification of transport statistics, which may be presented for approval and adoption by a Conference to be held in 1932.

A sub-Committee of the Air Committee has been organized to study in detail the constitution and operation of the main network of permanent air routes. The sub-committee will also study the question of postal air transport.

The Conference on Buoyage and Lighting of Coasts met in October, 1930, and the Conference for the Unification of River Law in November. The European Conference on Road Traffic has been summoned for March, 1931. Its agenda will include the question of road signalling, abolition of taxes on foreign motor vehicles, and the international regulation of commercial motor transport.

It is proposed that the Fourth General Conference on Communications and Transit should meet towards the end of 1931. It will examine the question of stabilization of movable festivals and the general problem of the institution of a perpetual calendar. The Transit Committee has expressed its conviction that the discussions between Governments and between experts will refer only to the social and economic aspects of such questions, and not to the religious aspects.

Health Organization

The Health Organization has been occupied in a great variety of studies—in studies regarding tuberculosis, malaria, sleeping-sickness, rabies, infantile mortality, a particularly laborious enquiry into syphilis, and an enquiry into the proper methods of utilizing radium. Springing from such studies is the movement for the further education of health officers, whether by short courses of study or by prolonged periods of training.

The Second Committee noted with satisfaction that the activities of the Organization were being continually extended, and noted with pleasure the work being done in Greece, Bolivia, and China, which had asked for the technical advice of the League in the development of their public health services; it expressed the hope that the experience gained by the Organization might be made increasingly available to Governments.

A very great number of suggestions were made. Some delegates asked that the work of the Singapore Bureau should be extended; others demanded fresh studies on such subjects as medicinal plants, leprosy, cholera and plague, and additional work with regard to malaria, inquiries into maternal mortality, and the care of the blind, and into the care of children under school-age.

The Second Committee also considered a proposal by the Hungarian Government that the League should study the question of international reciprocity in the care of the sick. The Hungarian Government suggested that a multilateral convention should be framed under the auspices of the League or, if this were not feasible in the near future, the League should recommend its Members to conclude bilateral agreements on this subject. This proposal was referred by the Assembly to the Health Committee.

Intellectual Co-operation

The Second Committee was in full agreement with the recommendations of the Committee of Inquiry which had been appointed to suggest ways and means of improving the organization for intellectual co-operation.

Delegates, in reviewing these recommendations, emphasized the necessity of concentrating on a few problems instead of spreading over a large number as had been the policy in the past. Questions should be dealt with only when they were felt to be important and urgent. It was further agreed that better results would be obtained by simplifying and co-ordinating the machinery and procedure of the organization as a whole. The following detailed changes were suggested by the Committee of Inquiry:—

1. The Committee on Intellectual Co-operation should be reconstituted so as to afford more equitable representation to the larger schools of thought.

2. The Sub-Committee, which had tended to become in effect more a Committee of Experts, should be suppressed. Exception was made in the case of the Sub-Committee on Arts and Letters, which it was felt could still do useful work.

3. Two new Committees should be formed: an Executive Committee, and a Director's Committee to follow and supervise the developments in intellectual co-operation.

4. Regular and intimate relations should be established between the Committee on Intellectual Co-operation and the National Committees.

5. The Paris Institute should be re-organized so as to bring it into harmony with the whole scheme.

The Second Committee expressed the hope that, after the contemplated re-organization had taken place, the interest and sympathy already displayed in the work would be extended, and that, in consequence, there would be increased contact and closer relations between qualified organizations and individuals as regards scientific studies and research work.

Turning to another point, the Second Committee noted the progress made in the instruction of youth in the aims of the League of Nations, and recommended the Assembly to request Governments to keep the Secretariat and its Educational Information Centre informed of the steps taken in the various countries to give effect to the recommendations of the Sub-Committee of Experts.

It considered that the Governments which have acceded to the Conventions concerning the international exchange of publications should provide the funds necessary to enable their national liaison bureaux to carry out the provisions of these Conventions.

The Second Committee also considered that Governments should give their sympathetic consideration to the draft Convention prepared by the International Education Cinematographic Institute for the abolition of Customs barriers which interfere with the distribution of educational films.

THIRD COMMITTEE

(Reduction of Armaments)

The questions referred by the Assembly to the Third Committee were divided into two groups for the purposes of discussion.

GROUP 1.—*The Work of the League since the last Session of the Assembly in respect of the Reduction of Armaments.*

(a) *Preparatory Commission for the Disarmament Conference*

There had been no session of the Preparatory Disarmament Commission since May, 1929, when the Commission adjourned in order to allow the Naval Powers to come together in an endeavour to solve the problem of naval disarmament; an agreement between the Naval Powers was considered to be not only desirable but necessary for the completion of the Preparatory Commission's work.

The London Naval Conference sat from January until the end of April, 1930; only Great Britain, the United States of America and Japan reached a complete agreement. France and Italy did not find it possible to join the other three Powers; generally speaking, Delegates of the Naval Powers in London considered that there was nothing to be gained by re-convening the Preparatory Disarmament Commission before the political atmosphere had cleared a little. It was therefore decided not to convene the Commission until November.

The Third Committee thus found itself in an entirely different position to that of last year. Then controversy was rife over the date of the next session of the Preparatory Commission; now the date was fixed. The effect was to curtail the discussion on disarmament—all Delegates agreed that the next session of the Preparatory Commission should be the last, and that the Disarmament Conference should meet as soon as possible.

On the general subject of disarmament, the Delegates of Norway, Germany, Hungary and China were pessimistic. Most of the other Delegates did not commit themselves to an appreciation of the work already accomplished; they repeated simply that their Governments were anxious for a speedy solution of the disarmament problem.

The Delegate of Norway said that he had been waiting for ten years for Article 8 to be carried into effect, both in its spirit and in its letter. The hour was critical; so far nothing had been done in the way of disarmament, and the obligations under Article 8 were sacred. He thought it was possible to achieve some measure of disarmament in the present state of security; public opinion expected much, and to his mind was still waiting.

The Delegate of Germany (Count Bernstorff) stated that his lack of optimism might be due to the fact that he had been coming, with optimism, for five years to the sessions of the Preparatory Commission, each time going away with no results. Up to the present he could say that the Preparatory Commission had done nothing. He regretted having to say this just as much as he regretted having to say at the last session of the Preparatory Commission that his Government would disclaim responsibility for the work of that Commission, believing that the results were so small that one could not speak of any reduction of armaments, let alone of disarmament. He asked that the Disarmament Conference be convened for 1931.

The British Delegate (Viscount Cecil) thought it was an exaggeration to state that the Preparatory Commission had done nothing so far; it had made very considerable progress towards the conclusion of the task which was entrusted to it. Although he was as anxious as anyone that the Conference should meet as soon as possible, he did not think it should be convened before adequate preparation had been made so that success would be achieved.

The Delegate of France agreed with the German Delegation that it was desirable that the Disarmament Conference should take place if possible in 1931, but added that it was the Council which had to undertake the responsibility of convening this Conference, and that the Committee should avoid trespassing on the province of duties of the Council.

The Canadian Delegate (Sir Robert Borden), who spoke on the general subject of disarmament at a plenary meeting of the Assembly instead of before the Third Committee, expressed disappointment and made an appeal for more rapid progress in the reduction of armaments.* He said:—

“I realize the complications that exist in Europe and elsewhere, and I recognize the earnestness of the efforts which have been made to carry out this purpose of the Covenant of the League of Nations. But I ask

* Although Sir Robert Borden's statement was not made before the Third Committee, it is mentioned here and an extract from it is included, in order to complete the report from Canada's standpoint, by incorporating in it the views of the Canadian Delegate on disarmament in general.

you, and I think that the world is asking you to-day, whether the result, up to the present time, has been commensurate with the effort. So far as I understand the present situation it is proposed in the Preparatory Commission that, for the limitation of armaments, there shall be merely publicity of budgetary appropriations, and that the number of trained reserves shall not be taken into account. I confess that to me this seems no limitation at all. With all respect, I express my profound conviction that it does not in any measure fulfil the supreme purpose expressed in the Covenant. The Report speaks of mutual confidence. We have renounced war, have we not, by solemn engagement? To what end does the maintenance of enormous armaments still continue? Our engagement was solemn and sincere, was it not? Shall it not find expression in something more enduring than words, something more effective than what has been proposed up to the present?

Ladies and Gentlemen, I say, with all respect, that in this regard the League of Nations stands to-day at the bar of public opinion. The burden of armaments is intolerable; their continuance is a perpetual menace to world peace. Do not forget that many voices call us to act. A great Irishman more than a century ago said that the nation consists not of the living alone: it consists of those who have passed away, of those who still live, and of those who are yet to be born. Is there not a voice that calls to us from the dead?—the vast unnumbered fallen of all the warring nations who sleep on the plains of Europe, united in the great brotherhood of the dead. Is there not a voice from the living who still mourn; and shall we transmit a war-burdened, a war-cursed world, to those who are yet to be born?

It is my most earnest hope that the confidence expressed in the Report with respect to the work of the Preparatory Commission at its next session will be fully justified. It may be, and I recognize this fully, that the progress hitherto made is more real than apparent. I entirely agree with the view expressed by Viscount Cecil of Chelwood in the Committee that it is most undesirable to approach this subject in the Disarmament Conference until such thorough preparation shall have been made as will render its conclusions effective. However that may be, I have spoken to you what is in my heart. I only wish that I possessed the eloquence of some of the distinguished orators who from time to time address the Assembly, to put it more convincingly, but as it lies in my heart I have said it. Let us pray with all the fervour imaginable that the Conference, and the Council and Assembly after it, may soon accomplish this, one of the supreme purposes for which the League of Nations was created.

The Committee in its resolution expressed the conviction that, during its session next November, the Preparatory Commission would be able to finish the drawing up of a preliminary draft Convention, which would enable the Council to convene, as soon as possible, a Conference on the Reduction and Limitation of Armaments.

The Delegate of Germany would not accept the wording of the resolution which stated that the Disarmament Conference should be convened *as soon as possible* because since 1927 the Committee had been repeating the same thing; he feared that the confidence of people would be destroyed. He would therefore abstain from voting. The Austrian and Hungarian Delegations associated themselves with the German Delegation to request that the date of the Conference be inserted in the resolution: they also abstained from voting.

The Committee decided to insert in the *report* but not in the *resolution* that the Committee desired to see the General Conference convened during 1931.

(b) Private Manufacture of and Publicity in regard to the Manufacturing of Arms and Ammunition and Implements of War.

Since August 1929 there has been no session of the Special Commission to which has been entrusted the work of preparing a draft Convention on the Supervision of Private Manufacture and the Publicity of the Manufacture of Arms. The Commission adjourned at that time because it could not agree upon a text, particularly in regard to the publicity of State manufacture. The Tenth Assembly decided that it would be inadvisable for the Special Commission to meet again until the Preparatory Disarmament Commission had concluded its work on the question of the publicity of war material. As no session of the Preparatory Disarmament Commission has been held since the last Assembly the situation this year was exactly the same. There was nothing for the Third Committee to do but to recommend to the Council to convene the Special Commission after the Preparatory Disarmament Commission had concluded its work in regard to publicity of war material. This the Committee did.

(c) Supervision of the International Trade in Arms and Ammunition and in Implements of War.

In 1925 a Convention for the Supervision of the International Trade in Arms and Ammunition and in Implements of War was signed; this Convention, to enter into force, required fourteen ratifications. Only ten ratifications and one accession have been received. At the May 1930 Session of the Council the British Delegate proposed that there should be a Conference of signatory States in order to consider how the Convention might be brought into force with as little delay as possible. The Council, however, thought it would be preferable to adjourn the discussion of this question until after the next session of the Preparatory Disarmament Commission. The Third Committee and the Assembly adopted this view, and did not further discuss the matter.

GROUP II.—Report of the Committee on Arbitration and Security on the Work of its Fourth Session

(d) Draft Convention on Financial Assistance.

The Committee on Arbitration and Security working in conjunction with the Financial Committee completed the Draft Convention on Financial Assistance in May, 1930; this Convention was submitted to the Third Committee for approval. The Chairman suggested that it would not be necessary to have a general discussion on the matter because the subject had already been very thoroughly threshed out both before the Third Committee and before the Committee on Arbitration and Security. This view was accepted; the Hungarian Delegate, however, made the following general statement:

He believed that the Draft Convention exceeded in several respects the limits laid down by the League Covenant, in particular by amplifying the power of the Council under the Covenant. The Council was essentially a diplomatic organ and its decisions, however well intentioned they might be, were naturally affected by the special interests of the countries represented. It followed, therefore, that these decisions might not always be in accordance with the interests of countries not represented on the Council and in certain cases might run directly counter to them. In these circumstances Hungary, which was not a Member of the Council, could not accord its sympathy to a scheme which would extend the powers of the Council to questions which, notwithstanding their importance in Hungary, would be discussed and settled within the Council without any opportunity being given to the Hungarian Government to express its opinion. His uneasiness on this point was all the keener because

the Convention gave the Council the power to decide whether a country had or had not violated its international obligations, although in many cases such a decision involved points of an essentially juridical nature which the Council as a diplomatic organ should not be called upon to decide.

After a detailed discussion of each Article, the Draft Convention was accepted in the form and in the substance prepared by the Committee on Arbitration and Security. A few minor changes were introduced, but there was no essential modification.

Article 1, dealing with Financial Assistance in case of war, was altered slightly. The High Contracting Party undertakes now to submit the dispute not only to judicial or arbitral settlement but also to any other pacific procedure which the Council may deem suitable.

Under Article 2, which treats of the case of threat of war or of an international dispute likely to lead to a rupture, the Delegate of Germany repeated his Government's objection expressed already before the Committee on Arbitration and Security, to the extension of financial assistance to cases of threat of war. By granting a loan the Council definitely and almost irrevocably took up a position in favour of one of the two parties to the dispute, and after the Council had adopted this position the party against which the loan was granted would no longer be inclined to recognize the Council as an impartial authority. By the fact that the loan had been granted, the mediatory and conciliatory action of the Council could no longer be usefully employed. There was a second danger—the State to which the loan was granted might use it to complete its armaments, so that its position might become definitely superior to that of its adversary. It might then change its attitude; instead of being the threatened party it might assume a menacing attitude and might even become the aggressor. It was inadmissible that funds for the maintenance of peace should be employed to forge the weapons of war.

The Delegate of Norway stated that his Government had very serious doubts as to the application of financial assistance in cases of threat of war, and that his delegation would abstain from voting on this Article.

An important paragraph was introduced in Article 15. It was agreed that, in cases of threat of war, the Protocol regulating the conditions of the loan should contain provisions enabling the Council to suspend at any moment the payment to the Government receiving the loan of such part of the proceeds of the loan as was not yet paid if the Council considered that such a measure was rendered necessary by the attitude of that Government after financial assistance had been granted to it.

Although there was some opposition on the part of a few Delegations to making the coming into force of financial assistance dependent upon the completion of a general disarmament plan, as provided in Article 35, the weight of opinion was in favour of accepting this principle.

On the proposal of the Delegate of France the Committee recommended that the Council should instruct the Financial Committee to prepare drafts of the various documents referred to in the Convention that might be necessary for its entry into force, such as protocols, loan contracts, etc.

The Representatives of Austria, Hungary, India, New Zealand, South Africa, Switzerland, Venezuela and Canada abstained from voting on the Convention.

The Representative of India, in abstaining, explained that, if the Convention failed to attract important support outside Europe, India might prefer to stand aloof. Should, however, the Convention attract support not merely in Europe, but also in Asia and elsewhere, then he believed that India would very probably desire to collaborate.

The Swiss Delegate said that his Government abstained because of the special situation which Switzerland occupied in the League of Nations and the necessity of maintaining, in conformity with the declaration of London of 1920, that regime of neutrality which had been alluded to recently in the Swiss Government's reply on the question of a European Union; that attitude of neutrality had been for many centuries the basis of the political status of Switzerland.

The Canadian Delegate made the following statement:—

“I should like to explain that I could not vote either for or against the Convention for the following reasons: I am not at all confident that the traditional policy of the late administration in Canada would have justified me in supporting some of the proposals it embodies. On the other hand, the Convention has so worthy and important a purpose and is surrounded by so many safeguards that I do not feel at all justified in voting against it. I desire to explain that, having regard to the fact that a new administration has recently come into power in Ottawa, and that domestic problems of a very urgent character have greatly occupied its attention, naturally it has had no opportunity of considering the Convention in its present form. I shall take the earliest opportunity that presents itself to advise my Government of what has taken place here, and if I should receive authorization to adhere to the Convention, I shall be glad to inform the Committee.”

The Convention was accepted subject to the above abstentions.

The Committee instructed “the Secretary-General to take the necessary steps to bring the Convention officially to the notice of all States Members of the League that had not signed it before the end of the present session of the Assembly, in order that they might be able to do so on or before December 31, 1931, or to accede thereto after that date.”

At the Twenty-first Plenary Meeting of the Assembly, held on the 2nd October, the representatives of 26 States signed the Convention; as two other States have since signed, there are now 28 signatory States

(e) Preliminary Draft General Convention to strengthen the means of preventing War.

It will be remembered that the Ninth Assembly recommended the above Treaty for the consideration of States Members and non-Members of the League, and hoped that it might serve as a basis for States desiring to conclude a treaty of this kind. The idea of the Model Treaty originated in 1927, when the German Government asked that certain suggestions which it made then, to strengthen the means of preventing war, should be embodied in a General Convention open to the signature of all States. During the Third Session of the Committee on Arbitration and Security (June-July, 1928) there was such opposition, however, to the idea of a General Convention, that it was decided to give to the Treaty the form of a model multilateral treaty which might be used also as a bilateral treaty.

At the Tenth Assembly, the Delegate of Great Britain revived the original idea of a general Convention: the Tenth Assembly, giving effect to this proposal, requested the Committee on Arbitration and Security to consider the possibility of transforming the Treaty into a General Convention. In pursuance of the Assembly's wish the Committee on Arbitration and Security at its fourth Session (April-May, 1930) examined the question, but was unable to agree upon a text; it decided to communicate to the Members of the League the draft dual-texted Convention.

When the matter was considered again by the Third Committee it was believed generally that there was no hope of achieving more in the Committee

than had been accomplished in the Committee on Arbitration and Security. Before the Committee on Arbitration and Security several Delegations, including the French, Polish, Roumanian, Czechoslovakian, Yugoslavian and Chinese, insisted that their Governments could not promise to carry out blindly the Council's instructions and recommendations unless a complete and definite system of supervision and of sanctions was incorporated in the Convention, the object of which would be to ensure that other States also obeyed the Council's injunctions, whether of a civil or military character. These Delegations considered not only that supervision and sanctions were essential but, moreover, that the Convention should enumerate the consequences which a transgressing party would incur if it violated the measures recommended by the Council and went so far as to assimilate such violation to an unprovoked aggression involving recourse to war under Article 16 of the Covenant. Other Delegations—notably the British, Italian, Japanese, German and Dutch—did not favour an obligatory imposition by the Council of supervision and sanctions.

The same deadlock occurred in the Third Committee.

The German and British Delegations, sponsors of the scheme, were anxious to produce a Convention, but the general atmosphere was not conducive to success.

The Delegate of France repeated the position taken up by the French Government since the beginning of the discussion on this question. The French Government had always believed that no measures of the sort provided for in the Model Treaty would be effective unless it were possible to supervise their execution, and to declare that the State which omitted to carry them out was to be regarded as an aggressor. All measures would be executed by the country which was acting in good faith, but its opponent would be able to profit by those very measures and continue to arm and to manoeuvre, whilst the country which acted in good faith would be unable to resist and might meet certain defeat because it had obeyed the recommendations of the Council.

The Canadian Delegate (Sir Robert Borden) was not sure that this country would be heartily in accord with the Convention. Canada would be prepared to undertake not to take prejudicial action during the Council's mediatory action, and she would rejoice indeed to see other Members of the League give similar undertakings. But he was not anxious to increase the measure of sanctions. He thought that the value of the League of Nations to the world rested on something transcending any effort to provide sanctions. He would not be prepared to give assent to the proposal involving strict supervision and sanctions. On the other hand, he did not see that there was any ground for criticism of the other proposal, although even in respect of that proposal he would find it necessary to reserve the right of the new administration, which had just come into power in Canada, to consider carefully all its effects. In short, he did not think that Canada would desire to become subject to any contractual or moral obligation not already set forth in the existing Covenant to undertake the enforcement of sanctions.

The British Delegate (Lord Cecil) expressed disappointment at the French expression of opinion and appealed to the Delegation to soften its attitude towards supervision and sanctions.

It was decided finally to appoint a special Committee composed of the Chairman, the Rapporteur and the Representatives of Great Britain, France, Germany, The Netherlands and Czechoslovakia, in order to see if it would not be possible to conciliate the divergent views. This special Committee met and discussed the problem, but no appreciable advance was made towards a solution.

The special Committee reported to the Committee that it had reached the following conclusions, which were endorsed by the Committee:—

(1) The Committee is of opinion that, in principle, it would be advantageous to transform the model treaty into a General Convention to strengthen the means of preventing war.

(2) The Committee was unanimous in regard to the provisions given in Article 1 of the preliminary draft concerning the conservatory measures of a non-military nature which the Council may recommend the contracting parties to take.

(3) With regard to Article 2 of the preliminary draft, the Committee considered that this article might embody provisions to ensure the integral application of Article II of the Covenant, with a view to the prevention of war by making binding on all contracting parties the Council's recommendations for the avoidance of direct contact between the opposing forces, and for the avoidance of incidents at a time when relations between the States concerned in any dispute have become so strained that, in the opinion of the Council, there is a threat of war.

(4) The Committee likewise considered that the Convention should provide for a supervision of the measures which, in the cases mentioned in Article 2, would be decreed by the Council (Article 3 of the preliminary draft).

(5) Lastly, in view of the fact that the scheme was limited to the prevention of war, as mentioned in Article II of the Covenant, the Committee felt that it should be understood that the question of the methods of applying Article 16 of the Covenant would remain intact, and that, on the other hand, the proposed Convention would result in facilitating such application.

The Committee came to the conclusion that the formulation of the above-mentioned principles in a clearly defined text would call for further prolonged and exhaustive study, as a number of delicate questions of a technical nature would have to be solved.

Under these circumstances, the Committee proposes that the Assembly request the Council to form a special Committee to reconsider this question in the light of the principles adopted by the Committee, and to submit its report to the Council for discussion at the next session of the Assembly.

(f) *Communications affecting the working of the League of Nations in times of emergency: facilities to be granted to aircraft and to motor transport.*

1. *Aircraft.*—The Tenth Assembly requested the Council to have a study made of the measures required to ensure that aircraft engaged in maintaining communications of importance to the working of the League would be free, in times of emergency, to fly in such a way and over such territory as might be necessary for the carrying out of their mission. The Committee on Arbitration and Security examined this question at its Fourth Session (April-May 1930), when it drafted a Resolution for consideration by the Third Committee. With a few minor changes this Resolution was accepted by the Third Committee.

The resolution recommends that the Members of the League.....should grant to aircraft used for air communications of importance for the working of the League all facilities for navigation and passage involved in the discharge of their missions. Such aircraft should enjoy all the rights granted by the most favourable conventional regime to Government aircraft other than military, customs or police aircraft, and should at no time be subject to any exceptional and temporary restrictions that might be imposed on air navigation.

It is worthy of note that the resolution is only a starting point: in its present state it could not be deemed to bind States in any rigid form, because it contains a disposition by which "each State shall retain the right to prohibit the whole or part of its territory being crossed by aircraft registered in another State or manned by a crew of foreign nationality, when such prohibition appears necessary for reasons of national safety." D

2. *Motor Transport*.—The Third Committee decided to take up also the question of granting certain facilities to motor transport as well as to aircraft. It examined the work of the Advisory and Technical Committee for Communications and Transit and the draft resolution recommended by the above technical Committee and passed a resolution arranging for Governments to help in every way motor vehicles crossing their territory, when engaged in League work in times of emergency.

The resolution concerning aircraft and motor transport are preliminary efforts only; undoubtedly, in the course of the next few years, there will be proposals tending to incorporate these resolutions in a General Convention.

(g) *Peruvian Proposal for the amendment of Article 18 of the Covenant of the League of Nations.*

In April, 1930, M. Cornejo, Representative of Peru, suggested the addition of the following paragraph to Article 18 of the Covenant:—

"The Secretariat of the League of Nations may not register any treaty of peace imposed by force as a consequence of war undertaken in violation of the Pact of Paris. The League of Nations shall consider as null and void any stipulations which it may contain and shall render every assistance in restoring the *status quo* destroyed by force."

Lord Cecil recalled that the Committee of Jurists, of which he was a member, had made it quite clear that it would be an entire misconception of Article 18 to ask the Secretary-General to perform any such functions as were suggested in the Peruvian amendment. He thought that the Committee ought to say quite definitely that it accepted the views of the Committee of Jurists.

M. Benes (Czechoslovakia) agreed with Lord Cecil, and the Committee finally disposed of the matter by stating that, in view of the opinion of the Committee of Jurists, it was not necessary to examine the Peruvian proposal further.

FOURTH COMMITTEE

(Budget and Financial Questions)

Organization of the Secretariat, of the International Labour Office, and of the Registry of the Permanent Court of International Justice

A long discussion took place on the report of the "Committee of Thirteen" appointed last year to consider this matter. The Committee of Thirteen was not unanimous, and minority reports were submitted on two questions—that of the appointment of the principal officers of the Secretariat, and that of the duration of certain appointments.

The high officials of the Secretariat are now: the Secretary-General, who is of British nationality, the Deputy Secretary-General (French), and three Under-Secretaries-General (German, Italian and Japanese). The German and Italian members of the Committee of Thirteen considered that, under the present system too much power was concentrated in the hands of the two highest officials, and proposed the institution of a Committee of five Under-Secretaries-General to advise the Secretary-General on all political questions and questions of principle.

In opposition to this view, it was pointed out that, besides the obvious administrative disadvantages involved in such a division of responsibility, the system proposed would practically amount to reserving the highest posts in the Secretariat for nationals of States permanently represented on the Council. The proposal for an Advisory Committee was rejected by 30 votes to 5. The majority of the Committee of Thirteen proposed the creation of five new posts of Under-Secretary-General; and during the discussion in the Fourth Committee a further proposal was made for the abolition of the post of Under-Secretary-General. The Committee therefore recommended that a special Committee should be appointed to study the whole question and submit a report to be discussed at the next Assembly.

As regards the duration of appointments, the Committee of Thirteen agreed on the principle of permanency for posts below that of Member of Section, and considered that appointments to the highest posts should not be permanent. The majority of the Committee approved the principle of permanency for Chiefs of Section and Members of Section, but did not exclude the possibility of temporary appointments in certain circumstances. The minority recommended for these posts appointments of limited duration, with the possibility of renewal. The Fourth Committee decided that provision should be made in future for indeterminate contracts for Chiefs of Section and Members of Section, but that the Secretary General should have power to engage temporary officials. Such indeterminate contracts may be terminated not only when the official reaches the age-limit (normally 60) but also in the case of misconduct or inefficiency or as a result of reorganization of the service.

The dissatisfaction which has long been prevalent with regard to the method of appointment that has resulted in an overwhelming preponderance of French, English, German and Italian nationals on the staff of the Secretariat found definite expression this year in two proposals. One by the Delegation of the Irish Free State, providing that, as a general rule, there should not be more than one national of any State among the higher officials and the successor of any of these officials should not be a national of the same State, was referred to the special Committee. The other, put forward by the Cuban Delegation, to the effect that a State's contribution to the expenses of the League should be calculated on the basis of the number of its nationals employed by the League, was rejected by the Fourth Committee.

The Committee adopted a proposed new text for the Staff Regulations emphasizing the international status of the staff and their duties, and their independence of instructions from any authority external to the Secretariat.

It was decided that henceforth every official above a certain rank, other than the Secretary-General, should be required, before entering upon his duties, to give a solemn written undertaking to exercise the functions entrusted to him "in all loyalty, discretion and conscience". The Secretary-General should make a similar declaration before the Council.

It was agreed that the existing prohibition of the acceptance of honours or decorations from Governments except for services rendered before appointment should be maintained, and that the Staff Regulations should forbid officials, while holding office, to become candidates for political offices in their own countries.

The Committee approved the conclusions of the Committee of Thirteen relating to the recruiting of the staff of the First Division (chiefs of section, members of section, and interpreters, translators and précis-writers). These included recommendations that recruitment should as a rule be by competitive examination or selection, preference being given (provided their qualifications are equal) to candidates already on the staff, and attention being paid to the fair representation of the various nationalities; the provision of the Covenant that both sexes have equal rights should be strictly observed; the minimum age for appointment should be 23 and the maximum 35, subject to exceptions in special cases.

As regard salaries and promotion in this Division, the Committee endorsed the opinion that salaries should be not less than those of the best paid officials in the national civil services, plus an expatriation bonus, and that, while regard must be paid to nationality in engaging staff, less importance should be attached to this consideration in making promotions.

The Committee agreed on the principle of the introduction of a pensions system, on a contributory basis, applicable to all, local and international officials of the three institutions, both present and future. By a majority vote, it was decided that the maximum old-age pension should be 50 per cent of the official's average salary during the last three years of his service, subject to a maximum of 25,000 francs. The maximum old-age pension should be obtainable by officials who had attained the age of 60 and had served for 25 years; in case of retirement before that age or after a shorter period of service, the pension would be reduced or commuted according to a prescribed scale.

Recommendations were also adopted relating to invalidity and survivors' pensions.

It was decided that the Regulations should enter into force as from the date of their adoption by the Assembly.

At the request of the Fourth Committee, the Supervisory Commission examined the financial consequences of the proposals of the Committee of Thirteen as modified. It estimated the cost for 1931 at 1,295,002 francs, of which 1,000,773 represented the amount necessary for the Pensions Fund. The Fourth Committee accordingly included this sum in the budget of the three institutions.

The Fourth Committee's report and resolution were adopted by the Assembly.

Rotation in Membership of the Supervisory Commission

The question was raised in 1929 whether it was not desirable that the representatives of a larger number of States should take part in the work of the Supervisory Commission. This year the Swiss Government submitted to the Assembly a proposal with this end in view, suggesting that a period of three years should elapse before retiring members became re-eligible.

During the discussion of this proposal it appeared that other delegates attached importance to the experience which members of the Supervisory Commission might acquire by prolonged and continuous service.

The Fourth Committee accordingly arrived at the following solution: on the expiry of their term of office, members of the Supervisory Commission can be re-elected only for a further period of three years; at the end of this second period they are not re-eligible until the expiry of a period of three years.

The Assembly endorsed this proposal.

The Budget for 1931

The Fourth Committee approved the audited accounts of the League for 1929. It passed the budget for 1931, which amounts to a total of 31,637,501 gold francs (as against 28,210,248 gold francs in 1930), sub-divided as follows:—

	<i>Gold francs</i>
Secretariat and special organizations.	17,091,586
International Labour Organizations.	8,661,652
Permanent Court of International Justice.	2,712,668
Buildings at Geneva.	2,170,822
Pensions.	1,000,773

The total number of units in the scale of allocations for 1931 amounts to 986 and the value of each unit is therefore 32,086.71 gold francs. Canada being

assessed at the rate of 35 units becomes liable for a contribution of 1,123,035.02 francs. It was decided, however, in accordance with the practice of the past few years, to refund to States Members a part of the surplus for the financial year 1929, and also to make repayments from the Building Fund to those States which, by the prompt payment of their share of the expenditure of the League up to the end of 1925, had contributed to the formation of the capital set apart for the construction of the new buildings. In consequence of these decisions, sums of 28,249.23 and 31,917.80 gold francs respectively will be deducted from the above amount, and the net contribution of Canada for 1931 will therefore be 1,062,867.99 gold francs or approximately \$205,000.

During the examination of the budget, certain delegates pointed out that the 1931 budget showed an increase of 6 per cent on the budget of 1930 and that, if all the proposals of the Committee of Thirteen had been adopted, the increase would have amounted to more than 13 per cent. They stated that, in view of the general crisis, they could only vote for increased credits for really indispensable objects.

The Director of the International Labour Office acquainted the Fourth Committee, for the information of the Assembly, with the reasons which in the opinion of a majority of the Governing Body made it necessary shortly to enlarge the present office accommodation.

The Fourth Committee was interested to learn from the Secretary-General that the work of construction on the League Buildings had already begun, that the first main tenders would probably be allotted during November and that the work would then be continued without interruption. It fixed at 23,633,150 francs the credit for the construction of the Assembly hall and building of the Secretariat.

The Fourth Committee recommended that the International Organization for Refugees should draw up and submit to the Twelfth Assembly a systematic plan for the winding-up of the Refugee Organization at date not later than December 31, 1939.

The Assembly adopted the report of the Fourth Committee on the budget, which was submitted by the Honourable Philippe Roy.

FIFTH COMMITTEE

(Social and Humanitarian Questions)

Penal Administration

The Council requested the Assembly to consider this question and decide how the League could co-operate with the International Prison Commission (Berne) and other interested organizations in the study of modern standards of penal administration.

The Fifth Committee had before it a set of standard rules prepared by the International Prison Commission to indicate the minimum conditions that should be observed in the treatment of prisoners. In view of the fact that certain international organizations and certain Advisory Committees of the League, as well as the International Labour Office, are also being consulted, the Fifth Committee did not discuss the substance of the question, but recommended that the standard rules should be submitted to all Governments for their observations.

The question will be further considered at the next Assembly, in the light of the observations made by the Governments and the organizations consulted.

Child Welfare.

Most of the speakers on this question referred to the work done by the Legal Sub-Committee of the Child Welfare Committee in preparing preliminary draft conventions on assistance to foreign minors and the return to their homes

of minors who are in a foreign country against the will of their parents or guardians. These draft texts are intended to serve as a basis for the conclusion of agreements between interested Governments, and the Child Welfare Committee is continuing its study of the drafts in the light of the observations made by Governments. It will inform the Council of the difficulties arising in connection with the maintenance and protection of foreign children and their relation to the general problem of assistance for indigent foreigners, so that these matters may receive consideration if in the future the general problem is dealt with by an international conference.

The Fifth Committee also noted the progress made by the Child Welfare Committee in the study of other questions, such as the recognition and enforcement of maintenance orders abroad, the protection of the illegitimate child, the protection and education of the blind child, and the auxiliary services of Juvenile Courts.

Traffic in Women and Children

As in previous years, the Advisory Committee's recommendations on the subject of licensed houses were discussed at some length by the Fifth Committee; the principal points touched on were (1) the progress of abolition in different countries and (2) its results.

The Roumanian Delegate gave an account of recent legislation prohibiting licensed houses and imposing heavy punishment on *souteneurs* and procurers. The Chinese delegate explained that the system of licensed houses had been abolished in the larger towns of China. The Delegates of France, Germany and Chile gave generally favourable accounts of the progress made in their countries, but stated that the work was still in the experimental stage. The Danish Delegate said that, after nearly 30 years' experience of abolition, no responsible authority in Denmark would be prepared to return to the former conditions. The majority of the Committee joined in congratulating the countries where progress had been made in this connection during recent years.

In view of the fears expressed in certain quarters that public health and order would suffer from the abolition of licensed houses, a study has been made of the preventive measures taken in abolitionist countries. The Traffic in Women and Children Committee considers that these fears have now been proved to be unfounded and that the danger of international traffic has been diminished by the closing of licensed houses. Several speakers emphasized these points.

Interest was also expressed in the studies being undertaken by the Traffic in Women and Children Committee of other means of dealing with the traffic in women, such as the employment of women police and the more effective punishment of *souteneurs*.

The Fifth Committee as a whole, and particularly the Delegates of China, Japan, India, Persia and Siam, welcomed the decision to extend to Eastern countries the enquiry into the international traffic in women (see Report of Canadian Delegates to 10th Assembly, P. 40).

Traffic in Opium

The greater part of the discussion of the League's work in connection with the traffic in opium and other dangerous drugs was devoted to a consideration of two methods for dealing with this problem: a wider and stricter application of the Hague and Geneva Conventions, and the limitation of manufacture by international agreement.

The Committee noted the increase in the number of parties to the 1925 Convention; on the 30th August, there were 38 ratifications, and another 10 may be added to these in the near future, as a result of action now being taken in various countries. Regret was expressed, however, that the majority of the Latin-American countries have not yet ratified the Convention.

Many delegates enumerated and explained the legislative measures taken in their countries to control the legitimate trade in narcotics and to suppress the illicit traffic. Some of these were: application of the system of import and export certificates, withdrawal of the licences of manufacturers found to be implicated in illicit transactions, co-operation between Governments in tracing the sources of the traffic and bringing the traffickers to justice and heavier penalties for infractions of the drug laws. The Committee made an appeal to Governments that have not yet fully applied the various measures recommended by the Advisory Committee and approved by the Council and the Assembly. It expressed the hope that they would do so as soon as possible and emphasized the necessity for co-operation between the League and the various Governments.

The Canadian Delegate (the Honourable Irene Parlby) gave an account of some of the methods employed in Canada to deal with the problem of narcotics, such as close supervision of the transactions of wholesale and retail druggists, heavy penalties for traffickers (often long terms of imprisonment), and increased co-operation with the United States authorities under the extradition treaty of 1925. In fact, most of the measures suggested by the Advisory Committee had been in force for years in Canada. The Canadian Delegate expressed the hope that States which had not yet ratified the Opium Convention would before long see their way to co-operating with the other countries in their efforts to suppress the drug traffic. Canada was not a manufacturing country and there was complete control of all drugs entering the country legally; nevertheless Canada suffered severely from the illicit traffic. In a country of such great size, it was impossible to prevent smuggling altogether, as long as the supply of narcotics was so much greater than the world's legitimate needs, and the convocation of a Conference on the limitation of manufacture was therefore most welcome to Canada. It appeared possible, however, that limitation of manufacture alone would prove insufficient to wipe out the illicit traffic and that the ultimate solution would be found in a system of State monopolies of production as well as manufacture.

The Fifth Committee learnt with satisfaction that the Conference on the Limitation of the Manufacture of Narcotic Drugs would meet on 27th May, 1931, and that the Advisory Committee had prepared a plan of limitation to serve as a basis for the discussions of the Conference.

SIXTH COMMITTEE

(Political Questions)

Protection of Minorities

The question of minorities was discussed at greater length than usual during the Eleventh Assembly. While no definite decisions were taken, the exchange of views should prove most valuable to the League in dealing with this complex and delicate problem.

Marked differences of opinion were found to exist regarding the competence of the Assembly to deal with this question and the procedure of the Council in dealing with minority petitions as laid down by the Council at Madrid in June, 1929, on the initiative of the Canadian Representative. Some delegates maintained that the Assembly was competent to pronounce upon the application of the so-called minority treaties because it was the supreme organ of the League under the guardianship of which the minorities were placed, while others held that the minority treaties had entrusted the question exclusively to the Council. All were agreed, however, that the question could be discussed by the Assembly under Article 3, paragraph 3, of the Covenant, which lays down that "the Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world."

No one suggested that the Madrid procedure, which was an improvement on the former procedure, should be altered for the time being. It was generally recognized that the period that has elapsed since its adoption was not long enough to allow of a final judgment based on experience. But opinions differed as to whether the Council has authority to alter that procedure without the consent of all the States which are bound by the minority treaties.

Hopes were expressed that care will at least be taken to use to the full all the possibilities inherent in the Madrid resolutions, more especially as regards the composition of the Committees of Three or Five, the frequency of their meetings, the publicity of the proceedings, and the report to be made to the Council, which must be such as to enable its members to gain an accurate idea of the cases with which they have to deal.

Suggestions were made that the Secretary-General should lay before the Assembly in the Annual Report a survey, as detailed as possible, of the League's work in connection with minorities.

The German delegate expressed the hope that the conditions laid down for the receivability of petitions addressed to the League may be interpreted as liberally as possible, and the Delegate of Hungary stressed the necessity of affording complainants an opportunity of submitting their observations at all stages in the procedure.

The question of setting up a Permanent Minorities Commission was again raised but did not receive very strong support, the States parties to minority treaties insisting, as a condition of the setting up of such a Commission, that all States should be brought within its competence.

Certain general ideas were brought out in the course of this debate. The first of these is that minority questions must in no case be used to undermine the unity and integrity of States. The second is that minority questions are intimately bound up with peace, and must consequently be the object of vigilant and indefatigable attention on the part of the League. The third is that violence, whether on the part of the minorities or of the countries to which they belong, should not be used.

All the speakers, even though upholding different views, expressed the opinion that the solution of the minorities problem was to be found in constant co-operation and the establishment of mutual confidence between the majorities and minorities in each country.

The use of force to bring about the assimilation of minorities was universally condemned. It was generally agreed that minorities should have the right to use their own language. Several speakers referred to the practice in Canada and Switzerland in this regard. Sir Robert Borden stated that the best course is to afford to minorities every constitutional and reasonable right and at the same time to impress upon them their duty to co-operate. Senator Chapais later referred to the same subject in the Assembly, showing how the minority problem had been dealt with and had been solved in Canada.

Mandates

The work of the Mandates Commission was also considered by the Sixth Committee, which noted that the Mandatory Powers had recognized that the success of their work had been materially facilitated by the organs of the League.

The Sixth Committee expressed its gratification at the improvement of the situation in Palestine, at the efforts made by the Mandatory to restore an atmosphere of tranquillity and the steps taken to prevent the recurrence of such tragic incidents as the Assembly had had to deplore last year. It noted the renewed undertaking given by the British Government to afford the Mandates Commission an opportunity of making observations on whatever might

be decided in regard to the scheme for closer co-operation between Tanganyika, Kenya, and Uganda before such decision became operative.

Certain members of the Committee considered that the work of the Mandates Commission should prove useful to colonial administrations in dealing with non-mandated territories.

The general impression received from the Sixth Committee's survey of the working of the mandates system was favourable and reassuring.

Slavery

Reports relating to the progress of ratifications of the Slavery Convention of 1926, and the measures taken to secure the progressive abolition of slavery and conditions analogous thereto, were submitted to the Sixth Committee.

From these reports it appeared that since the previous Assembly four States have ratified or acceded to the Convention, bringing the total number of ratifications or accessions to 34, while seven more are expected shortly.

The British Government submitted, in a new form, the proposal which it made last year, and on which the Assembly then postponed any decision, for the creation of a new temporary Commission on Slavery. It now suggested the setting up of a permanent Commission and an International Slavery Office.

It was explained by the British delegate that the duties of the proposed permanent Commission would not involve any supervision over the territories of any State, but would be to assist in the examination of communications received on the subject of slavery, and to make reports on them to the Council of the League, and to take any other action under the instructions of the Council. The International Slavery Office, which would be under the control of the Commission, would be concerned with the collection, on a confidential footing of information with regard to slavery.

In support of this proposal it was contended that the Secretariat was not equipped for the sort of inquiry in question or for dealing with the large and complicated mass of information involved. The sole object was to secure that the terms of the Slavery Convention should be carried out as completely as possible.

On the other hand, several delegates argued that the proposal would inevitably involve a form of supervision over the territories of certain States, and thus infringe national sovereignty. Attention was also called to the cost which would be entailed, and to the undesirability of adding new and not wholly indispensable organs to the already complicated structure of the League.

In view of the strong opposition to the British resolution, the Committee adopted by 11 votes to 6 a resolution submitted by the Portuguese delegation; this resolution recognized that the information furnished by Governments had not so far been complete, but postponed until next year the consideration of any change in the procedure now in force, and in the meantime invited Governments to supply "all such particulars as may assist the Assembly to form an idea not only of the conditions that prevail in their own territories but of the present general position in regard to slavery."

The Assembly endorsed this resolution. Lord Cecil, in announcing that the British delegation would abstain from voting on a proposal which merely meant further postponement of decisive action, expressed his opinion that there were still at least 5,000,000 slaves in the world.

Refugees

The Chairman paid a tribute to the memory of Dr. Nansen, who died in May, 1930. The Sixth Committee also proposed to the Assembly the adoption of a resolution expressing its gratitude for Dr. Nansen's work on behalf of the refugees.

The Sixth Committee accepted the view of the Advisory Commission that a division should be made in the work for refugees. The Secretariat of the League will deal with questions relating to the political and legal status of the refugees under the various arrangements on these questions concluded between the Governments concerned. During the period* in which the Refugees Organization is being wound up, the work of relief (advancing of money, finding of employment, etc.) carried on by the High Commissariat will be entrusted to an International Refugees Office placed under the direction of the League of Nations in accordance with Article 24 of the Covenant. M. Max Huber, President of the International Red Cross Committee and former President of the Permanent Court of International Justice, will be Chairman of the Governing Body of the International Refugees Office.

ROBERT LAIRD BORDEN,
THOMAS CHAPAIS,
MARY IRENE PARLBY,
PHILIPPE ROY,
W. A. RIDDELL,
G. P. VANIER.

* The Tenth Assembly decided that the Refugees Organisation should be wound up within a maximum period of ten years.

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