

1930.  
NEW ZEALAND.

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# THE LEAGUE OF NATIONS.

REPORT OF THE REPRESENTATIVE OF THE DOMINION OF NEW ZEALAND ON THE TENTH ASSEMBLY OF THE LEAGUE OF NATIONS, HELD AT GENEVA, IN THE YEAR 1929.

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*Presented to both Houses of the General Assembly by Command of His Excellency.*

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## TENTH ASSEMBLY OF THE LEAGUE OF NATIONS.

New Zealand Government Offices,  
415 Strand, London W.C. 2, 1st October, 1929.

SIR,—

I have the honour to inform you that the Tenth Assembly of the League of Nations opened at Geneva on the morning of the 2nd September.

Before dealing in detail with the proceedings, I feel that it would be appropriate that I should give you some impression of the outstanding features of the Conference.

One can say with confidence that it was the most active and important gathering of the League for many years past. There was exhibited an enthusiasm, a confidence, and a faith that I have not before witnessed. The League, indeed, gave evidence of an unsuspected vitality. Two reasons may account for this new development: Firstly, the nations have begun to comprehend the real importance of the Briand-Kellogg Pact, outlawing all wars, which was signed at Paris a year ago. The fact has at last sunk in among the peoples that the United States of America are now in virtual copartnership with the League of Nations in the great business of preventing wars and keeping the world peace. Then, secondly, there was another reason for the new vigour of the League. The British delegation, strong in both numbers and personnel—for the Prime Minister himself (Mr. J. Ramsay MacDonald), the Foreign Secretary, and the Minister for Trade on this occasion all attended the Assembly—exhibited the greatest initiative and energy of all the great national delegations. The British Prime Minister's declaration in favour of the acceptance of the optional clause, Mr. Arthur Henderson's claim that the gap in the Covenant permitting of some classes of war should be stopped, and Mr. Graham's remarkable address on the economic situation of the nations made a deep impression on the assembled delegates. Lord Cecil (also a member of the British delegation) made a speech on disarmament which received considerable support from the smaller nations and occasioned general comment throughout Europe. As a result of the British pronouncement in favour of the acceptance of the compulsory jurisdiction of the Permanent Court of International Justice, many nations, great and small, joined with the British during the Assembly in signing the optional clause.

And now, with this brief general preface, I would deal more specifically with the proceedings of the Assembly.

### OPENING OF PROCEEDINGS AND ELECTION OF PRESIDENT.

In accordance with custom, the chair was occupied, in the first instance, by the Acting President of the Council then in session, and the proceedings began with a speech by the principal Persian delegate, who was representing his country on the Council.

The credentials of the delegates having been examined, the Assembly proceeded to elect its Chairman; its choice fell on M. J. G. Guerrero, the principal delegate of Salvador. It had been suggested that the Tenth Assembly would be fittingly presided over by M. Hymans, who filled the office of President so admirably in 1920; but the suggestion came to nothing, and the only other candidate whose name was before the delegates (M. Guerrero) received forty-three votes. M. Guerrero's figure is familiar in Geneva; he is greatly respected and occupies a high position amongst statesmen of Latin America.

## ARRANGEMENTS FOR THE CONDUCT OF BUSINESS.

The proceedings did not differ from those of previous Assemblies. At the second sitting the agenda (Document A. 2 (1)) was examined and the items apportioned amongst the six committees formed to deal with—

- (1) Constitutional and legal questions.
- (2) Work of the technical organizations of the League.
- (3) Reduction of armaments.
- (4) Budgetary and financial questions.
- (5) Humanitarian and social questions.
- (6) Political questions.

A small Agenda Committee was appointed to report on the items proposed in the course of the Assembly. Sir Muhammad Habibullah (India) was elected Chairman.

## ELECTION OF OFFICERS OF THE ASSEMBLY.

The meeting of the Assembly was then suspended to permit of the six committees electing their Chairmen. The result of the voting was as follows: First Committee, M. Scialoja (Italy); Second Committee, M. Motta (Switzerland); Third Committee, M. Benes (Czecho-Slovakia); Fourth Committee, Count Moltke (Denmark); Fifth Committee, Mr. O'Sullivan (Irish Free State); Sixth Committee, M. Janson (Belgium).

On the resumption of the sitting the Assembly elected six Vice-Presidents in accordance with the rules. Its choice fell on M. Briand (France), Dr. Stresemann (Germany), M. Adatci (Japan), M. Balodis (Latvia), Mr. Ramsay MacDonald (British Empire), M. Chao-Chu Wu (China).

The president, the six Vice-presidents, the six Chairmen of committees, and the Chairman of the Agenda Committee, form the General Committee of the Assembly.

## REPRESENTATION OF NEW ZEALAND.

As sole delegate for New Zealand, I nominated myself for all the committees, but, as it is impossible for one delegate to attend the meetings of more than two committees at the most (since groups of three committees sit alternately), I was obliged to have recourse to members of the staff to act as substitutes. The meetings of Committee No. 3 I decided to attend personally; and I nominated my Private Secretary, Mr. C. Knowles, to attend those of Nos. 2 and 4, and Mr. C. B. Burdekin, the Librarian in my office in London, to attend those of Nos. 1 and 6. For Committee No. 5 I was able to obtain a substitute in the person of Miss Phoebe Myers, B.A., who was visiting Geneva, she having kindly offered her services. The arrangement outlined thus permitted my attending meetings of every committee should my personal presence be required, but, in the case of five of the committees, to delegate the work if deemed advisable.

## DEBATE ON THE REPORT OF THE SECRETARY-GENERAL.

Formalities having been disposed of, the Assembly was free to take up the discussion on the Report to the Tenth Ordinary Session of the Assembly on the Work of the League since the last Session of the Assembly. (Documents A. 6 and A. 6 (a).)

The discussion was opened on the afternoon of the 3rd September by Mr. J. Ramsay MacDonald, the British Prime Minister. The speech is summarized in the *Journal* of the 4th September, and is fully reported in the verbatim record of the Assembly's meeting of the 3rd September. To these I would refer you, but it would not be out of place to mention here the more salient points of the speech. As one of the men who prepared the way for the protocol of 1924, it was natural that the Minister should refer to this, but he did not dwell on it. He gave it as his opinion that the Briand-Kellogg Peace Pact, signed in Paris last year, was a starting-point of further work, and said that the British Government was desirous that the Pact should be not only a declaration on paper, but should be translated into constitutions and institutions that would work for the peace of Europe. This was his text for an exposition on disarmament and the twin subject of arbitration. He thought that the best preliminary to a successful international issue on disarmament was an agreement between America and Great Britain in the field of naval armaments, and he was very optimistic of the result of negotiations which were proceeding. He referred to the so-called "gaps" in Articles 12 and 15 of the Covenant (which permit war in certain circumstances), and called for their revision to bring them into harmony with the Pact of Peace (a subject treated at some length a few days later by Mr Henderson, the British Foreign Minister), and then proceeded to make a statement that the British Government had decided to sign the optional clause. That Mr. MacDonald intended to speak about the optional clause was no secret, but his words were nevertheless received with all the enthusiasm which they would have commanded had they come as a surprise. He proceeded:—

"Further, my Government has consulted His Majesty's Governments of the other members of the British Commonwealth of Nations who are also members of this League, and I believe that each of them will instruct its representatives at this Assembly to sign the optional clause during the present session. In accordance with their rights and their position here, they will make their own statements on this subject."

The Prime Minister made brief mention of Palestine and of the position of Egypt, and concluded his speech in the following words:—

"The Government which I represent here to-day is willing to take those tremendous steps towards a new era of international relations because it does not want the substance of its nation, of the nations, to be wasted; it does not want people to be impoverished, and it does not want civilization itself to be destroyed by further resort to arms."

The speech was followed by a full Assembly with almost rapt attention, and at the end enthusiasm was spontaneous and universal.

The Chinese delegate made the usual reference to Article 19 of the Covenant, which treats with the reconsideration of treaties which have become inapplicable, describing it as a wise article, and inquiring why it had never been applied. At a later stage he introduced the following motion on the subject, which was referred to the First Committee :—

“The Assembly—considering that Article 19 of the Covenant of the League of Nations, which provides that ‘The Assembly may from time to time advise the reconsideration by members of the League of treaties which have become inapplicable, and the consideration of international conditions whose continuance might endanger the peace of the world,’ is one of the most essential articles of the Covenant in the cause of international co-operation and peace; observing that, nevertheless, it has not once been acted upon during the decade of the existence of the League; believing that such inaction has been due to the fact that the Assembly has not had the necessary assistance and advice—hereby resolves that there shall be appointed a committee to consider and report on the best methods to make effective the above-mentioned article.”

The representative of Uruguay feelingly referred to the friendly intervention of the Council of the League in the case of the threatened conflict between Bolivia and Paraguay; whilst the representative of Bolivia, whose country had not sent a delegation to the Assembly for several years, expressed gratitude to the Council for its action. The delegate from Peru, which again took its place in the Assembly after an absence of some years, made reference to the restoration of good relations between his country and Chile.

The representatives of Canada and Japan (both members of the Council) devoted a considerable portion of their speeches to the question of the protection of minorities, which is one of the duties of the League under the terms of the Covenant. The problem was also touched upon by a number of other speakers.

M. Briand, Prime Minister of France, delivered a speech in which he insisted on the progress made by the League in the past ten years, and stressed the necessity for international arrangements of an economic nature. He ventilated the idea of a United States of Europe acting together, mainly on economic lines, to organize and protect the commercial interests of the European States.

The Danish representative, in speaking of the reduction of armaments, said that his Government intended to put forward a plan aiming at the transformation of the army and navy into forces organized with the object should war threaten, of watching the Danish frontiers and patrolling the Danish waters. He went on to say that Denmark did not feel herself threatened by any of her neighbours, but that any danger which might arise would be that caused by a general war in which the Great Powers were involved. He said that the reorganization of the military and naval forces of his country would ensure of their being fully competent to carry out the tasks which devolved on Denmark in virtue of the Convention of Neutrality or of Denmark's membership of the League. It may be noted that a somewhat similar plan was put forward by Denmark in 1924, but not carried into effect.

The Belgian delegate devoted part of his speech to the danger of increasing tariffs, which, he said, had become more instead of less threatening since the International Economic Conference of 1927.

Mr. MacDonald had prepared the way for a detailed statement of British policy, and it fell to Mr. Henderson to make this clear in a long speech, delivered on the morning of the 6th September. The British Foreign Minister was followed with close attention. After a reference to the successful issue of The Hague Conference, which he designated as an ending of the World War, he dealt with the question of the Secretariat of the League of Nations, and the spirit which should guide the authorities in selecting the members. He paid a high tribute to the work and international spirit of the Secretariat; but he indicated that in some directions improvements could be made, especially in regard to security of tenure, promotions, pensions, and administrative control of the staff, and he proposed that the matter should be referred to the Fourth Committee.

Mr. Henderson then dealt at length with the question of disarmament. After stating that, in his opinion, security was the greatest political problem of the present day, he told the Assembly that, subject to the further consideration which was to be given to the matter in the Assembly, the Draft Convention on Financial Assistance (Document A. 10) would be signed on behalf of Great Britain and Northern Ireland and the parts of the British Empire which were not separate members of the League. This adhesion, however, would be subject to reciprocity amongst the signatories, and also to its benefits being made available only to those who had accepted and carried out the General Treaty on Disarmament which the League was to draw up. The Foreign Minister further suggested that the model treaty for strengthening means for preventing war (submitted by the German delegate to the Preparatory Commission on Disarmament) should be referred to the Third Committee with a view of its preparation as a general convention which might be opened for signature at the 1930 Assembly.

Finally, he went, in some detail, into the differences between the Paris Peace Pact (which renounced war as an instrument of national policy) and Articles 12 and 15 of the Covenant (which permits defensive war in certain circumstances), and he proposed a draft resolution in the following terms :—

“The Tenth Assembly of the League of Nations—

“Notes with satisfaction the general adhesion of States members of the League of Nations to the Pact signed in Paris on 27th August, 1928, imposing on its signatories the renunciation of war as an instrument of national policy and the undertaking to have recourse only to pacific means for the settlement of their disputes;

“Considers that in order to take account of the progress thus made in the organization of peace it is desirable to re-examine Article 12 and Article 15 of the Covenant of the League in order to determine whether it is necessary to make any modifications therein.”

A draft resolution having a similar object was also proposed by the Peruvian delegation. It reads as follows :—

“ The Assembly shall appoint a committee of five members to report on the form to be adopted for the inclusion of the Kellogg Pact in the Covenant of the League of Nations, and on the alterations necessary therein to give effect to the prohibition of war as an instrument of national policy.”

Both drafts were referred to the First Committee.

M. Venizelos, the famous Greek statesman, contributed to the debate a speech full of interest. He acknowledged the beneficent influence which the League had had in his country. As an original signatory to the Covenant, he declared his faith in the League's progress.

Dr. Stresemann, the German delegate, touched on a number of points. He thought that the whole of the Covenant, and not merely certain articles, should be reviewed with a view of seeing whether there were any terms which should be adapted or more suitably worded in the light of the Paris Peace Treaty. He put forward a suggestion that a special and permanent organization of the League should be created to deal with problems of minorities. He finally stressed the economic conditions in Europe resulting from the Treaty of Versailles.

Many speakers alluded to the growing idea of an economic United States of Europe. There was the inevitable comparison of Europe, with its tariff walls and nationalist tendencies, with the United States of America, with its freedom of trade as between the various states. This matter was treated at some length by the Right Hon. W. Graham, President of the British Board of Trade, who asked that the countries of Europe should agree not to increase tariffs for two years, during which time proposals for freer trade could be discussed. Mr. Graham also made a plea for the scientific study by the League of comparative statistics in industries and commerce, and he devoted a part of his speech to the problems of the coal industry, and suggested that they should continue to be made a special study of the League.

On the following day the French delegation introduced two draft resolutions, one concerning coal and sugar, and the other proposing the convening of another International Economic Conference. The text of the drafts, which were both referred to the Second Committee, was as follows :—

“ Whereas the Council, at its meeting on 9th June, 1928, referred to the Economic Committee a recommendation of the Consultative Committee in favour of the resumption of the inquiries already commenced regarding the coal question : And whereas the Assembly, in its resolution of 21st September, 1928, expressed its confidence in the ability of the Economic Committee to obtain satisfactory results from the said inquiries : And whereas the Economic Committee, at its session of July, 1928, decided to collect all necessary information regarding the sugar question : And whereas it appears that, as a result of this dual inquiry carried out by the Economic Committee, working in collaboration with the International Labour Organization, and as a result of the meeting of experts fixed for 30th September, the League of Nations will have at its disposal all the material necessary for a solution of these two problems : The Assembly requests the Council to take steps to convene a meeting of representatives of the Governments concerned to consider the possibility of effecting an international agreement which would both safeguard the interests of producers, consumers, and workers, and at the same time make it possible to avoid the considerable fluctuations which at present occur in the price of coal and sugar, and would diminish the existing disparity between production and the requirements of consumers.

“ The Assembly, having taken note of the results obtained during the discussions of the Economic Consultative Committee—

“ Expresses its appreciation of the persevering efforts of that Committee and of the Economic Committee.

“ Considers that no effective action will be possible in the future unless the Governments are now requested to examine in their turn the questions left in suspense by the Consultative Committee and by the Economic Committee, availing themselves of the work accomplished by those committees to assist them in their decisions.

“ Accordingly requests the Council to take steps at such time as it thinks best to convene an International Economic Conference, which the Governments would be invited to attend, and for which the Council, in consultation with the Economic Committee, would draw up a limited and definite programme.”

The Italian delegate, M. Scialoja, who has an international reputation, made a brief but weighty speech devoted to disarmament and the part played by economics in international disputes. Touching the Secretariat, the Italian delegate said that privileged positions for certain States should not be created in the higher ranks of that body.

The speech of Count Apponyi, the aged Hungarian statesman, reported in the *Journal* of the 11th September, is well worth reading. It contains the views on the present European position of one who has witnessed great political changes in Europe.

The Australian representative pointed out that there were twenty-seven non-European States members of the League, and that among them were younger nations, engaged in the development of their countries, who had to meet the severity of competition and had, therefore, to utilize the powers of the State, through tariffs or other means, to protect their growing industries. He was, therefore, not enthusiastic about any general reduction of tariff walls.

The Columbian delegate again this year dealt with the codification of international law, and moved the following draft resolution, which was subsequently referred to the First Committee:—

“The Assembly decides to request the Council to invite the Committee of Experts for the Codification of International Law set up by the Assembly to continue its work. The Committee will meet in 1930 after the close of the first Codification Conference, and thereafter on dates to be fixed by the Secretary-General of the League of Nations.”

The Norwegian delegation moved a resolution to refer to the Sixth Committee the reports on mandated territories issued since the last Assembly.

#### ELECTION OF NON-PERMANENT MEMBERS OF THE COUNCIL.

The debate was interrupted on the 9th September in order to permit of the election of three non-permanent members of the Council to the seats being vacated by Poland, Chile, and Roumania. In 1926 Poland was elected to fill a non-permanent seat for three years, and at that election was declared re-eligible for election. She therefore became a candidate for a further period of three years. The other countries, Chile and Roumania, had not applied to be considered re-eligible, and under the rules were not therefore able to stand this year for election. Poland was re-elected, receiving fifty votes. The other two seats were allotted to the Kingdom of the Serbs, Croats, and Slovenes, and to Peru. These two countries received forty-two and thirty-six votes respectively. Norway, although not elected, obtained twenty-two votes.

#### ELECTION OF JUDGES OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

At the Assembly meeting of the 19th September two Judges were elected to fill the vacancies on the Bench created by the death of Lord Finlay and M. Weiss. Amongst those nominated for election by the various national groups were Sir Cecil Hurst, Legal Adviser to the Foreign Office, and M. Fromageot, Legal Adviser to the French Ministry of Foreign Affairs. Fifty-two States voted, therefore a candidate required twenty-seven votes in order to be elected. Sir Cecil Hurst received forty votes and M. Fromageot thirty-seven. The Council, which under the rules is required to elect at the same time, gave the majority of its votes to Sir Cecil Hurst and M. Fromageot, who were therefore declared by the President of the Assembly elected to fill the vacant judgeships.

#### ASSEMBLY. OPENING DATE OF FUTURE SESSIONS.

An experience of nine years shows that there are many defects in the running of the Assembly which should be remedied. The General Committee of the Assembly had under consideration a number of points, and appointed a sub-committee of five members to make preliminary suggestions. The time at the disposal of the sub-committee was too short to allow it to examine fully the questions requiring solution, and the Assembly, at its meeting on the 25th September, authorized the committee to continue its work with a view of reporting to the Eleventh Assembly.

One decision which this year's Assembly took, however, concerned the date of the meeting of the next Assembly, a date which it is hoped will always in future be observed. The opening is fixed for the 10th September (or the 11th if the 10th falls on a Sunday). The change is all to the good, for it avoids the possibility of a movable date, since the first Monday in September, on which the Assembly has hitherto met since 1921, can fall between the 1st and 7th of that month. (See Document A. 75.)

#### OPTIONAL CLAUSE OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

Great Britain having set the example, one delegate after another stated during the debate on the report of the year's work that it was his intention to sign, or that he had already signed this year on behalf of his country, the optional clause. Canada, Australia, France, India, Greece, Italy, Czecho-Slovakia, Latvia, and the Irish Free State made announcements to this effect. On the 19th September I made the following declaration on behalf of New Zealand:—

“On behalf of His Majesty's Government in the Dominion of New Zealand, and subject to ratification, I accept as compulsory, *ipso facto*, and without special convention on condition of reciprocity, the jurisdiction of the Court, in conformity with Article 36, paragraph 2, of the statute of the Court, for a period of ten years and thereafter until such time as notice may be given to terminate the acceptance, over all disputes arising after the ratification of the present declaration with regard to situations or facts subsequent to the said ratification, other than disputes in regard to which the parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement, and disputes with the Government of any other member of the League which is a member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the parties have agreed or shall agree, and disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Dominion of New Zealand, and subject to the condition that His Majesty's Government in New Zealand reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the parties to the dispute or determined by a decision of all the members of the Council other than the parties to the dispute.”

In signing I followed the Right Hon. Arthur Henderson, British Minister of Foreign Affairs, who had made a declaration in similar terms, and had also made a statement explaining the effect of the declaration. The statement is reported on pages 291 and 292 of the *Journal* of the 20th September, and to this I refer you.

The optional clause was signed on the same day by the representatives of South Africa and India, and also by those of France, Czecho-Slovakia, and Peru. Mr. Dandurand and Sir Granville Ryrie, not having then received precise instructions from Canada and Australia, were unable to sign on that day, and they so informed those assembled, but they were able to do so on the following day. As the Irish delegate had previously signed, all the members of the British Commonwealth which are also members of the League of Nations have accepted the compulsory jurisdiction of the Court, and, with one exception, on the same terms. The exception is the Irish Free State, which has accepted compulsory jurisdiction of the Court for a period of twenty years, and on the sole condition of reciprocity.

During this Assembly no less than thirteen States have accepted the compulsory jurisdiction of the Court, including the Great Powers of Europe.

The Tenth Session of the Assembly closed on Wednesday, 25th September, 1929.

## FIRST COMMITTEE.

### LEGAL AND CONSTITUTIONAL QUESTIONS.

The First Committee dealt with a large number of questions, varying considerably both with regard to their character and their importance, as will be seen from the list of subjects appended:—

- (1) Question of the revision of the statute of the Permanent Court of International Justice (Documents A. 9, A. 22, A. 1/6, A. 50, A. 50, Annex, and C. 166, M. 66.)
- (2) Question of the accession of the United States of America to the statute of the Permanent Court of International Justice. (Documents A. 11, A. 28, A. 32, A. 49, and A. 49, Annex.)
- (3) Question of the modification of the Covenant consequent upon the adoption of the Kellogg Pact. (Documents A. 38, A. 43, and A. 73.)
- (4) The Danish resolution as to inquiry into the means whereby ratification of international conventions approved by the League and International Labour Office may be accelerated. (Documents A. 37, A. 1/7, and A. 76.)
- (5) Chinese resolution *re* application of Article 19 of the Covenant regarding the reconsideration of treaties which have become inapplicable. (Documents A. 47 and A. 91.)
- (6) Proposal of the Government of Finland to confer on the Permanent Court of International Justice jurisdiction as a Court of review in respect of arbitral tribunals established by States. (Documents A. 21, A. 1/4, and A. 77.)
- (7) Progressive codification of international law. (Documents A. 6, A. 6 (a), A. 12, A. 48, and A. 78.)
- (8) Proposed amendment to Article 7 of the Rules of Procedure of the Assembly, with regard to the number of Vice-Presidents elected by the Assembly. (Documents A. 39 and A. 72.)

### REVISION OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE AND PROTOCOL REGARDING THE ACCESSION OF THE UNITED STATES OF AMERICA TO STATUTE OF PERMANENT COURT.

These two questions having been fully considered by the Special Conference on the subject, concerning which particulars will be found in Document A. 1/3 and A. 1/6, the two protocols, as amended by the Conference, were adopted by the committee unanimously and without debate. There was, however, considerable difference of opinion with regard to the recommendation of the Committee of Jurists (endorsed by the majority of members of the Conference)—namely, that only persons possessing recognized practical experience in international law should be nominated for the position of Judge of the Permanent Court. It was contended by the opponents of this recommendation that in very few countries indeed were there any persons possessing practical experience in international law, and that such a recommendation would debar from consideration persons, such as professors of international law, whose special knowledge of the subject might render them more suitable for the position than persons with practical experience either as advocates or judges, but with only slight knowledge of international law. The recommendation was, however, passed by twenty-seven votes to thirteen. The point was raised again in the Assembly by the Norwegian delegation, and the voting there resulted in the recommendation being adopted by a slightly reduced majority.

### MODIFICATION OF ARTICLES 12, 13, AND 15 OF THE COVENANT AS THE RESULT OF THE KELLOGG PACT.

Two resolutions were moved on this subject—one by the British delegation (Document A. 38), limited to the three articles referred to in the heading, and one by the Peruvian delegation (A. 43), suggesting a more general examination of the Covenant in order to bring it into harmony with the changed situation created by the adoption by almost all States members of the League of the Briand-Kellogg Pact. The British delegate (the Right Hon. Arthur Henderson) pressed for immediate action in this matter, so that, if possible, the necessary amendments in the text of the three articles concerned might be approved by the Assembly at the present session. He admitted that the liability of States under Article 16 would be slightly increased by the amendments proposed, as wars which would have been legitimate under the Covenant were prohibited by the Kellogg Pact, and therefore it might become

necessary to enforce the sanctions provided for under Article 16 in cases where no such necessity would have existed under the original Covenant. He contended, however, that by accepting the amendments States would not really be accepting any liability beyond that to which they were already committed by the acceptance of the Kellogg Pact, and so they would really lose nothing. Although there was general agreement with the principle that it was necessary to bring the terms of the Covenant into conformity with the situation created by the Kellogg Pact, there was considerable hesitancy expressed by several States as to the advisability of dealing with the matter immediately. Time was required for careful study and examination before rushing into so important a matter as amending the charter of the League.

The Dutch delegate reminded the committee of the difficulties which had been experienced in the past in obtaining sufficient ratifications to bring into operation amendments to the Covenant. He feared that a deplorable position might be created if the present proposals were adopted by the Assembly and it then fell out that a sufficient number of States had refused to make them effective because they considered sufficient study had not been given to the subject.

On the motion of the British delegate himself, a sub-committee was accordingly set up to consider whether it would be possible to ask the Assembly to approve the proposals at this present session, and, if not, to make recommendations as to the procedure to be adopted.

As you will see from Document A. 73, adopted by the Assembly on the 24th September, it was eventually decided to instruct the Secretary-General to communicate to all States the text of the amendments proposed by the British Government, together with any further papers which may be necessary, and to request the Council to appoint a committee of eleven persons, to sit early in 1930, to frame a report after taking into account the replies received from Governments. The report of this committee will then be submitted to Governments in order that they may instruct their delegates to the 1930 Assembly, and thus enable the matter to be then finally dealt with.

#### INQUIRY INTO THE BEST METHODS FOR ACCELERATION OF RATIFICATION OF CONVENTIONS.

This is a subject of very great importance, and also one of very great difficulty. It cannot be denied that it is a serious source of weakness, that so many conventions passed by the Assembly fail to become operative owing to the lack of a sufficient number of ratifications. At the present time, out of forty-five conventions adopted by the Assembly, only twenty-three have actually come into force, and many even of these latter have not been fully ratified. Of the twenty-two which still remain a dead-letter, many have been ratified by so few States that there is no probability of their becoming operative. In introducing a proposal that a committee should be set up to study the question as to the reason for non-ratification, and as to whether any steps to increase the number of ratifications are feasible, the Danish delegate drew attention particularly to the fact that many States signed conventions but then took no steps whatever to ratify them, a course of action more deplorable than if they had failed to sign in the first instance.

The Norwegian delegate undoubtedly put his finger on one frequent cause of non-ratification when he regretted that delegates had not the moral courage to state plainly with regard to some of the proposals placed before successive Assemblies that they did not consider them of practical value, and that it was quite doubtful if their Governments would ratify. The tendency undoubtedly exists to allow motions to be adopted and conventions framed more for fear of hurting the feelings of the proposer by rejecting them than because of any real belief in their necessity. Yet, apart from conventions of this nature, there are undoubtedly many conventions of real importance which are still inoperative, probably not because of any real objection to them on the part of States, but because, through pressure of parliamentary business or other reasons, the matter of ratification has been lost sight of, or, at any rate, more or less indefinitely postponed.

One suggestion made with regard to this subject was that a time-limit should be imposed in connection with each convention, whereby the convention would lapse if the number of ratifications necessary to make it operative were not received within such time-limit. In such an event a further Conference on the subject could be convened, by which a fresh convention more likely to secure general support could be drawn up, thus preventing the existence of an unratified convention from blocking all progress on the subject.

It was eventually decided (Document A. 76) to recommend to the Council the setting-up of a committee of seven members to investigate the reasons for the delays which exist, and the means whereby the number of signatures, ratifications, and accessions to conventions could be increased.

The Secretariat was also requested to prepare yearly a table showing more clearly than is done in the Annex to Document A. 6 (a) the position with regard to signatures and ratifications of all conventions. This should prove decidedly useful for ready reference.

#### REVISION OF TERMS OF TREATIES WHICH HAVE BECOME INAPPLICABLE.

The resolution on this question, moved by the Chinese delegation (Document A. 47), raised a very delicate point. The mover spoke with the most studied moderation, and claimed that all that was asked for was that study should be made of the rights given to States under Article 19 with regard to revision of treaties and of the method of application of the article.

In the debate on the subject it was recognized by the various speakers that the right to claim revision undoubtedly exists under Article 19; but it was contended by the British delegate that the provision, while an obviously necessary one, was clearly one which must be regarded as of the category of "long period" development of the League.

The Belgian delegate contended that the question had been discussed by the Assembly in 1921, and that the setting-up of a special committee to study the question was, therefore, unnecessary,

and he suggested a resolution to the effect that the right, under the article, of any State to bring before the Assembly any particular treaty which it considered no longer applicable should be affirmed, but that in each case the Assembly should decide whether or not it was a case in which Article 19 was properly applicable.

The Chinese motion was supported by Germany and Hungary, who said that they considered the article a necessary complement to Article 10, which forbids the alteration of the existing situation by force.

A sub-committee was appointed to prepare a text which might be generally acceptable. It was only after numerous meetings of this sub-committee that the text contained in Document A. 91 was agreed upon. When the resolution embodied in this document was being discussed by the First Committee it was emphasized that the powers of the Assembly, even in a case where it might consider that the country raising the matter had established that a treaty was no longer applicable, were limited to advising the States concerned to that effect, and that it must rest with the parties what action, if any, they should take as a result of such advice. That is to say, that the most a nation invoking Article 19 could hope to obtain would be the moral support of a decision of the Assembly that it had made out a good case for revision. Even so, the representatives of each of the countries comprising the Little Entente, and also the representatives of several South American countries, considered it necessary to make declarations in the committee that in agreeing to the resolution they did so only because it did not go beyond the scope of Article 19.

The Chairman of the sub-committee explained that the statement in the resolution that a State may "on its own responsibility" bring a case before the Assembly was intended to emphasize that a grave responsibility would be incurred by any State in doing so. The statement that an application must be drawn up in terms "which are in conformity with Article 19" he explained as meaning that the country making the application must furnish its reasons for considering that the case came within the scope of Article 19.

The Chilean delegate emphasized that, in the opinion of his country, only a complete alteration of the circumstances since a treaty was entered into could be regarded as sufficient ground for an application to the Assembly under Article 19.

A remark by the delegate of Peru that the refusal of a State to accept the advice of the Council would constitute a threat of war, and that therefore Articles 12, 13, and 15 of the Covenant would apply, led the Belgian delegate to declare that it was obvious that there could be no question of a country being compelled to submit the question of revision of a treaty to arbitration.

#### PROPOSAL TO CONFER ON THE PERMANENT COURT OF INTERNATIONAL JUSTICE JURISDICTION AS COURT OF REVIEW.

The motion on this subject, moved by the Finnish delegate, led to a very prolonged debate. The explanatory remarks (see Document A. 21) made by the Finnish delegate indicated that the only circumstances envisaged by his Government in which the Permanent Court should be established as a Court of review in respect of arbitral awards on matters in dispute between States were where the tribunal making the award was alleged to have exceeded its powers or to have been without competence in the matter. The motion was, however, couched in very general terms, and a memorandum submitted by M. Rundstein, a member of the Committee of Jurists on the Statute of the Permanent Court (see Document A. 1/4), indicates that, in the case of some delegates at least, there was an idea of going much further and establishing the Permanent Court of International Justice as a Court of appeal on quite a variety of grounds. As pointed out in the minute of the Finnish delegate himself (Document A. 21), it is already possible, by prior arrangement between the parties at the time a case is submitted to an arbitral tribunal, or by agreement even after an award has been given, to submit any points in dispute to the Permanent Court. The proposal really amounted to this: that at the request of either party recourse might be had to the Court in all cases of questions regarding competence, except where a prior agreement to the contrary existed, instead of only in cases where both parties were agreeable to the matter being reviewed by the Court. It was eventually decided not to recommend the setting-up of a special committee, as proposed by the Finnish delegation, but merely to request the Council to submit the question to examination (Document A. 77) with a view to consideration at a later Assembly after the opinions of Governments upon the matter have been obtained.

#### CONTINUATION OF THE WORK OF CODIFICATION OF INTERNATIONAL LAW.

The resolution on this subject (Document A. 48) was moved by the delegate of Colombia, who, in one form or another, brings up the subject each year. There is to be an International Conference held during the early part of 1930 to deal with the question of codification of international law on the following three subjects: (a) Nationality; (b) territorial waters; (c) responsibility of States for damage done in their territory to the persons or property of foreigners.

The work of this Conference will be based upon the preparatory work done by a Committee of Experts who have been considering these points and collecting information upon them for some time past. The Colombian delegate eventually agreed to amend the form of his resolution to coincide with that contained in Document A. 78, on the understanding that the work of the Committee of Experts shall be continued as soon as convenient after the termination of the Conference, and on the same lines, and that it was recognized that the work already accomplished was only a beginning. In this connection I would invite your attention to the report by the Committee of Three Jurists (A. 12), and to the resolutions regarding this question of codification contained in Document A. 78, adopted by the Assembly on the 24th September.



AMENDMENTS TO THE RULES OF PROCEDURE REGARDING ELECTION OF VICE-PRESIDENTS OF THE ASSEMBLY.

Unlike the proposal to increase the number of members of the Supervisory Commission, to which reference will be found in my remarks regarding Committee No. 4, this proposal was carried in the committee, by the small majority of ten to eight, a great majority of States refraining from voting. The matter was raised again in the Assembly by the delegate for Norway, and it was eventually decided not to adopt the report of the committee (Document A. 72), but to postpone the matter until next year, on the understanding that fresh proposals on the subject will be placed on the agenda of the Assembly in 1930.

COMMITTEE No. 2.

INTELLECTUAL CO-OPERATION.

The documents placed before the Second Committee in connection with intellectual co-operation are numbered A. 20 and A. 24. The committee also considered the report to the Council on the first session of the governing body of the International Educational Cinematograph Institute at Rome. In my report last year I dealt fully with the work of intellectual co-operation, and particularly with the education of the young regarding the League of Nations. My advocacy of the preparation of text-books suitable for teachers and students has borne fruit. The Secretariat has published an excellent little book, entitled "The Aims and Organization of the League of Nations." The Secretariat has also published an Educational Survey, which is in the nature of a supplement to the former book. It is proposed that in future there shall be two issues each year of the Survey. The book on the "Aims and Organizations of the League" has found considerable favour, and there is a demand for its translation into languages other than English and French, at the expense of the League.

Many who consider intellectual co-operation as amongst the most valuable of the League's activities have contended that the section has been rather too ambitious in its hopes, and has undertaken more than it can adequately cope with. In short, the committee is suffering from a surfeit of tasks, and the advice of a physician is necessary to get it back to normal health. The International Committee of Intellectual Co-operation itself came to the conclusion that an inquiry was necessary. The appointment of a committee of investigation seemed preferable to allowing the section to work out its own salvation. It is to be hoped that, once there has been reorganization, the International Committee will resist all demands to take up new work which it feels it cannot satisfactorily undertake. A brief history of the whole movement and an account of the present position will be found on pages 1 and 2 of Document A. 20.

The International Educational Cinematograph Institute at Rome was opened in November, 1928, by the King of Italy. The purpose generally is to study the use of moving pictures for the intellectual development of the nation, and their employment as an auxiliary system to teaching in every kind of public school. The governing body has drawn up two sets of regulations, one set dealing with administration and the other with finance. It is to be congratulated on having decided to begin operations with only the small staff necessary to carry out its policy of gradual development.

The report to the Assembly is Document A. 64, and the Assembly passed on the 21st September the resolutions with which it concludes.

ECONOMIC COMMITTEE.

An account of the important work of the Economic Committee and of the Economic Consultative Committee will be found in the report on the work of the League, pages 62-85 (Document A. 6) and pages 29-33 (Document A. 6 (a)).

The work of the Economic Committee widens in scope as the years go on. It is remarkably well done, and the reports issued by the section of the Secretariat concerned are valuable. It may be doubted, however, whether the results achieved are commensurate with the labour and money expended. Of course, in most cases results can be secured only by the action of Governments, especially in the field of signature and ratification of conventions; but action at the moment is not very vigorous and is limited in scope. Great hopes were entertained from the application of the recommendations of the World Economic Conference of 1927. These hopes, whilst they may still exist, have certainly not been realized, for nothing has been done to carry out the recommendations.

Of the many subjects dealt with by the Economic Committee, I desire to draw your attention to two especially—(1) the campaign against diseases of animals and plants; (2) the exploitation of the riches of the sea. In connection with the former I am sending you a print of Document C. 525, M. 155, 1928, being the report of the Sub-committee of Experts on Veterinary Questions, and I would also refer you to my remarks on the subject contained in my report on last year's Assembly. When the information sought by the sub-committee is received from Governments, the members propose to study the problem of the inspection of meat intended for export. Three specialists have been invited to take part in the deliberations of the sub-committee. It may be remembered that last year, when this sub-committee was set up, I succeeded in getting Lieut.-Colonel H. A. Reid, who was for many years on the staff of the Agricultural Department in New Zealand, appointed to it as one of the specialists—a step amply justified by the importance to New Zealand of the frozen-meat industry.

The other subject—the exploitation of the riches of the sea—also concerns New Zealand, since the Economic Committee is dealing with whales under a resolution of the Eighth Assembly. It is now proposed to convene a meeting of experts in January next in order to decide whether, and in what terms and what areas, international protection of whales could be established. I understand that

this Committee of Experts is to be composed of a Norwegian, an Englishman, a Frenchman, a Japanese, a German, a South American, and one or possibly two representatives of the British Dominions. These will not be delegates of Governments, but experts appointed to advise the Economic Committee, and they will have direct knowledge of the subject. I am sending to you copy of each report issued since the Assembly of 1928 by the Economic Committee and the Economic Consultative Committee. I draw special attention to the appendix (dealing with the exploitation of the riches of the sea) to the report of the July session of the Economic Committee (Document C. 307, M. 106).

The resolutions introduced in the Assembly and sent to the Second Committee were redrafted. One, in the names of the British and French delegations, recommended the setting on foot of negotiations for the convening of a preliminary Conference, to be held early next year, with a view of concluding collective agreements for diminishing hindrances to trade, such as protective tariffs, and developing and facilitating economic relations by practical means. In this connection a two-years truce on tariffs was proposed. Another resolution, also in the names of these delegations, having reference to coal, requested the governing body of the International Labour Office (1) to consider the inclusion in the agenda of the International Labour Conference of 1930 of questions relating to hours, wages, and conditions of work in coal-mines; and (2) to consider the advisability of convening a Preparatory Technical Conference of representatives of Governments, employers, and workers of the principal coal-producing countries of Europe, in order to advise what questions relating to conditions of employment in coal-mines might best be included in the agenda of the International Labour Conference of 1930, with a view of arriving at a practical international agreement.

As the Economic Organization of the League is already studying the coal industry, and has issued an interim report (Document C. 150, M. 58), the present motion invited the Council to consider the recommendations which the Economic Committee may make at its next session, with a view of convening a Conference of the Governments concerned to consider such recommendations.

The representative of Great Britain, in introducing the second of these motions (that relating to the coal industry in different countries), stated that it dealt with an extreme example of anarchy in the economic sphere. The motion did not give rise to a long discussion, although a number of speakers expressed pleasure that the consuming countries were not to be forgotten; whilst others doubted whether any satisfactory solution could be found to the wages question, owing to the varying standards of life in the coal-producing countries.

As to the motion on tariffs and on the convening of a Conference, it was clear in the debate that little or no enthusiasm for the principles of the motion had been aroused. Indeed, if those who had taken part in the World Economic Conference of 1927 had been hampered by Government instructions, there would not have been even an approach to unanimity. Some speakers wondered whether a Conference on Tariffs was intended to facilitate the foundation of a European Zollverein, about which so much has been said lately. Others attached more importance to the tariff truce proposed in the motion. These speakers thought that the truce might be renewed from time to time, while others refused to commit their Governments, as they did not wish to have their hands tied. Some, professing to see in the motion a condemnation of tariffs, argued the necessity for protecting nascent industries, and the need for raising revenue by tariffs, though they admitted that tariffs were often used to bolster up badly managed industries, and mentioned their evil effects when used for the purpose of bargaining.

Another resolution, introduced by the French delegation, concerned sugar, an industry which is peculiarly liable to price-fluctuations. The sugar industry has been the subject of study by the Economic Committee, and the French resolution was designed to secure a meeting of representatives of Governments concerned to study the recommendations of that committee. Several speakers frankly declined to believe that any useful purpose would be served by convening a Conference. They felt that Government action would be ill-placed, and that the difficulties were likely to remedy themselves or be remedied by private action.

Other motions introduced had reference to the Convention on the Execution of Foreign Arbitral Awards, to the establishment of a simplified and unified Customs nomenclature, to the treatment of foreigners, to the trade in agricultural products, and to comparative statistics. It is not necessary to do more than mention these. There is a point I would desire to emphasize. In my judgment, the study of agricultural problems is worthy of much greater attention than it has hitherto received at the hands of the Economic Organization of the League.

To return to the joint British and French motion regarding a Conference on Tariffs, it soon became apparent that unanimity would not be reached by the committee. It was obvious that many countries would not be prepared to give a pledge not to raise tariffs during a period of two to three years, and that if attendance at a Conference were dependent on such a pledge having been given, there would be many absentees. A small Drafting Committee was appointed to collate the text of the motion and of some amendments that had been put in, with the result that that portion of the report which deals with the proposed Conference underwent considerable revision in substance and in form.

It will be seen from the Second Committee's report to the Assembly (Document A. 68), that recognition is given to the special economic circumstances imposed by the geographical position of countries, and to other cases where industrial development has not yet reached an advanced stage. It seems clear from the resolutions that only those States which are prepared to accept the recommendation of the Assembly not to increase their protective tariffs above the present level for a period of two to three years are expected to take part in the Preliminary Conference, although if such

Conference is held and is successful a final Diplomatic Conference would be held to which all States would be invited.

The Second Committee's report, with the resolutions attached, was passed by the Assembly at its meeting on the 23rd September.

#### HEALTH ORGANIZATION.

The annual report of the Health Organization for 1928 is Document A. 8. Brief accounts of its more recent work will be found in Documents A. 6 and A. 6 (a).

It will be recollected that during the past few years the Health Organization has been working within the limits of a stabilized Budget, amounting to about 1,000,000 francs. It has hitherto consistently followed the policy of not overloading its programme. Results have been striking. No organ of the League has received greater praise or more thoroughly deserved it.

The organization concerns itself with general intelligence work (in which is included the Singapore Bureau), with special investigations, such as tubercule and syphilis; with interchanges of medical officers (in which New Zealand has already taken part), and with inquiries into general health administration or particular aspects of such administration in various countries. It is mainly on account of the last-mentioned that an increase of 250,000 francs in the estimates was asked for.

Since the last Assembly the Health Committee has lent its assistance to the Greek Government in planning the reorganization of the Health Service of Greece. The work of investigation has been completed, and the Greek Government will put the recommendations of the Health Committee into operation. Similarly, Bolivia has asked for expert assistance in studying the reorganization of its Health Service, and the Government of China has requested that an expert, a member of the Health Section, should visit China with a view of studying a programme of reform in the health administration of that country. So valuable is the advice which the organization is able to give that its help is being more and more sought by countries in the elucidation of their health problems.

The valuable results so far obtained could not have been accomplished without the help of National Health Administrations. Indeed, it is the officers of the latter who frequently do much of their work, although the money required and certain facilities are provided by the League.

A useful summary of recent operations of the Health Organization is contained in the Second Committee's report to the Assembly (Document A. 67).

#### FINANCIAL ORGANIZATION.

In my report last year I made reference to the Bulgarian loan then about to be issued. Particulars of the progress of the Bulgarian stabilization scheme will be found in Documents A. 6, A. 6 (a), and A. 36, together with information on other subjects with which the Financial Organization is engaged, including a programme of the study of undue fluctuations in the purchasing of gold.

The Greek refugee settlement scheme proceeds apace, and has now reached a stage which promises completion next year.

The organization had for some years been studying various questions of taxation, and the Council of the League has now set up a Fiscal Committee, whose duty it will be to study fiscal problems. A corresponding member of this committee is Colonel J. J. Esson.

The report of the Second Committee (Document A. 65), containing a brief summary of the Financial Organization's work was presented to the Assembly on the 23rd September, when the following resolution was passed:—

“ The Assembly—

“ Takes note of and expresses its satisfaction with the work of the Financial Committee ;

“ Particularly appreciates that the study of the undue fluctuations of the purchasing-power of gold has begun, and hopes that this most important work may contribute to the economic well-being of all nations.”

#### ORGANIZATION FOR COMMUNICATION.

The work of this permanent organization has been largely concerned with problems of communication and transit in Europe. A brief survey of what has been done since the Ninth Assembly will be found in Documents A. 6 and A. 6 (a). Two subjects, however, which are of more than European interest are the buoyage and lighting of coasts, and the reform of the calendar, including the fixation of Easter. The preparatory work for the unification of buoyage and lighting of coasts is now complete, and an International Conference of maritime countries is now in sight. As to the reform of the calendar, the views of the various countries will doubtless be laid before the next General Conference on Communications and Transit, which will be held in 1931.

The Advisory and Technical Committee of the organization has occasionally been called upon to act as a conciliation body in connection with transit disputes arising in Europe, and has done much useful work.

The Assembly passed the Second Committee's report (Document A. 66) at its meeting on the 21st September.

## BANK FOR INTERNATIONAL SETTLEMENTS.

On the 14th September the Danish, Norwegian, and Polish delegations introduced into the Assembly the following motion :—

“ Considering that the proposals with regard to a reparation settlement which are under consideration by a Governmental Conference, composed of some but not all the member States, which has commenced but not concluded its work, include a scheme for the creation of a bank for international settlements ; that the scheme, as described by the experts, contemplates that the bank will exercise functions which concern not only reparations payments, but the general credit structure of the world, and therefore the economic life of all countries, as much those which are not concerned with the payment and receipt of reparations as those which are ; that under Article 24 of the Covenant members of the League have accepted the principle that international bureaux and Commissions affecting the regulation of matters of international interest, should be placed in relationship with the league ; that the proposed bank would appear to be an institution established by general treaty for the regulation of matters of international interest ; the Assembly, while recognizing the importance of the proposed bank being assured of due independence in the conduct of its financial business, expresses the hope that the provisions setting up the bank will be framed with due regard to the general principle laid down and enjoined upon League members in the Covenant, and that arrangements will be made to establish an appropriate relationship, with such consultations as may be desirable for the purpose, which will take due account of the general public and world interests which are involved ; invites the Council to take the necessary measures to secure that effect is given to this resolution.”

This motion was referred to the Second Committee, and it gave rise to a long debate. It was admitted by those who supported the motion that the bank would be created primarily to deal with operations concerning reparations, and that so long as it concerned itself with such questions the bank would be a necessity only to those countries affected by reparations. Fear, however, was expressed that the bank might at a later stage widen its functions and play a part in international economics and finance. It was for this reason, therefore, that it was desired to establish some form of relationship between the bank and the League. One delegate in particular, however, whilst agreeing with the principle underlying the motion, deprecated any reference to Article 24 of the Covenant, since there was no question of the League playing a preponderating part in the affairs of the bank.

It was somewhat uncertain what attitude would be adopted by the delegates of those countries paying or receiving reparations, but on the 21st September both Dr. Breitscheid, the German delegate, and M. Loucheur, the French delegate (who spoke not only for France but also on behalf of the British, Italian, Japanese, and Belgian delegations), intervened and frankly declined to support the resolution not only because they thought Article 24 of the Covenant did not apply (especially to an institution which did not exist, and whose statutes had not been drawn up), but also because a defined relationship of the League would not meet the case of great countries which were outside the League. Many other arguments were adduced. In conclusion, the French delegate asked that the resolution be withdrawn, and that the framers should remain content with a promise that the minutes of the Second Committee would be forwarded to the Governments concerned and to the Organizing Committee of the bank.

The speeches of the French and German delegates had their effect. At the next meeting of the committee the Norwegian delegation, speaking on behalf of himself and his Danish and Polish colleagues, withdrew the motion and stated that, in his opinion, the debate, which only the existence of the League of Nations had made possible, would not prove to have been labour in vain.

## THIRD COMMITTEE.

Once more the Third Committee met this year under the skilful chairmanship of M. Benes, the Minister of Foreign Affairs of the State of Czecho-Slovakia.

I have to report that I gave a good deal of my personal attention to the work of this Committee, which is of considerable importance.

As usual, there were a number of questions on the agenda paper. The most important matters dealt with were, perhaps, as follows :—

- (1) Establishment of a wireless station ;
- (2) Draft Convention for Financial Assistance in case of War or Threat of War ;
- (3) Progress of the work of the Preparatory Commission for the Disarmament Conference.

There were other questions, but not of so much importance, to which I shall therefore, later on, only briefly refer.

## ESTABLISHMENT OF A WIRELESS STATION FOR THE LEAGUE.

For some two or three years past this question has been debated at every Assembly. It is felt by everybody that it would be well, in case of crisis or emergency, for the League to have its own exclusive method of wireless communication with the parties involved, or, indeed, with the whole body of members. There have always been keen debates as to the best method of attaining this desirable aim. There are three schemes.

The first is that the League should itself erect a wireless station and operate it full time. This scheme would have the advantage of giving absolute independence to the League with regard to all countries. But there are obvious difficulties in the way. Times of emergency are exceptional, but in order to have a station on which the League could rely in times of crisis that station would have to

be operated in normal times on an intensive scale, and this was hardly possible for the League to achieve under present conditions.

The second idea was that the station should be under dual control. The League and the Swiss Government should construct a station jointly, sharing the expense. This station would be operated in time of peace by the Swiss Government, and in time of emergency by the League of Nations. This scheme would be cheaper than the first scheme.

Then the third project, which is strongly put forward by the Swiss Government, had its strength in the fact that Switzerland had already built a station. The Swiss delegate strongly urged that this *modus vivendi* would not cost the League more than one-tenth of the expense of the second scheme.

Finally, M. Cassin, representing France, the Rapporteur on this subject to the Assembly, prepared a report which was a careful retrospect of the whole matter from its inception, and recommended to the Assembly the adoption of the following resolution:—

“The Assembly, desiring that the League of Nations should have means at its disposal and under its direct management, at any rate in times of crisis, for independent radio-telegraphic communication with as many members of the League as possible, and, being desirous of facilitating at all times relations between the League of Nations and its members, more particularly those at a distance from the seat of the League, instructs the Secretary-General to take the necessary steps for the provision, as early as possible, of a radio-telegraphic station, comprising in any case a post with a world-wide radius, so far as this may be technically possible, in conformity with the proposals submitted to the Assembly by the Communications and Transit Committee.

“The Swiss Government can be represented at this station by an observer, whose duties would be as laid down in the Council’s resolution of March 9th, 1929.

“The Assembly declares that the use of this station by the League of Nations in times of crisis can in no case be invoked against Switzerland as affecting her international responsibility.”

This was carried unanimously.

#### DRAFT CONVENTION ON FINANCIAL ASSISTANCE TO STATES THREATENED WITH AGGRESSION.

The Third Committee dealt at length with this vexed question. A proposed treaty or convention (Document A. 10) had been drawn up. This complete Draft Convention on Financial Assistance had been framed by the Finance Committee in the recess. It was apparent that the committee had given most careful attention to the subject, and had done exceedingly valuable work. The system of financial assistance proposed consists, in a word, in the guaranteeing by other States of a loan to be issued on behalf of a country which is attacked or which is threatened with war.

For several days the proposed treaty was discussed, nearly all the representatives speaking on the subject. Most of the speakers were representatives of small Powers. They agreed with the principle of the proposed treaty, but all suggested amendments. The Danish representative stressed that his Government could only support the scheme, provided it were treated as one item of a general scheme including disarmament and control of private manufacture and trade in arms. Lord Robert Cecil, the British delegate, whilst strongly urging the desirability of approval of the treaty, agreed with the Danish delegate’s reservations on these points. He thought that the rule requiring unanimous decision of the Council, combined with the well-known prudence of the Council, provided sufficient guarantees against the treaty being rashly invoked.

The following day the discussion principally concerned the advisability of restricting the scope of the convention by striking out the words “threat of war,” thus making the scheme applicable only to a state of actual war. It was urged—(1) That if assistance were provided immediately on a threat of war the Council would be unable to fulfil its proper role as mediator just at the moment when mediation might prove most useful; (2) that the knowledge that the Council had given such a decision in its favour might make the Power thus designated as the victim of aggression unconciliatory or even provocative; (3) that while the position was still only that of a “threat of war” it would be almost impossible to decide which members of the Council should be debarred from voting, as there would be uncertainty as to which States might ultimately be involved; (4) that it would be very difficult to define a “threat of war” or to decide when it existed.

Various amendments to and observations regarding Article 1 of the convention were circulated (see A. 111/4, 111/5, 111/6, 111/7, 111/12, 111/14), and it was eventually decided to set up a small Drafting Committee to co-ordinate, as far as possible, the various amendments proposed to this and other articles, in order to present a definite text for the consideration of the committee at its next meeting.

Sir George Foster said that the Canadian point of view was that the proposed convention was approaching the subject from entirely the wrong angle, and that much more fruitful results could be obtained by the various Powers agreeing to refuse to supply any financial or material aid to States which went to war in defiance of their obligations under the Kellogg Pact. But this attitude did not receive any support.

As it became quite evident that, despite the efforts of the sub-committee to secure at least some measure of agreement regarding Article 1, which deals with the question of “threat of war,” the British and French views remained quite unreconciled, while the German, Danish, and other delegates held views which did not altogether coincide with either the British or French points of view, it was decided to request the drafting sub-committee to prepare alternative texts of Article 1, embodying the various views, and meanwhile to pass on to consideration of the remaining articles of the draft convention. Regarding these, numerous amendments and suggestions had been put forward by various States, and it was obviously impossible to reach finality upon them all in the committee.

The amendments were briefly considered as the relevant articles were reached, and the Chairman of the Finance Committee, who was present, was requested to take note of the various suggestions regarding financial and technical points raised, while the Committee on Disarmament and Security is to study the political issues involved. In regard to the suggestion that there should be international supervision of the expenditure of loans raised under the convention, I pointed out the inadvisability of pressing the point too far, as the State receiving the benefit of the loan would be primarily responsible for its repayment, and, further, the absence of delay would be of primary importance to the attacked State. Such a State could not be expected to await the appointment of an International Committee of Supervision before applying the proceeds of the loan towards providing what might be urgently and vitally necessary for its defence.

Apart from Article 1, the most important Article is No. 26, requiring that the decision of the Council on any case submitted to it should be unanimous, after exclusion from voting of any members representing States which are parties to the dispute. No definite solution of the various problems arising under this article was achieved, and the matter was, like other contentious points, referred for the consideration of the Committee on Disarmament and Security.

With regard to Article 29, it was decided to refer it to the Finance Committee to suggest the sum which should be regarded as the minimum to be assured before the convention should become operative. Fifty per cent. was suggested.

The consideration of Article 30, and particularly of the important principle contained in the proposed British amendment (Document A. 111/15), was deferred until next meeting. Viscount Cecil pointed out that there seemed to be general agreement that the convention must be linked up with disarmament, and only be applicable in favour of States which had not only ratified the Disarmament Convention but also carried it into effect. He agreed, however, that there might be a difference of opinion as to whether it would be wiser to make the coming into force of the convention contingent on the prior ratification of the Disarmament Convention, or whether it would be better to follow the lines laid down in the British proposal and bring the Convention for Financial Assistance into operation as an inducement to States which might have been hesitating about ratifying the Disarmament Convention, to do so, in order to qualify for the benefits available with regard to financial assistance. The British proposal allowed a State which had ratified the Financial Assistance Convention to withdraw from that convention if the Disarmament Convention had not come into force within one year thereafter.

During the debate Sir George Foster repeated that Canada would probably be unwilling to make her acceptance of financial liability in connection with a loan dependent upon the decision of the Council, even if unanimous. She would reserve for her own Parliament the right to decide whether or not to associate Canada with the Council's decision and to participate in guaranteeing a loan. It was generally agreed that such an attitude was quite contrary to the spirit of the proposed convention, and a State adopting it would not be considered as having accepted the convention.

Certainly the most important amendment was the draft of the British delegation, when Lord Cecil moved that—

“The signatories reserve the right to withdraw from the Financial Assistance Convention if within one year from its ratification a Disarmament Convention has not come into operation. It is also to be a condition that no country which is not a party to such Disarmament Convention or which shall fail to carry out its obligations under such a convention shall be entitled to the benefits of the present convention.”

A most interesting debate took place. As the discussion proceeded it was quite clear that the British Government would be insistent upon financial assistance depending and hanging on disarmament. The two things were intertwined and interdependent. Nearly all the delegations adopted the same viewpoint. The only solitary voice of doubt was that from Uruguay, whose delegate said that it seemed to him that the committee, by this proposal to withdraw financial assistance from any member who had not ratified the Disarmament Convention, was simply relegating the rendering of financial assistance to posterity. The Danish, Norwegian, Persian, French, and Italian delegations, however, strongly supported the British viewpoint.

I was greatly interested in this discussion. Personally, I should have supposed that a scheme to render financial assistance to a State member of the League wrongly attacked should precede and encourage disarmament on the part of the State thus freed from anxiety in respect of an aggressive war upon it. But it is clear that the British Government has always adopted the view that no scheme of financial assistance should become operative unless a Disarmament Convention immediately follows the promulgation of the scheme. Eventually the British draft, as above indicated, with a change of verbiage in the first section, was adopted unanimously by the committee.

After this issue had been disposed of, the committee then returned to the consideration of the form of the various articles in the convention (Document A. 10), and after making some sundry changes in form the committee eventually carried a resolution in general terms for the acceptance of the Assembly, in which once more the connection between disarmament and financial assistance was emphasized. And finally the Third Committee suggested that the Committee on Arbitration and Security, in collaboration with the Finance Committee, should be invited to prepare a text which would be submitted for the Special Conference on Disarmament before the next Assembly.

At length a very comprehensive report on the draft convention, embodying the general views of the committee, was submitted by the Third Committee to the Assembly. Among the stipulations recommended are the following: The present convention shall not come into force until a general Disarmament Convention in accordance with Article 8 of the League Covenant has been brought into operation. The present convention shall cease to have effect as soon as the general Disarmament Convention ceases to be operative. It is also to be a condition that no country which is not a party

to such Disarmament Convention, or which shall fail to carry out its obligations under such a convention, shall be entitled to the benefits of the present convention.

As to the third question, concerning the stipulations with regard to the vote of the Council, the cases in which unanimity will be required, those in which a simple majority will suffice, and, finally, the determination of those States which will not take part in the vote, the majority of the Third Committee held that in framing these stipulations it was desirable to follow as closely as possible the exact terms of the Covenant. Accordingly, the following text was adopted on the first reading for the first two paragraphs of Article 26 :—

“ 1. Decisions of the Council under Article 1 shall require the agreement of all the members represented at the meeting other than the representatives of the parties to the dispute.

“ 2. All other decisions taken by the Council in virtue of the present convention shall be taken by a simple majority of the members represented at the meeting other than the representatives of the parties to the dispute.”

The Third Committee eventually submitted for approval by the Assembly the following resolution :—

“ The Assembly—having examined the Draft Convention on Financial Assistance drawn up by the Financial Committee; noting that the determination of the cases in which this assistance could or should be granted is in close relation with the general problem of the definition of the aggressor and with that of the means of preventing war, and that the connection between financial assistance and the reduction and limitation of armaments has been recognized and should be thoroughly examined; taking into consideration the various amendments which have been submitted, several of which necessitate adjustment in the technical machinery of the plan of assistance, whereas others are of a political character—requests the Council to take steps to ensure the early establishment of a complete text capable of being submitted to States for signature at the earliest possible date. It accordingly suggests that the Council should instruct the Committee on Arbitration and Security to draw up this text in co-operation with the Financial Committee. The text would, after it had been communicated to the Governments, be submitted for the approval either of a special Conference or, at the latest, for that of the next Assembly.”

I have dealt at length—perhaps it might be considered at inordinate length—in this report with this issue of financial assistance to a particular State wrongly and aggressively attacked by some enemy. I do so because the question of financial assistance is rapidly coming into the realm of practical politics.

#### DISARMAMENT.

After some desultory and general remarks on the subject of disarmament, Viscount Cecil moved a resolution submitted by the British delegation, as follows :—

“ The Assembly, being convinced that a progressive and general reduction of armaments is urgently needed throughout the world, expresses the hope that the Preparatory Commission will finish its labours at the earliest possible moment, and considers that in completing the Draft Disarmament Convention it should consider how far the following principles have been or ought to be adopted :—

“(a) The application of the same principles to the reduction and limitation of personnel and material whether in land, sea, or air forces ;

“(b) The limitation of the strength of a force either by limiting its numbers or its period of training, or both ;

“(c) The limitation of material either directly by enumeration or indirectly by budgetary limitation, or by both methods ;

“(d) The recognition of a competent international authority to watch and report upon the execution of the treaty.”

In reviewing the progress made by the League, Viscount Cecil stated that, while great progress had certainly been made in the direction of agreement upon arbitration, unfortunately the same did not hold true with regard to disarmament, which was really the more important subject from the point of view of ensuring peace. Treaties regarding security and arbitration are, after all, agreements resting on the good faith of the parties and affecting principally the future, whereas disarmament alone was a positive and immediate step towards the cause of peace. He reviewed, point by point, what had actually been done regarding disarmament. With regard to air, the broad general principles of reduction were laid down in 1927 : nothing material had been done since. With regard to sea, they all remembered the unhappy deadlock at Geneva in 1927. Nothing further had been done by the Preparatory Commission, but, fortunately, a great deal had been accomplished outside the Commission. In this connection, however, he wished to make one qualifying observation. It would be unwise to imagine that reduction of naval armaments by itself would secure peace, though it may help materially in that direction. History showed clearly, however, that, while navies had often taken important part, wars had always been determined ultimately by the warfare which had taken place on land. With regard to land forces, there had been no material advance since 1927 ; it might even be said that there had been retrogression.

Viscount Cecil regarded paragraph (c) of the British resolution—*i.e.*, that regarding material—as the most important of all. He stressed this point again and again. In modern warfare, he declared, more and more the question of material rather than the number of soldiers determined the result. The limitation of material had been agreed to in principle, at any rate, with regard to sea and air forces, but nothing had been achieved regarding material for land warfare. Nothing had been done with regard to the limitation of budgetary expenditure ; and, finally, with regard to the question of



supervision, it would, perhaps, be too favourable a view to say even that nothing had been done. He quoted from the minutes of the last session of the Preparatory Commission on Disarmament the remarks of the Chairman of that Commission, which stated, "The first point which appears indisputable is that the Commission is unanimous in expressing a desire that there should be a limitation and a reduction of war material." Yet, from the report on the work of the League, he found that the Commission ultimately carried the following resolution:—

"The Preparatory Commission for the Disarmament Conference, having rejected the systems of direct limitation of material in service and in stock, having noted that the system of indirect limitation (limitation of the expenditure on material) did not meet with general assent, decides that the limitation and reduction of material must be sought by means of publicity of expenditure."

"This, surely," said Lord Cecil, "is a very disappointing result."

Point (d) of the British resolution dealt with a matter which had not yet been considered by the Preparatory Commission. In this connection Viscount Cecil remarked that to establish a Disarmament Treaty and not to provide for adequate supervision would be to offer a very incomplete solution.

Finally, he wished to state that it was obvious that no organ of the League could impose on any single Power or set of Powers anything it (or they) refused to voluntarily accept. If Great Powers refused to reduce their armaments it might mean the end of the disarmament ideal of the League, and even of the League itself. But they could only submit. He felt convinced, however, that it was impossible to believe that the Great Powers would adopt such an attitude. He appealed in particular to France, which had taken such a part in the Treaty of Locarno and the Pact of Paris, to give a sympathetic lead in this most important matter. If nothing more were done the hungry peoples of the world would feel that, instead of the bread for which they asked, they were being offered a stone.

M. Loudon (Holland), President of the Preparatory Commission on Disarmament, thought that the implied criticism of the work of that Commission contained in the British proposal was hardly justified. He believed the Commission had cleared the ground to a considerable extent, and many points had been decided. He would point out that the Commission was preparing for a first Disarmament Conference, and there would probably need to be others at a later date. Their principal concern was to obtain results which were immediately possible, though they might hope for greater ones in the future. The agreement between the Naval Powers, which they all trusted to see consummated shortly, would undoubtedly facilitate the whole work of the Preparatory Commission. He did not quite understand paragraph (a) of the British resolution. The Preparatory Commission had adopted the same principles with regard to the reduction and limitation of land and air forces, and had only reserved its decision in regard to the principles to be applied in the case of naval forces pending an agreement between the Naval Powers. As regards material, the difference in character between the three branches of material (air, land, and sea) made application of the same principles to all very difficult. With regard to the resolution referred to by Viscount Cecil, that reduction of material must be sought by means of publishing annual expenditure, he pointed out that this was a compromise between two entirely conflicting points of view, and considered that it would only spell delay. As regards supervision, the Preparatory Commission had already arranged to deal with this question at its next and final session before the meeting of the General Disarmament Conference. He did not share Viscount Cecil's uneasiness with regard to the limited results achieved. The Preparatory Commission now felt that it had the support of the Powers most interested.

The French delegate said that, in the interests of speedy and rapid conclusion of their task, the French Government considered that they should not ask the Preparatory Commission to reopen discussion on points already settled. Everybody on the Preparatory Commission wished to conclude its work as early as possible, and they recognized and shared the impatience of the peoples of the world for practical results. Insufficient progress with regard to solving the problem of security was one of the principal reasons for delay with regard to disarmament. Further, the naval question had been one of the main reasons for marking time. The meeting of the Preparatory Commission held earlier this year did, in his opinion, achieve considerable progress, unanimous conclusions having been reached on various points, and he thought it would be a great mistake to ask the Commission to reopen matters already decided upon. As Viscount Cecil had made a special appeal to France, he would remind the Committee that it was France herself who had most strongly urged at the Preparatory Commission the necessity for an agreement with regard to reduction in war material. Because one Government had changed its mind since the sitting of the Preparatory Commission was not, in his opinion, sufficient reason for reopening the discussion. Governments were not eternal, and if the situation was to be reopened each time a Government fell they would never reach finality. It might be true that the Preparatory Commission had not made great progress, but the beginning was often the most difficult step, and a work begun was half done. A further difficulty about reopening the question was that all the countries represented on the Preparatory Commission were not represented on the League; and it was largely on account of the attitude of one of these countries outside the League that the compromise referred to had been agreed upon. The Preparatory Commission would meet again as soon as the naval problem was out of the way. There was no doubt about France's good will, but the question was whether to aim at an ideal or to accept what was practically possible at the moment.

Count Bernstorff (Germany) supported Viscount Cecil's proposal. He agreed that disarmament was the most important question the League had to deal with. He did not think that anywhere there could be satisfaction with regard to the decisions reached by the Preparatory Commission, particularly with reference to the limitation of war material and the exclusion from calculation of trained reservists. Germany had made clear before the Preparatory Commission her entire dissatisfaction with the decisions reached. A treaty drawn up on the basis of the work of the Preparatory Commission at the



present time might more properly be described as a treaty of mutual assistance against disarmament. He quite agreed that the question of limitation of war material was of most vital importance, and on this subject the Preparatory Commission had decided practically nothing but to exclude the whole question. Germany had proposed the abolition of aerial warfare and bombing, but without result. His country had hoped that the decisions of the Preparatory Commission might be reversed when the Disarmament Conference considered the questions, but he agreed with Viscount Cecil that it would be still more desirable if the Preparatory Commission itself were to revise its views on the subject. Unless they could solve these differences of opinion which existed in the Preparatory Commission, how could they hope for a Disarmament Conference to be successful?

The Italian delegate agreed with the views put forward by M. Loudon and the French delegate. The Governments had already gone as far in the matter of concessions as they found themselves able to go. Those who considered the results of the Preparatory Commission inadequate should express their opinions at the Disarmament Conference. It would only be a waste of time to reopen the question in the Preparatory Commission.

The Japanese delegate pointed out that the fourth point in the British proposal had not yet been considered by the Preparatory Commission, but was to be dealt with at its next meeting, and therefore he thought a resolution on that point unnecessary, and to press the other three points of the resolution would only be to expose to fresh hazards the results already obtained. He agreed with Viscount Cecil that it was most regrettable that no results had so far been obtained with regard to limitation of military and air armaments, such as had been made with reference to naval armaments at the Washington Conference, and they hoped to see the Washington results further extended by the present negotiations between Great Britain and America; but he thought it only possible, at the present, to lay down broad and general lines regarding military and air disarmament.

The majority of the speakers on the following day supported the resolution, and expressed the great disappointment of their countries that something more definite had not been done by the Preparatory Commission not merely to limit armaments, but to reduce them. The Norwegian, Danish, Swedish, Hungarian, and Austrian representatives all spoke more or less strongly in this sense. On the other hand, the Serbians, Poles, and Roumanians echoed the arguments put forward by the French representative and the Chairman of the Preparatory Commission. Some of the most interesting points made by the various speakers in support of the motion were as follows:—

The Norwegian delegate pointed out the contradiction between the great progress made by the signing of the Kellogg Pact and the optional clause, and, on the other hand, the absence of progress regarding disarmament. His Government greatly regretted the decision of the Preparatory Commission to exclude the question of the number of trained reservists from their calculations. As regards the difficulties in the way of reduction in armaments by means of limitation of budgetary expenditure, he agreed that it was almost impossible to compare budgetary expenditure as between countries, but that it was comparatively a simple matter to compare budgetary expenditure of the same country as between one year and another, and in this sense it would be possible to arrange for reduction by limitation of budgetary expenditure. Several previous speakers had appeared to assume that any decisions taken by the first Disarmament Conference when it met would necessarily remain unchanged for ten years. Ten years was mentioned in the Covenant, however, as a maximum period, and there would be nothing to prevent reconsideration in less than ten years if circumstances were propitious for a further step towards disarmament. The prolonged delay in achieving any progress towards disarmament naturally created a suspicion among the peoples of the world that behind the technical difficulties which were given as the grounds for inability to make progress there must be sinister forces at work.

The Danish delegate urged that, in any case, the work of the Preparatory Commission ought to be concluded at its next session, and the Disarmament Conference convened with as little delay as possible thereafter. The long delays of the Preparatory Commission had produced a most unfortunate impression, and the prestige of the League was at stake. While there might be danger in going forward, there was greater danger in going backward or doing nothing. He specially recommended for consideration by the Preparatory Commission a draft convention drawn up by the inter-parliamentary Union, which, in his opinion, was the most satisfactory attempt yet made to deal with this difficult subject. A copy of this draft convention will be found amongst the documents accompanying this report.

The Swedish delegate feared that the concessions made by those representing different views in the Preparatory Commission had always been at the expense of disarmament. They amounted to little more than an agreement to limit the limitation and reduce the reduction of armaments. He also strongly supported the calling of the Disarmament Conference without delay after the next session of the Preparatory Commission.

The Hungarian and Austrian delegates pointed out that their countries were not represented on the Preparatory Commission, and that the debate in the Third Committee was, therefore, their only chance to express the entire dissatisfaction with which their countries viewed what had been done in the Preparatory Commission, particularly with regard to the exclusion from consideration of trained reservists and stocks of war material. They heartily supported the British proposal, and hoped it might bring the Preparatory Commission back into the right path.

A notable speech of the session, however, on account of the earnestness and eloquence of the speaker, was that of Sir George Foster (Canada), who urged that the tremendously strong sentiment of the North American Continent—not only of Canada, but of the United States of America—with regard to the necessity for avoiding war and reducing armaments must be noted and taken account of. While difficulties certainly existed with regard to disarmament, they were of much less importance than human life and human happiness. Enlightened opinion of the world, and in particular of northern

America, was insistent that a way must be found to overcome these difficulties and to achieve a really substantial measure of disarmament. He could not understand what objection there could be to Viscount Cecil's proposals. Whilst strongly urging the necessity for reconsideration by the Preparatory Commission, he declared himself entirely optimistic as to the results desired being eventually achieved. Progress made in the ten years since the First Assembly rendered it impossible for any one who followed the work of the League to be other than an optimist.

On the third day of the debate the Chinese and Portuguese delegates also strongly supported Viscount Cecil's motion. In a very outspoken speech, the Chinese delegate said the so-called "agreements" regarding disarmament reached by the Preparatory Commission were really nothing more than a whitewashing of failure to reach any result of any importance, and it was absurd to maintain that such decisions could not be subject to revision. Unless they were revised, there seemed no chance of a Disarmament Conference achieving any real results.

The Greek representative, M. Politis, thought that Viscount Cecil's desires had to a considerable extent been achieved, as the discussions in the committee and the support given to his proposals could not fail to be taken into account by the Preparatory Commission. He proposed a motion which he thought would prove a satisfactory compromise between the opposing points of view. This proposal, which was subsequently adopted (Document A. 83), provided, amongst other things, that the minutes of the committee and of the Assembly concerning the matter should be communicated to the Preparatory Commission for any necessary action. This would also give an opportunity to those supporting Viscount Cecil's views to restate them before the Preparatory Commission. The motion also emphasized the necessity for the Commission to terminate its labours at an early date.

In reply, Lord Cecil pointed out that the objections to his resolution had been not so much as to its substance but rather as to the advisability of procedure. He thought the debate had elicited definitely that regarding points (a), (b), and (d) of his resolution, the door was still open for further consideration by the Preparatory Commission, and he quoted from the minutes of that Commission paragraphs which he thought indicated that it was still not impossible for the Commission further to consider point (c), regarding limitation of war material, which he again emphasized was much the most important of all the points raised. While there was a strong temptation to press the matter to a vote, and while he thought it quite possible, in that event, that a majority for his resolution would be obtained, he had decided to accept the compromise suggested by M. Politis, as he thought nothing was to be gained by a decision which, in any case, would only be adopted against the views of a large minority, and which might only tend to embitter relations. At the same time, he pointed out that, while agreement was essential, it was "fatally easy to agree to do nothing," and that a triumph of diplomacy might quite possibly do nothing for the cause of disarmament. Unless limitation of material was provided for in a Disarmament Treaty, such Treaty would be little better than a sham.

The French delegate recommended approving the resolution of M. Politis, which he thought was a true picture of the position, and particularly as it allowed of all that had been said in the committee being taken into account by the Preparatory Commission.

Count Bernstorff (Germany) said that, while he would have greatly preferred Lord Cecil's resolution, he would accept that of M. Politis, as most of what Lord Cecil had desired to achieve had already been obtained, as the points would all be considered by the Preparatory Commission. Stress had been laid upon the necessity for mutual concessions. "I cannot remember," he said, "a single case in which a concession has been made in favour of disarmament. A most glaring case of this is the decision at the last session to exclude altogether the question of limitation of material. The signature to a treaty which does not effect substantial disarmament will be contrary both to the Covenant and to the Treaties of Peace."

And so the debate on disarmament, quite the most important of all the committee discussions this year, concluded. The debate, I feel sure, will assist the Preparatory Commission to hasten its labours to attain some tangible result.

#### COMMUNICATIONS OF LEAGUE IN TIMES OF EMERGENCY : FACILITIES TO BE GRANTED TO AIRCRAFT.

Particulars regarding this matter will be found in the general report and supplementary report on the work of the League since the last Assembly (Document A. 6 and A. 6 (a)), and in Document A. 82, the report presented to the Assembly by the Third Committee and adopted by it. The object of the proposal is to ensure that independent means of communication shall be available for the League in times of emergency, for such purposes as the carriage of League mails or staff, and the transport of members of the League Council or Assembly to and from Geneva. This, of course, involves the passage of aircraft over the territory of various countries, and makes it necessary that agreement should be come to exactly defining the facilities to be granted to aircraft employed in such ways on League business. The question of the legal status of such aircraft was among those considered by the International Commission for Air Navigation which met in 1919, and is to meet again shortly. It so happened that a private individual, claiming to represent the International League of Aviators, laid before the Commission mentioned a proposal for the creation of a League air fleet, which would enable the League not merely to maintain independent communications, but to enforce sanctions against any country committing an act of aggression. This, coupled with the fact that it is proposed to construct a League aerodrome near Geneva, has unfortunately led to the object of the present proposals being entirely misrepresented in some quarters, which have issued alarmist reports regarding the alleged intention of creating a large air fleet. As will be seen from Document A. 82, no such intention exists.

Other matters dealt with by the Third Committee were the supervision of the private manufacture and publicity of the manufacture of arms and ammunition and of implements of war, and the model treaty to strengthen means of preventing war. Both these subjects were referred to in my report last year. As will be seen from the reports concerning them, adopted by the Assembly (Documents A. 87 and A. 84), little or no progress regarding either of them has been made during the present year, nor does there appear to be much prospect of material progress being made in the near future.

## FOURTH COMMITTEE.

As regards League finances, the Audited Accounts for 1928 (Document A. 3) did not call for comment.

## BUDGET FOR 1930.

This year, as in former years, the work of the Fourth Committee had been much facilitated by the close scrutiny which the Supervisory Commission had given to the estimates prepared by the Secretariat, the Director of the International Labour Office, and the Registrar of the Permanent Court of International Justice. Credits additional to those shown in the estimates as prepared for the Assembly (see three documents bearing the numbers A. 4, 4 (a), and 4 (b)) were, of course, called for, but, although one or two questions of principle were raised, the estimates as originally presented did not give rise to a long discussion so far as the items were concerned. This is not surprising, since, according to the report of the Supervisory Commission (page 2 of Document A. 5), the increase in the 1930 estimates over the Budget of 1929 "was not so much as the total of the annual increments for the staff," a position due to some reduction of estimated expenditure in various departments. The increase in the estimates of the International Labour Office over the Budget figures for 1929 (for there is actually an increase when one takes account of the transfer from that Office to the Secretariat of the sum of 298,000 francs for work on behalf of refugees) was largely due to the automatic augmentation of salaries; and the same may be said in regard to the estimates of the Permanent Court of International Justice.

The general debate on the Budget affords members of the Fourth Committee a wide opportunity, but this year there was little discussion. One delegate, however, raised a question regarding the activity of members of the staff of the International Labour Office in Home politics. The delegate who raised the point did not receive much articulate support, but one was aware of a deep feeling in the Committee in favour of the principle of strict neutrality in party politics, and it is to be hoped that the Committee which is going into staff matters will not lose sight of this principle.

## TRAVELLING-EXPENSES OF DELEGATES.

During the Ninth Assembly the Secretary-General was asked to submit to the Assembly of 1929 an estimate of the cost of the travelling-expenses of three delegates of each member of the League from their country to Geneva and return. The Secretary-General stated this year that on the basis allotted for members of League Commissions (*i.e.*, moderate first-class fares on steamships, first-class on railways, with sleeping-accommodation, journey allowances to cover necessary disbursements during the trip) the sum involved would amount to 430,000 Swiss francs.

It seems to me that a proposal to include in the Budget of the League a sum of money to enable each State to send three delegates has much to commend it in principle. No action was taken this year, as it was thought advisable to give Governments an opportunity of expressing their opinion of the proposal, and, if they approved, of instructing their delegates on various points of detail.

## ARMENIAN REFUGEES IN ERIVAN.

The sum of 50,000 francs for administrative expenses for the settlement of Armenian refugees in Erivan was struck out of the estimates, the High Commissioner for Refugees having expressed the opinion that it was useless to go on with the work. This saving, however, is rendered almost negligible owing to an addition of 35,800 francs to the vote for other refugee work.

Certain credits were demanded for which it was not possible to make provision in the Budget for the twelfth financial period, and they are shown in Document No. A. 4 (c).

Amongst the supplementary credits rendered necessary by decisions of the Assembly itself, the sum of 120,000 francs was voted to cover the cost of additional work thrown upon the Economic and Financial Section, including that to be incurred in a possible Geneva Conference.

There was considerable addition to the Health Budget, including about 50,000 francs to be used in connection with the sanitary reorganization of Bolivia, and 100,000 francs for a survey of port health and maritime quarantine to be carried out in China. So much of the Health Organization's work has been concerned with Europe that it would have been unwise to contest the credit to be used in inquiries in Eastern countries and in South America.

A Conference on the Treatment of Foreigners has been convened for November this year. During the debate in the Fourth Committee the Secretary-General informed those present that the Council had decided, subject to the approval of the Fourth Committee and of the Assembly, that this Conference should be held in Paris instead of in Geneva, thus entailing an additional cost of 69,000 francs. In explanation of the Council's decision, the Secretary-General stated that Ministers in Paris of certain South American States had represented that it would be more convenient to them if the Conference were held in Paris, as they would not then have to leave their Legations. The chief spokesman for Latin America repeated the explanation already given by the Secretary-General, and added that, although the Latin-American States were deeply interested in the proposed Conference, it might be necessary for them to abstain from taking part unless it were held in Paris. A motion to have the Conference in Paris was put to the vote and carried by twenty-four votes to seven.

## SECRETARY-GENERAL'S HOUSE.

The Secretary-General has for many years occupied a house and grounds adjoining the Ariana Park, in which the new building of the League is being erected. Indeed, the house adjoins the building-site. A citizen of the United States, being of the opinion that the property is of great

public value, has recently purchased it, and has engaged himself not to resell it without having previously offered it to the League at the price paid. One can easily justify the assumption that development in this part of Geneva will be such as to cause a considerable increase in values, and on this ground, as well as on others, it seems desirable that the League should acquire the house occupied by the Secretary-General. The Fourth Committee so decided. The price is 775,000 Swiss francs. A mortgage on the property of 200,000 Swiss francs is to be allowed to remain for the present, and the balance is to be found by having recourse to the surplus for the year 1928. Consequently the usual surplus to be allocated to the members of the League is reduced to 413,659 francs.

The Fourth Committee's report on financial questions was presented to and passed by the Assembly on the 25th September (see Document A. 90). It will be seen that the Budget, including the supplementary items, submitted to Governments before the opening of the Assembly amounted to 27,650,506 francs, and that during the course of the Assembly additional credits amounting to 782,742 francs were demanded. By a process of revision of the Budget as a whole, however, the addition was reduced to 559,742 francs. The total Budget for the year 1930 amounts to 28,210,248 francs.

#### THE NEW BUILDING.

The foundation-stone of the new building was laid by the President of the Assembly on Saturday, the 7th September. Amongst the articles placed in the stone was a small box containing a sovereign, half a crown, and a penny from New Zealand. Other members made similar deposits.

There was submitted to the Assembly a report (Document A. 58) from the Building Committee, and this came before the Fourth Committee. There was a short discussion, in which stress was laid on the need for adapting the design of the Assembly Hall in such a manner as to provide good acoustic properties. It is to be hoped that the architects and others concerned (to whom the best advice is being made available) will not lose sight of this aspect. The Assembly suffers greatly from the bad acoustics of the hall in Geneva which has been used for its meetings since 1920.

The Fourth Committee's report on this question to the Assembly (Document A. 80) was passed on the 23rd September.

#### SUPERVISORY COMMISSION.

The Ninth Assembly decided that in future the members of the Supervisory Commission should be appointed by the Assembly, and not by the Council. The Council proposed that the General Committee of the Assembly should submit a list of five names to the Assembly, and this method of nomination was approved by the Fourth Committee, on the understanding that two of the members elected this year should be nominated for one year, two for two years, and one for three years, the vacancies, of course, being filled by the Assembly as they arose.

A proposal was made that the Supervisory Committee should be increased to seven members. All those who spoke in favour of the motion praised highly the work of the old committee of five members, but adduced no sufficiently good reason for increasing the number. Much valuable time was wasted in discussing the proposal, until one delegate drily remarked that had membership of the Fourth Committee been limited to five persons the question would have been settled in a few minutes. The proposal was put to the vote and heavily defeated.

Consideration of the question of the re-eligibility for election of retiring members was postponed till next year.

The Fourth Committee's report was adopted by the Assembly on the 14th September (Document A. 54).

The old Supervisory Committee having resigned, the Assembly elected, on the 23rd September, the following: Lord Meston, Count Moltke, M. Osusky, M. Parra Perez, and M. Reveillaud to serve as members, and M. Botella and Prince Varnaidya to serve as substitute members. (See Document A. 74.)

#### PERMANENT COURT OF INTERNATIONAL JUSTICE.

The recommendations of the First Committee regarding the revision of the statute of the Permanent Court of International Justice involved considerations of a financial nature. These are dealt with in a report of the Supervisory Commission (pages 3 and 4 of Document A. 5 (a)), where will be found the recommendations of the Commission regarding the salaries, pensions, and travelling-allowances of members of the Court. These recommendations were approved by the Fourth Committee, and a resolution on the subject was passed by the Assembly at its meeting on the 14th September (Document A. 53). No increase under this heading is involved for 1930, as the revised statute cannot come into force before the 1st January, 1931.

#### ALLOCATION OF EXPENSES.

As stated in my report of the Ninth Assembly, the present scale of allocation of the expenses of the League will remain in force until the end of 1932. This year the Fourth Committee passed a resolution requesting all States members of the League to forward to the Secretariat their estimates and closed accounts for each financial period regularly and immediately on publication, and drawing particular attention to the importance of supplying the budgetary documents for the financial year 1930-31. It will be recollected that the Committee on the Allocation of Expenses is to submit to the Assembly of 1932 a revised scale of allocation.

#### CONTRIBUTIONS IN ARREARS.

The report, which was passed by the Assembly on 23rd September, is numbered A. 88.

## SECRETARIAT.

In my report on the Assembly of 1928 I referred to the uneasiness felt by a number of delegates regarding the method of recruiting the staff. The Ninth Assembly had called for a report, and it was fully expected that this report would be before the delegates to the Tenth Assembly. Unfortunately, no such document was presented. It appeared from the statement made to the Fourth Committee by the Secretary-General that the question had been fully examined by two committees formed from amongst the members of the Secretariat, whose reports had been placed in the hands of the Supervisory Commission. The Supervisory Commission, however, had not had at its disposal time to examine the material submitted, and stated in its report (document A. 5 (a)) that it would submit its conclusions to the Assembly of 1930.

Mr. Henderson (representing Great Britain) had indicated in his speech to the Assembly early in the session that concrete proposals for examining all matters relating to the staff of the Secretariat would be submitted, and the Fourth Committee accordingly received in due course a motion in the name of the British delegation. This motion proposed a committee of five, including two members or the Supervisory Commission, to inquire as to what steps (and, in particular, what amendments to the Staff Regulations) could be taken to ensure the best possible administrative results, and it proceeded to lay down the terms of reference. There was another motion, standing in the name of the Italian delegation, which, whilst having the same object in view, would have allowed the Committee of Inquiry greater scope, since it would be directed to "consider all matters connected with the organization and duties of the Secretariat." Each motion found its partisans and its critics. The debate was protracted and interesting. There were those who would have applied principles of nationalism, whilst, on the other hand, there were advocates of abstract internationalism.

I cannot conceive of a more difficult problem than that of the method of appointing members of the staff. The solution, whatever it may be, cannot possibly, except by a miracle, satisfy everybody. Some of the nations will continue to insist on an adequate representation of their nationals on the staff of the Secretariat; but, to mention one of many important aspects of the question, the disinterested advocates for efficiency will demand in candidates a close acquaintance with the two official languages of the League—French and English. The ideal to be aimed at—an International Civil Service, the members of which, whilst not forgetting their own country, yet cultivate an international spirit which makes for impartiality—will, I am afraid, long remain a fine ideal. Nevertheless, the necessity for reform is obvious.

In the course of the debate it was suggested that the British and Italian motions should be considered by a small sub-committee of about four in an endeavour to bring the conflicting elements into line. This suggestion was eventually accepted. The report of the sub-committee was in the nature of a compromise. It took the form of a recital of the British and Italian draft resolutions, and concluded as follows:—

"The Assembly, taking note of these two draft resolutions, decides that a Committee of Inquiry shall be constituted, consisting of nine members, two of whom shall be members of the Supervisory Commission, to be appointed by the Assembly, to examine what steps could be taken to ensure, in the future as in the past, the best possible administrative results for the Secretariat, the International Labour Office, and the Permanent Court of International Justice, and to prepare a report thereon in adequate time so that it may be submitted to the Governments for consideration before the next session of the Assembly. For that purpose, the various resolutions proposed on the subject to the Fourth Committee shall be transmitted to the Committee of Inquiry."

After further discussion the sub-committee's report was adopted by the Fourth Committee, with slight amendments, and passed by the Assembly at its meeting on the 23rd September (Document A. 79).

After the Fourth Committee's report had been passed by the Assembly it was considered by the General Committee of the Assembly in order that the latter body might suggest the names of nine persons to compose the Committee of Inquiry. The General Committee at this stage proposed that the Committee of Inquiry should be increased from nine to thirteen in number. The question of numbers had been the subject of some discussion in the Fourth Committee, and many delegates had been of opinion that a small committee was much better suited to the task. These delegates had accepted the increase from five to nine as a compromise. However, the Assembly, on the 24th September, agreed to the Committee of Inquiry being composed of thirteen members, and on the next day elected the following to serve (Document A. 92): M. Adatci, Count Bernstorff, Viscount Cecil of Chelwood, Sir Atul Chatterjee, H. Hambro, Mme. Kluyver, M. Loucheur, M. Osusky (member of the Supervisory Commission), M. Quinones de Leon, M. Parra-Perez (member of the Supervisory Commission), M. Scialoja, M. Sokal, M. Urrutia.

## FIFTH COMMITTEE.

The Fifth Committee continued on the same lines as heretofore, and it feels that a distinct advance has been made in the work that has been delegated to it.

## CHILD WELFARE.

In the child-welfare work it has completed the important and difficult task of preparing two draft international conventions intended to meet the difficulties which have been often referred to by associations or groups engaged in child-welfare work. The first one deals with the moral and material neglect suffered by children and young people who have escaped or been removed from the authority of their parents or guardians, and the second is wider and more important in scope, and is intended to

assist all indigent foreign minors. The underlying principle of both these draft conventions is that the interest of the child must be the first consideration.

The practical benefits which the Fifth Committee has achieved are the raising of the age of marriage and consent ; the improvement in the system of Juvenile Courts, and the work which should be allotted to these institutions.

A great deal of work has been done by the Child Welfare Committee in connection with the position of illegitimate children, and the opinion was expressed that on all questions of protection and assistance the illegitimate child should be as well treated as the legitimate child, due respect being paid to the rights of the family.

The next subject of investigation is the organization and working of Juvenile Courts, and the committee is now awaiting the replies to the questionnaire sent to all Governments both members and non-members of the League.

The Director of the International Educational Cinematographic Institute, who is working in connection with the Fifth Committee, explained the results that had been obtained concerning the researches on the physical and moral effects of the cinema on the child. He has arranged to send the results of all investigations to the members of the committee.

The Child Welfare Committee intends to continue the work that it has begun on the lines on which it has been working.

The Fifth Committee's report on child welfare to the Assembly is contained in Document A. 55.

#### TRAFFIC IN WOMEN AND CHILDREN.

In this branch of its work there has been a great advance, because the committee is now in a position to continue its investigations in those countries where no investigations had taken place before. With the consent and co-operation of the Governments concerned, it is now possible to continue this work in many eastern countries. Taking into account the difference in habits, customs, and conditions, it is clear that the nature and extent of the inquiries to be made and the methods to be followed will have to receive special consideration.

One point that came under much discussion was the means of ensuring that legislation and its application should be effective in bringing the *souteneur* to justice, and in order to do this it was considered desirable that severe penalties should be inflicted. The committee came to the conclusion that the age-limit (twenty-one) causes administrative difficulties in detecting cases of international traffic, and urges that the age-limit of twenty-one be omitted.

The consideration of a number of questions had to be postponed, but two of them are considered to be of particular importance—namely, (1) the protection of young female artistes touring abroad in music-halls and similar places of amusement, and (2) the employment of women police.

The report of the Fifth Committee to the Assembly concerning traffic in women and children is Document A. 60.

#### TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

This subject occupied several meetings, and all the members were very interested. The seriousness of the illicit traffic continues, and large quantities of drugs intended for this purpose have been seized.

The members of the Committee were unanimously of opinion that there should be a limitation in the manufacture of drugs, but the difficulties of effecting this purpose seemed at first to be insuperable. However, the discussions concentrated upon three main points :—

- (1) The vital necessity of the universal ratification and strict application of the Geneva Convention ;
- (2) The necessity of securing an international agreement by which each of the manufacturing countries would consent to limit its manufacture to a definite quota of the world's scientific and medical requirements as regards morphine, heroin, and cocaine, and similar drugs ;
- (3) The future constitution of the Advisory Committee in such a manner as to allow of a more effective representation of non-manufacturing countries.

The greater part of the debate in the Fifth Committee was concentrated upon the question of the limitation of manufacture, and how this could be secured. The result of the discussion disclosed the fact that for the first time in the history of the League an agreement had been come to amongst the manufacturing countries as to the desirability of the limitation of manufacture, to be secured by means of an International Conference which would determine the total amount of narcotic drugs required to meet the legitimate medical and scientific needs of the world, as well as the quota to be allocated amongst the various manufacturing countries.

In order to protect the non-producing countries or centres of distribution which are regarded as victims of the illicit traffic, it was resolved that a certain proportion of representation should be given to the non-producing countries. It was also decided to consider inviting the International Criminal Police Commission to present, after consulting all the police authorities represented upon it, suggestions as to the ways in which the Commission and the authorities represented upon it can best assist the League of Nations and the States members of the League in the suppression of the illicit traffic in opium and other dangerous drugs, and for the protection of women and children.

I would draw your particular attention to paragraphs 1, 2, and 3, *re* postal matter (page 3 of Document A. 86, 1929).

A resolution proposed by the British delegation (Document A. 86, page 6) was the centre of discussion for the means to deal with this subject, and after a long discussion the British resolution, modified by suggestions from other delegations, was unanimously carried.

As a result of this meeting the Fifth Committee feels that, while the situation still continues to be grave, the step taken at this meeting to secure a Conference on the Limitation of Manufacture, made possible for the first time by the acceptance by manufacturing countries of the principle of direct limitation of manufacture by means of an international agreement, justifies hope of the ultimate success of the League's effort. But this success must depend on the fullest possible co-operation of all Governments. During the discussions the opinion was expressed that the development of an international public opinion, which will be a direct result of the formation of the League of Nations is likely to be the most powerful factor in bringing about these results, and, indeed, particularly is this the case in humanitarian movements.

#### SIXTH COMMITTEE.

Among the questions discussed by this committee the most important were the following: (1) Slavery; (2) mandates and mandated territories; (3) refugees.

##### SLAVERY.

With regard to the perennial subject of slavery, another long discussion took place this year. It appeared that the measures already adopted with regard to this subject had not proved as fully effective as had been hoped. The British delegation proposed, therefore, that the Slavery Committee should be re-established with a view to obtaining additional information and endeavouring to expedite ratification of the Slavery Convention by various dilatory States.

A sub-committee was set up to consider the question. The report of this sub-committee (which especially considered the British proposal for a Commission) came before the Sixth Committee. It was then ascertained that the sub-committee had been unable to adopt the British proposal. It recommended, in place of the British view, that the Secretariat should during the coming year make the fullest possible inquiries in the various countries where the evil is existent. The Sixth Committee seemed pretty unanimous that the question could be best dealt with by the Secretariat in this fashion. I was unable to agree with this opinion, and supported the view of Lord Cecil, the British delegate, that we should get much closer to the truth by having a Special Commission. Eventually the British view was rejected in favour of a proposal for further official inquiries by the Secretariat during the coming year.

It is to be regretted that a great many nations have, as yet, failed to ratify the Slavery Convention, but I have some hope that the pressure of world opinion voiced through the League may soon induce these people to come into line with ratifying States.

##### MANDATES.

The Sixth Committee, as usual, considered the question of mandates (Documents A. 42 and A. 62). Dr. Nansen presented the usual report. He expressed a strong opinion in favour of the Mandatory Powers sending high officials to represent them when their reports were being discussed by the Permanent Mandates Commission. He said that the question of sovereignty appeared to have been finally settled by the Council, and it was understood that, in the strict meaning of the term, the Mandatory Power possessed no sovereignty over a mandated territory. In regard to Tanganyika Dr. Nansen was glad to note the very important statement made by the representative of the British Empire. Another delicate question was that of Palestine. Every one realized the difficulties of the present situation, and members of the committee had therefore listened with satisfaction to the statement of the Prime Minister and Foreign Secretary. Dr. Nansen hoped that the Government would find a satisfactory solution and would succeed in removing all causes of friction. In regard to the campaign against the liquor traffic, Dr. Nansen noted with satisfaction the final accession of the Mandatory Powers to the definition of "liquor" contained in the Treaty of St. Germain and in various conventions. He was happy to perceive that relations between Persia and Irak had improved. This had mainly been due to the new legal system introduced into Irak.

The above reference to Tanganyika was in respect of a proposal to attach Tanganyika to Kenya. Recently a Royal Commission (called the Hilton-Young Commission) has recommended that, for economic and various other cogent reasons, the Mandated Territory of Tanganyika should be incorporated in the adjoining British colony for all administrative purposes. Strong opposition to this proposal was manifested in the League. Indeed, the opponents were only satisfied after the British Foreign Minister had declared that whatever action the British Government decided upon in regard to the proposed union should be first submitted to the Permanent Mandates Commission.

There was some discussion on Palestine. The delegate for Italy hoped that the League would assist the Mandatory Power (Great Britain) in her heavy task.

I spoke and said that I agreed with the representative of Italy that nothing should be done to create difficulties for the Mandatory Powers generally in the accomplishment of their task. The mandate system was still in the experimental stage, but its success was probable, thanks to the existing co-operation between the Mandatory Powers and the Mandates Commission. I said I did not wish to discuss the question of sovereignty, but noted simply that the mandate system had created new relations which were different from all former notions of international law on the subject.

The delegate from Germany, M. von Schubert, then followed. He submitted a number of general observations showing the German Government's point of view. He expressed his satisfaction at the manner in which the Permanent Mandates Commission had fulfilled its difficult task. That Commission sought to ensure the application of principles which formed the basis of the mandates system, especially the maintenance of mandated territories as integral units. That principle applied particu-



larly to the constitutional status of Tanganyika. This and the question of sovereignty were questions to which the German Government attached great importance.

I should especially mention, I think, a discussion on the subject of the mandates system generally which took place some days later in the Sixth Committee. In view of New Zealand's mandate over Samoa, I followed the debate closely. The discussion created much interest, and was fully reported in the newspapers, both English and foreign.

As already stated, Dr. Nansen (the Rapporteur to the Assembly), in his opening speech on the subject of mandates generally, claimed that it is now "generally recognized that formal sovereignty does not reside in the Mandatory Power." As South Africa has always been more or less insistent that sovereignty does lie in the Mandatory, this statement was not quite acceptable to her representative. Moreover, the suspicion of the European Powers, and particularly of those who do not possess mandates, are easily aroused when any suggestion is made that the Mandatory Power has a permanent mission in its mandated territory. For instance, as already noted, it was unfortunate that, at the same time a British proposal to absorb the Tanganyika Mandated Territory into the administration of the neighbouring British colony of Kenya, in terms of the Hilton-Young Commission's report, had aroused opposition here in Geneva. Following Dr. Nansen, the High Commissioner for South Africa said he considered the Sixth Committee incompetent to discuss the issue of sovereignty, and he more than broadly hinted his intention of raising the question before the next meeting of the Council of the League.

The delegate for Italy (Count Bonin-Longare) then stated, in no undecided terms, the opinion of Italy, which was that the mandatory form of government was of a "quite temporary" character—a "guardianship or tutelage"—and was liable to be "terminated by the League at any time." This bold statement immediately drew other representatives. The French delegates most vigorously disagreed with the Italian interpretation. Doctor von Schubert, the Secretary of State for Foreign Affairs for Germany, who sits on the Sixth Committee, then took up the cudgels for the "merely temporary" interpretation, which naturally led to further debate.

The British delegate pointed out that the mandate was really granted by the Allied powers, including America, and the British lady delegate (Mrs. Swanwick) implied that the mandate could not be modified or revoked without the consent of the Mandatory.

For New Zealand, I briefly intervened to say that we viewed the question of formal sovereignty as largely academic, but that I would reserve my Government's opinion on the subject. I ventured to point out that the Council of the League had laid it down that the old nomenclature and terms of international law were scarcely applicable to the mandatory system, which was an entirely new form of government, unknown in the world before the war—a system which would evolve gradually as a workable machine. I thought, therefore, any argument about the technical issue of sovereignty was rather profitless. On the other hand, I stated that the use of such terms as a "merely temporary system" and only a "guardianship or tutelage" was likely to create difficulties for all the Mandatories, and, indeed, to make their position almost impossible in governing the Native races under them. The Natives might easily get the impression that the Mandatory was merely a sort of tenant at will, liable to be ejected by some superior power at Geneva, and such a result, bringing, as it would, lack of respect for the authority of the Mandatory, would be little less than a disaster.

The next day the debate was continued, and I ventured again to stress this aspect, and when Dr. Nansen's report, which was to go to the Assembly, was brought in draft form before the committee I again stated that, in my judgment, two expressions had been used which were unfortunate: one was "sovereignty," and the other word (at the other end of the pole) was "temporary." I suggested that it would be prudent to cut out the discussion altogether from the report. The South African delegate strongly supported this point of view, and the result was that Dr. Nansen's annual report, adopted the next day by the full Assembly, contains only the following reference to the mandatory system:—

"In the course of the general discussion, which touched upon a number of aspects of the institution of mandates, a highly interesting exchange of views took place with regard to the conception of sovereignty as far as mandated territories are concerned. It will be remembered that the matter has been repeatedly dealt with by the Council of the League and by the Permanent Mandates Commission. The committee is confident that when the matter comes up again the Council will find it possible to solve any practical problems which may arise."

#### REFUGEE WORK.

The third meeting of the committee considered the question of refugee work (Documents A. 23, A. 23 (a), A. 25, A. VI/2, A. IV/10, A. IV/21, A. 63, and A. 70). Dr. Nansen gave a summary of the work, and reported that the Advisory Commission on this subject had made two recommendations: (1) That it was impossible to adopt radical measures for the solution of the problem either by mass naturalization of refugees or repatriation, and that it recommended that the work should be proceeded with on present lines for a maximum period of ten years; (2) that the Refugee Organization should be incorporated in the framework of the Secretariat of the League as a temporary department. The Supervisory Commission had, however, not approved the latter suggestion, as it foresaw difficulties, owing to the Refugee Organization administering funds received from private and other sources not connected with the League. Dr. Nansen strongly urged that the Sixth Committee should support his and the Advisory Committee's proposal, and that the Supervisory Committee should be requested to reconsider the matter, as the refugee work would be much hampered if it were necessary to set up an autonomous organization not directly under the auspices of the League.



Eventually the Sixth Committee came to the conclusion that it would be the better plan to incorporate the services in the Secretariat than to constitute a temporary autonomous organization in conformity with the Supervisory Commission's suggestion.

The problem having numerous financial and administrative aspects, the Sixth Committee applied to the Fourth Committee. At its meeting on the 17th September the Fourth Committee heard Dr. Nansen and the Rapporteur, and decided to set up a sub-committee to make a detailed study of the question. This sub-committee's report was submitted on the 19th September to the Fourth Committee, which approved it. Here are one or two important sections which were thus adopted:—

“ In examining the question of the future organization of the services of the High Commissioner for Refugees, the sub-committee noted that the Advisory Committee for Refugees and the Supervisory Commission and the High Commissioner himself, whilst proposing different solutions, had the same end in view—namely, to carry through this organization in such a way as to enable the High Commissioner's work to be terminated as speedily and satisfactorily as possible.

“ The sub-committee proposed that the High Commissioner's central service should be placed for a period of one year, and as an experiment, under the administrative authority of the Secretary-General of the League of Nations. During this period all the financial obligations of the High Commissioner and the funds accruing from external sources will be administered and controlled by the competent organs of the League in accordance with the Financial Regulations and the decisions of the Assembly, under conditions which will be subject to examination and approval by the Supervisory Commission. It is, moreover, understood that this temporary management will not affect the status of the personnel of the High Commissioner.

“ The Secretary-General will thus be in a position to consider the whole of the questions relating to this problem, to report to the next Assembly on the experience thus obtained, and to make proposals for the administration of the Refugees Organization during the whole period in which it is being wound up.

“ The Secretary-General had no objection to the proposed arrangement, but he pointed out that the personnel thus incorporated in the Secretariat must be disregarded if a reckoning be made of the number of the different nationalities on the Secretariat. The sub-committee agreed to this view.”

In conclusion, the Sixth Committee proposed to the Assembly the adoption of the following resolutions, which ultimately were carried:—

“ The Assembly—

“ (1) Has examined the reports submitted by the High Commissioner, the Advisory Commission, and the Supervisory Commission on the question of Russian, Armenian, Assyrian, Assyro-Chaldean, and Turkish refugees ;

“ (2) Thanks the High Commissioner and the Advisory Commission for the work accomplished, and asks them to continue their work on the basis of the programme outlined in the Advisory Commission's report, under the direction of the Council of the League of Nations ;

“ (3) Decides that the Refugees' Organization should be wound up within a maximum period of ten years ;

“ (4) Recommends that the work of winding-up should be methodically pursued in order that it may be possible subsequently to reduce this period of ten years ;

“ (5) Decides that the High Commissioner's central service be placed for a period of one year, and, as an experiment, under the administrative authority of the Secretary-General of the League of Nations, subject to the conditions indicated by the Fourth Committee ;

“ (6) Requests the Secretary-General to report to the next Assembly on the experience thus acquired, and to make proposals for the administration of the Refugees' Organization during the whole period in which it is being wound up.”

With regard to the settlement of Armenian refugees in the Republic of Erivan, Dr. Nansen reported that it had proved impossible to make satisfactory arrangements, and he recommended that the League should drop this project for the present.

I have the honour to be, Sir,

Your obedient servant,

C. J. PARR,

High Commissioner for New Zealand.

The Right Honourable the Prime Minister, Wellington, New Zealand.

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