LEAGUE OF NATIONS

Report to the Eighth Ordinary Session of the Assembly of the League on the Work of the Council, on the Work of the Secretariat and on the Measures taken to execute the Decisions of the Assembly.
NOTE.

The present report summarises the work of the Council, of the Conferences and Committees of the League of Nations, and of the Secretariat from the date of the meeting of the seventh ordinary session of the Assembly until about May 15th, 1927.

A supplementary report, which will be distributed on the opening day of the eighth ordinary session of the Assembly, will summarise the work of the forty-fifth session of the Council (June 1927) and such Conferences and Committees of the League as have met between the date of the compilation of the present report and September 1927.

In conformity with the procedure adopted for the last four years, a special annex to the supplementary report will give the situation to date in regard to the progress of international conventions and engagements as indicated by instruments deposited with the Secretariat of the League or by treaties which particularly concern the organisations of the League.

In accordance with the recommendation made by the Assembly during its fifth ordinary session, a report prepared by the Registrar of the Permanent Court of International Justice on the Work of the Court, and a report by the Director of the International Labour Office on that of the International Labour Organisation, will be distributed at the same time as the supplementary report.

Geneva, June 1st, 1927.
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I. COMMITTEE OF EXPERTS FOR THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

The Committee of Experts for the Progressive Codification of International Law appointed under the Assembly resolution of September 22nd, 1924, held its third session at Geneva from March 22nd to April 2nd, 1927, under the Chairmanship of M. Hammarskjöld, Governor of Upsala. The terms of reference of the Committee are as follows:

(1) To prepare a provisional list of the subjects of international law the regulation of which by international agreement would seem to be most desirable and realisable at the present moment;

(2) After communication of the list by the Secretariat to the Governments of States, whether Members of the League or not, for their opinion, to examine the replies received; and

(3) To report to the Council on the questions which are sufficiently ripe and on the procedure which might be followed with a view to preparing eventually for conferences for their solution.

Questionnaires on the seven subjects which had been previously examined by the Sub-Committees were sent out on March 22nd, 1926, to the Governments of States Members and non-Members of the League, through the Secretary-General.

These subjects were:

1. Nationality.
2. Territorial Waters.
3. Diplomatic Privileges and Immunities.
4. Responsibility of States for Injury done in their Territory to the Person or Property of Foreigners.
5. Procedure for International Conferences and for the Conclusion and Drafting of Treaties.
7. Exploitation of the Products of the Sea.

Over thirty Governments replied to these questionnaires and forwarded to the Secretariat their observations on the various questions. After examining the replies received from the Governments on these seven questions, the Committee of Experts was in a position to make a report to the Council. All seven questions were held by the Committee to be sufficiently ripe, that is to say, capable of settlement in the near future by international agreement. The majority of the replies of the Governments was in favour of attempting to regulate the questions internationally. In conformity with its terms of reference, the Committee has also reported to the Council on the procedure which might be followed for solving these problems. In this special report on procedure the Committee points out, amongst other things, that, as regards the conferences which may be convened, alternative forms of procedure are possible: to hold a special conference for each question considered to be sufficiently ripe, or one single conference to consider all these duly matured problems.

The Committee suggests that the Council might decide on the procedure to be followed after weighing all the data collected by the Committee and forwarded to the Council; in this connection, the most important element is furnished by the replies of the Governments which have been communicated to the Council and which contain numerous and very useful suggestions.

In the case of two questions which are mainly technical — the exploitation of the products of the sea and the procedure for international conferences and for the conclusion and drafting of treaties — a special procedure has been recommended.

Among the subjects which were, at the Committee's second session, referred to Sub-Committees, the following have led to the preparation of a new series of questionnaires:

Legal Status of Consuls.
Revision of the Classification of Diplomatic Agents.
Jurisdiction of the Courts in the Matter of Foreign States.
These questions are dealt with in the new questionnaires Nos. 8, 9, 10 and 11, which have been sent to the various Governments in order that the latter may give their opinion. They have been requested to send in their observations to the Secretary-General not later than December 31st, 1927.

On two points — the nationality of commercial corporations and the recognition of the legal personality of foreign commercial corporations — the Committee has submitted a special report to the Council. As these questions are on the agenda of the Conferences on Private International Law at The Hague which have been convened by the Netherlands Government, the Committee has decided not to consider them and has requested the Council to act in accordance with circumstances which may arise.

A report regarding the effect of the most-favoured-nation clause has been distributed solely for the information of the Governments, since the matter does not seem to be suitable for international settlement.

For various practical reasons, the consideration of three questions has been deferred until the next session of the Committee, namely: the legal status of private non-profit-making international associations, the conflict of laws on domicile, and the application in international law of the concept of prescription.

The question of the conflict of laws in respect of contracts for the sale of goods is no longer included in the Committee's programme; it forms part of the agenda of the Hague Conferences, and the Rapporteur, moreover, was unable to deal with it.

Before referring any fresh questions to the Sub-Committees, the Committee states that it would prefer to wait until the Council has given an opinion as to the future action which may be taken in connection with the work already accomplished. At the present time, therefore, the Sub-Committees are not considering any fresh questions.

At its session in March 1926, the Council requested the Committee of Experts to study the question of the admissibility of reservations to general conventions. In accordance with the Council's wishes, the Committee has appointed a Sub-Committee consisting of M. FROMAGEOT (Rapporteur), Professor DIENA, Dr. McNAIR (in place of Mr. Brierly), Dr. GUERRERO and Dr. MASTNY (the two latter were unable to take part in the work of the Sub-Committee).

This Sub-Committee has drawn up a report, which was approved and adopted by the plenary Committee at its third session and was communicated to the Council of the League as constituting the opinion required.

II. APPOINTMENT OF THE PRESIDENT OF THE GERMAN-POLISH MIXED ARBITRAL TRIBUNAL IN CONFORMITY WITH THE PROVISIONS OF PARAGRAPH I OF THE ANNEX TO ARTICLE 304 OF THE TREATY OF VERSAILLES: REQUEST SUBMITTED BY THE GERMAN AND POLISH GOVERNMENTS.

At its session held in March 1927, the Council received identical requests from the German and Polish Governments concerning the appointment, by the Council, of a President of the German-Polish Mixed Arbitral Tribunal. The requests submitted by these two Governments showed that they had not been able to reach an agreement regarding a successor to the former President of this Tribunal, who had handed in his resignation on January 1st, 1927. In these circumstances, the German and Polish Governments decided to ask the Council to be good enough to appoint a President in conformity with the provisions of Paragraph I of the Annex to Article 304 of the Treaty of Versailles.

In accordance with the wishes of the two parties, the Council, acting on the conclusions set out in a report by the Chilian representative on the Council, appointed as President of the German-Polish Mixed Arbitral Tribunal, M. Paul LACHENAL, of Swiss nationality, President of the "Grand Conseil" of the Republic and Canton of Geneva and member of the Geneva Bar.

III. FOUNDATION OF AN INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW.

As will be remembered, the President of the Council, acting on a resolution adopted by the Council on March 18th, 1926, replied, in a letter dated April 20th, 1926, accepting the offer embodied in the Italian Government's letter of March 31st, enclosing the text of the Statute of the International Institute for the Unification of Private Law.

On January 20th, 1927, referring to the terms of its previous letter, the Italian Government informed the Secretary-General of the League that the offer had been approved by Royal Decree dated September 3rd, 1926. According to the terms of the letter of March 31st, 1926, this notification rendered final the undertaking given by the Italian Government.

In conformity with the text of the letter of March 31st, 1926, Article 4 of the Organic Statute was modified on March 12th, 1927, raising to a maximum of fourteen, not including the President, the number of members of the Governing Body of the Institute.

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On the same date — March 12th, 1927 — and in conformity with the above-mentioned Article 4, the Council, for the purpose of constituting the Governing Body, made the following appointments:

**President:**
His Excellency M. Vittorio SCIALOJA (Italy).

**Members:**
1. His Excellency M. ADATCI (Japan).
2. M. Ambroise COLIN (France).
3. M. Jules DESTREE (Belgium).
4. His Excellency M. Raul FERNANDEZ (Brazil).
5. Sir Cecil James Barrington HURST (British Empire).
6. Dr. B. C. J. LODER (Netherlands).
7. M. Ernst RABEL (Germany).
8. His Excellency M. Alfredo ROCCO (Italy).
10. His Excellency M. Nicolas TITULESCO (Roumania).
11. M. Østen UNDEN (Sweden).
12. His Excellency M. Enrique VILLEGAS (Chile).

Reserving its right to appoint a fourteenth member at its forty-fifth session, the Council decided to add to these persons a Spanish lawyer, to be appointed by the President of the Council after consultation with the Spanish Government. The Spanish Government having been consulted, the German representative, acting as President, appointed as a member of the Governing Body M. Felipe Sanchez ROMAN, Professor of Civil Law at Madrid University.

**IV. LEGAL POSITION OF STATES WHICH DO NOT PAY THEIR CONTRIBUTIONS TO THE LEAGUE.**

By a resolution dated September 25th, 1926, the Assembly requested the Council “to cause a study to be made of the legal position of States which do not pay their contributions to the League of Nations, with a view to giving the Assembly information on the matter at its eighth ordinary session”.

At its session of December 1926, the Council asked the Secretary-General to submit to it a report on the above question and at its session of March 1927 it resolved that the Secretary-General’s report, together with the observations of the Rapporteur, the Roumanian representative, should be communicated to the Assembly in accordance with the desire which it had expressed. These documents will accordingly be at the disposal of the Assembly during its forthcoming session.

**V. NUMBERING OF THE PARAGRAPHS OF THE COVENANT.**

In accordance with the Assembly decision of September 21st, 1926, the paragraphs of the Covenant are now numbered in all new editions of that instrument published by the Secretariat.

**VI. RATIFICATION OF AGREEMENTS AND CONVENTIONS CONCLUDED UNDER THE AUSPICES OF THE LEAGUE OF NATIONS.**

By its resolution of September 24th, 1926, the Assembly invited the Council “to call for a report every six months on the progress of ratification (i.e., of conventions and agreements concluded under the auspices of the League of Nations) and to consider methods for securing the more rapid bringing into force of these agreements and conventions”.

In accordance with the Assembly’s proposal, the Council decided on December 6th, 1926, that the Secretary-General should submit to it twice a year, at the March session and at the session preceding the ordinary session of the Assembly, a report indicating for each of the agreements in question which States have become contracting parties either by ratification or accession, which States have not yet ratified although they have signed the agreement, and which States, to whose acceptance the agreement, is open have not hitherto taken any steps to become parties to it.

When the list is before the Council its members will have the opportunity of directing attention to any cases which appear to call for comment. During its consideration of the first list, the Council decided to submit to the Assembly the question of accessions given to conventions subject to subsequent ratification. This matter is dealt with in a memorandum to be presented to the Assembly by the Secretary-General.

In accordance with the Council’s instructions, labour conventions are not dealt with in the reports submitted by the Secretary-General, since questions relating to them fall properly within the competence of the International Labour Organisation.
FINANCES OF THE LEAGUE.

I. GENERAL FINANCIAL POSITION.

During the year 1926, 86\(\frac{3}{4}\) per cent of the amount of the contributions due for that year was received from the States Members, as against 84.2 per cent of the budget for 1925 during 1925.

The total amount received on account of arrears during 1926 was 1,965,032.55 gold francs, as compared with 3,114,746.92 gold francs in 1925.

The net loss on exchange during 1926 amounted to 6,861.41 gold francs, as compared with 119,271.17 gold francs in 1925, the Swiss franc having remained very close to par during the whole of the year.

The cash position of the three autonomous organisations of the League on December 31st, 1926, was as follows:

<table>
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<tr>
<th>Organisation</th>
<th>Surplus</th>
<th>Deficit</th>
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<tbody>
<tr>
<td>Secretariat</td>
<td>1,421,618.11</td>
<td></td>
</tr>
<tr>
<td>International Labour Office</td>
<td>208,530.51</td>
<td></td>
</tr>
<tr>
<td>Permanent Court of International Justice</td>
<td>168,853.36</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>1,590,471.47</td>
<td>208,530.51</td>
</tr>
</tbody>
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On October 16th, 1926, Mr. Seymour Jacklin assumed the position which had been left vacant by the retirement of Sir Herbert Ames, who had been Financial Director of the League since its inception. From the above date the Section of the Secretariat which had been known as the "Financial Administration" was designated the "Treasury".

The work of the Treasury since the last ordinary session of the Assembly may perhaps be most conveniently illustrated by reference to the reports of the Supervisory Commission, which has met on two occasions since last September.

The Commission was composed of the same members and of the same officers as last year, namely:

- M. Stefan Ousky, Czechoslovakia, Chairman.
- Lord Meston of Agra, India, Vice-Chairman.
- Dr. J. A. Nederbragt, Netherlands, Rapporteur.
- M. Jean Réveillaud, France.
- M. Luis Waddington, Chile.

II. ACCOUNTS FOR 1926.

The Commission considered the various points raised in the report drawn up by the League's Auditor, M. Ceresa. It made a number of recommendations regarding the form and the method of preparation of the accounts of the various organisations of the League. It also proposed that, in order to ensure punctual repayment of advances made to States out of the Working Capital Fund, interest should be charged at the rate of 4 per cent after the expiry of six months from the date on which the advance had been made.

III. SURPLUS FOR THE FINANCIAL YEAR 1926 AND LEAGUE BUILDING FUND.

The Commission recommended that the surplus for 1926, amounting to 1,590,471.47 francs, be dealt with as follows:

1. That the sum of 8,314.71 gold francs, representing certain sums due to the Rockefeller Foundation in respect of previous years, should be returned to the Foundation.
2. That the sum of 208,530.51 gold francs, representing the advance made to the International Labour Office out of the Working Capital Fund in order to cover its deficit for 1926, be refunded to the Fund.
The Commission noted in this connection that, contrary to the system followed in the case of the Secretariat and of the Court, the budget of the Office did not include any credit in respect of expenditure of a conjectural character, and that the competent authorities of the International Labour Organisation were in the habit of reducing each item of the budget to the absolute minimum. In these circumstances, the Office spent, in 1926, 98.75 per cent of its budget, while the contributions received in respect of 1926 represented only 86 per cent of the amount voted.

3. That the sum of 500,000 gold francs be paid into the Building Fund for the creation of the nucleus of a Furnishing Fund for the buildings soon to be erected.

4. That the balance, amounting to 873,626.25 francs, be returned to the Members of the League, in accordance with Article 38 (a) of the Financial Regulations.

The Commission further recommended that the sum to be returned in 1928 to the Members of the League which provided the Building Fund should amount to the same figure as in 1927, i.e., 1,400,000 francs.

IV. BUDGET FOR 1928.

The budget for 1928, as forwarded to the Members of the League for consideration by the Assembly, amounts to 24,873,272 gold francs, as compared with a budget of 24,512,341 francs for 1927, and 22,930,633 francs for 1926.

It may be desirable to point out that a large part of the increase over 1927 is not due to greater expenditure but is accounted for by the fact that the special contribution of Germany to the International Labour Office was deducted, up to and including 1927 — when it amounted to 265,766 gold francs — as an “appropriation in aid” from the budget of the International Labour Organisation.

Although the gross expenditure contemplated for 1928 is greater than that for 1927, the net burden on each Member of the League will not, in all probability, be heavier, in view of the distribution amongst the Members of the League of the greater part of the surplus for 1926.

V. BUDGETARY AND ADMINISTRATIVE QUESTIONS.

The Assembly during its last ordinary session requested the Commission to consider whether it was desirable to include in successive budgets items which, though definitely not unforeseen, were nevertheless not very likely to be needed, and whether provision should not be made for supplementary estimates in the financial system of the League.

The Commission noted that the income budget of the League showed the actual collectable current contributions due to the League in respect of that year and not the prospective receipts. Even with the inclusion in the budget of the unforeseen items, it could not be assumed that the actual receipts for the year would, on account of the failure to pay on the part of certain States, be sufficient to meet necessary expenditure.

The introduction of supplementary estimates into the League budgetary structure or recourse to the Working Capital Fund to meet expenditure not provided for in the budget would give rise to a number of constitutional difficulties. Furthermore, a system of supplementary estimates would be inconvenient for many of the Members of the League, since they would not know for certain, at the beginning of a given year, what their contribution for that year would be. In the circumstances, the Commission recommended that no change be made in the present form of the budget and system of voting credits.

In regard to the internal administration of the Treasury, the Commission noted with satisfaction that the Rapporteur was able, as the result of two enquiries, to bear witness to the efficiency of the internal control over expenditure.

VI. PROPOSED ESTABLISHMENT OF AN ADMINISTRATIVE TRIBUNAL OF THE LEAGUE OF NATIONS.

In the report of the Fourth Committee, adopted by the Assembly at its ordinary session in 1926, it was noted that the Supervisory Commission had under consideration the establishment of an Administrative Tribunal to deal with all cases of dispute in regard to the carrying out of staff contracts which might arise between the heads of the League’s organisations and their subordinates, and that the Commission hoped in due course to submit a proposal on this subject to the Assembly. During its sessions of February and April of the present year, the Supervisory Commission finally approved a report recommending the establishment of such
a Tribunal and submitting a draft Statute of the Tribunal. This report will be placed before the Assembly at its ordinary session of the present year.

The proposed Tribunal will be open to officials of the Secretariat and of the International Labour Office only. Questions as to the rights of officials of the Registry of the Permanent Court of International Justice will continue, as hitherto, to be dealt with by the Court itself.

The Tribunal will deal with two classes of case:

1. It will hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials of the Secretariat or of the International Labour Office and of such provisions of the Staff Regulations as are applicable to the case.

2. It will be competent to settle any dispute as to payment of compensation under those articles of the Staff Regulations of the Secretariat or the International Labour Office which provide for compensation where an official is dismissed on grounds of ill-health before exhausting the amount of sick leave normally allowable, or where an official meets with an accident or incurs a disease in the course and in consequence of his employment.

The reason which has led the Supervisory Commission to propose the establishment of the Administrative Tribunal is that, owing to the special international status of the League, its officials cannot have recourse to the ordinary courts for the enforcement of their rights as officials against the Administrations in which they are employed. The Supervisory Commission considers that the establishment of a special jurisdiction of the kind proposed furnishes the best remedy for a situation which may to some extent be felt as a grievance by the officials concerned and has also certain disadvantages from the administrative point of view.

VII. ALLOCATION OF THE EXPENSES OF THE LEAGUE.

Under the terms of a resolution adopted by the Assembly at its sixth ordinary session the present scale for the allocation of the expenses of the League will remain in force up to the end of 1928, and no meeting of the Allocation Committee has therefore been held since the last session of the Assembly. The competent section of the Secretariat is, however, following the economic development of the various Members of the League with a view to the question being considered by the Committee before the session of the Assembly to be held in 1928.

3.

REDUCTION OF ARMAMENTS.

I. ARBITRATION, SECURITY AND THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES.

On the proposal of its Third Committee, the Assembly, during its seventh session, adopted on September 25th, 1926, the following resolution:

"The Assembly,

"Having examined the reports of the Council on Arbitration, Security and the Pacific Settlement of International Disputes:

"Records the fact that the resolution adopted by the Assembly at its sixth ordinary session to the effect that the most urgent need of the present time is the re-establishment of mutual confidence between nations has had definite results. It sees clear proof of this in the ever-increasing number of arbitration conventions and treaties of security conceived in the spirit of the Covenant of the League of Nations and in harmony with the principles of the Geneva Protocol (Arbitration, Security and Disarmament). It emphasises in particular the importance of the Treaties of Locarno, the coming into force of which has been rendered possible by the admission of Germany into the League of Nations and the principal object of which is to ensure peace in one of the most sensitive regions of Europe;

"Sees in the last-mentioned Treaties a definite step forward in the establishment of mutual confidence between nations;

"Considers that agreements of this kind need not necessarily be restricted to a limited area, but may be applied to different parts of the world;

" Asserts its conviction that the general ideas embodied in the clauses of the Treaties of Locarno, whereby provision is made for conciliation and arbitration
and for security by the mutual guaranteeing of States against any unprovoked aggression, may well be accepted amongst the fundamental rules which should govern the foreign policy of every civilised nation;

"Expresses the hope that these principles will be recognised by all States and will be put into practice as soon as possible by all States in whose interest it is to contract such treaties;

"And requests the Council to recommend the States Members of the League of Nations to put into practice the above-mentioned principles and to offer, if necessary, its good offices for the conclusion of suitable agreements likely to establish confidence and security, the indispensable conditions of the maintenance of international peace and, as a result, to facilitate the reduction and limitation of the armaments of all States."

On December 8th, 1926, the Council adopted the following resolution:

"The Council, in view of the Assembly resolution with regard to the Council’s reports on Arbitration, Security and the Pacific Settlement of International Disputes, fully endorses that resolution and instructs the Secretary-General to communicate on its behalf with all States Members of the League of Nations with a view to recommending them to put into practice the principles laid down in the Assembly resolution, and to inform them that the Council is prepared to co-operate with them for the conclusion of suitable agreements likely to establish confidence and security whenever, in the view of the Governments concerned, circumstances are such as to favour the conclusion of such agreements."

In accordance with this resolution, on January 10th, 1927, the Secretary-General addressed a letter to all States Members of the League of Nations, transmitting the resolution of the Assembly and offering them the good offices of the Council. Replies to this letter have been received from the following States: Argentine, Belgium, Cuba, Estonia, France, Haiti, Italy, Japan, Liberia, New Zealand, Salvador, Switzerland.

These replies have been printed in the Official Journal of the League.

II. PREPARATORY WORK FOR THE DISARMAMENT CONFERENCE.

The Council, at its meeting of June 10th, 1926, noted the decisions taken by the Preparatory Commission with regard to the organisation of its method of work, and adjourned to its September session the examination of the following proposals, submitted by the French, Polish and Finnish delegations respectively, which had been transmitted by the Commission:

Proposal by the French Delegation.

"With reference to Question V (a) 8 and V (b), the Commission considers that, in order that a State should be able to calculate to what extent it can consent to the reduction or limitation of its armaments, it is essential to determine what method and what machinery are best calculated to give help to that State when attacked.

"The Commission therefore proposes to suggest to the Council:

"1. That methods or regulations should be investigated which would:

"(a) Facilitate the meeting of the Council at very brief notice in case of war or threat of war;

"(b) Enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible.

"2. That the Permanent Advisory Commission should be instructed:

"(a) To define the measures necessary to comply with paragraph (a), No. 8;

"(b) To investigate the procedure which would allow of the rapid drafting of recommendations regarding the military assistance provided for in the second paragraph of Article 16 of the Covenant, when the Council shall have decided to make such recommendations;

"(c) To investigate what measures should be taken in case of a conflict of which the Council shall have been notified, and when the latter shall have taken a decision, in order to prevent the development or preparation of hostilities, according to the precedent of the Greco-Bulgarian dispute.

"3. That the Joint Commission should be instructed:

"(a) To investigate the question of the improvement of the telegraphic and the telephonic communications of the different countries with the Secretariat of the League;

"(b) To study what measures would be most appropriate, when the Council shall have so decided, to give most rapidly such economic and financial help as may be necessary to a State which has been attacked;

"(c) To determine the composition and procedure of the Committees for the supply and allocation of resources which the League might set up for that purpose."
Proposal by the Polish Delegation.

"The Commission suggests to the Council that it would be well to consider whether a special organisation of regional assistance within the scope of the Covenant of the League would be likely to give the organs of the League effective help in supplying the assistance required and would thereby render the execution of the relevant articles of the Covenant easier and more expeditious (study of the machinery, form and procedure of regional assistance)."

Proposal by the Finnish Delegation.

"The Commission proposes that the Council should undertake the examination of special arrangements whereby a reduction of armaments agreed to by States unfavourably placed, owing to geographical or other exceptional circumstances, might be compensated in order to meet their requirements for security."

At its seventh session, the Assembly adopted, on September 24th, 1926, on the proposal of the Third Committee, the following resolution:

"The Assembly takes note of the report submitted to it by the Secretariat and the very full information furnished to the Third Committee by the President of the Preparatory Commission on the work of that Commission, its technical Sub-Commissions A and B, and the Joint Commission.

"It expresses its complete satisfaction with the work performed and thanks those who have contributed to it.

"Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25th, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the programme for a Conference on the limitation and reduction of armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible."

In its turn, the Council, on December 8th, 1926, adopted the resolution quoted below:

"The Council, having regard to the resolution adopted by the Assembly on September 24th, 1926, relating to the work of the Preparatory Commission for the Disarmament Conference, and sharing the Assembly's desire to see the preparatory work result in a programme which will make it possible to summon an International Conference for the Reduction and Limitation of Armaments at the earliest possible moment, forwards the Assembly resolution to the Preparatory Commission and requests it to submit proposals with regard to the period at which it would be possible to convene the Conference, due allowance being made for the probable progress of its work, and to draw up the agenda of the Conference."

This resolution was transmitted to the Preparatory Commission by the Secretary-General.

The Preparatory Commission for the Disarmament Conference had forwarded to the Council a report on the work of its first session, held at Geneva from May 18th to 26th, 1926. This document was incorporated in the report to the Seventh Assembly on the work of the Council and of the Secretariat. Moreover, the President of the Preparatory Commission for the Disarmament Conference submitted to the Third Committee of the same Assembly a statement on the work of the Preparatory Commission.

On September 4th, 1926, the Council adopted the following resolution:

"The Council,

"Having examined the French, Polish and Finnish proposals referred to it by the Preparatory Commission, as well as the memorandum submitted by the Finnish Government as an annex to its own proposal:

"Refers these three proposals and the Finnish memorandum submitted by the Committee of the Council, which, after consultation, if necessary, with the Permanent Advisory Commission and with the Joint Commission or with any other League Commission, will report to the Council on the questions raised in these proposals.

"The Committee of the Council is asked to invite representatives of the Polish and Finnish Governments respectively to assist it in the discussion of their proposals."

In virtue of this resolution, the Committee of the Council met at Geneva on September 18th and 27th, 1926, and from December 1st to 4th, 1926, and forwarded a report to the Council (Annex 1).

The Council examined this report and on December 8th, 1926, adopted the following resolutions submitted by the Czechoslovak representative acting as Rapporteur:
1. The Council notes that the Committee attaches the very greatest importance to questions concerning the improvement of communications and other facilities for permitting the rapid working of the organs of the League in case of emergency, not only as regards the application of Articles 15 and 16 but in particular as regards the application of Article 11. The Council concurs in this view and, adopting its Committee’s proposal, requests the Secretary-General to inform the States Members of the League of the preliminary work carried out on this matter by the Committee of the Council, the Transit Committee and the Secretary-General, and to invite them to consider the desirability of the Governments Members of the League assuming a formal obligation to facilitate by every means in their power the most rapid and effective action possible of the organs of the League in case of emergency.

The Council decides to adjourn to a later session the consideration of the Committee’s proposal that the Assembly should be recommended to adopt a general resolution which would affirm the principle of this obligation and would provide the basis for practical executive measures to be adopted in the future.

2. The Council requests the Secretary-General to invite the Governments of the States Members of the League to consider favourably the technical measures proposed in the report of the Advisory and Technical Committee for Communications and Transit as regards communications by rail, air, telegraph and radio-telegraph of importance to the League in times of emergency, and to take such measures as they may deem possible to facilitate the application of these measures.

3. The Council thanks the Advisory and Technical Committee for Communications and Transit for the remarkable report which it has submitted, and requests it:

   (a) To communicate as soon as possible the supplementary report which it is preparing on long-distance telephony in Europe;

   (b) To keep in touch with all the administrations and organisations concerned, in order to facilitate the application of the measures named in its report and to ensure that every possible improvement shall be effected in communications of all kinds between the seat of the League and the different capitals;

   (c) To institute immediately, in co-operation with the Secretary-General, with a view to submitting a report to the Council at the earliest possible date, the necessary enquires, in order that the League may have at its disposal a radio-telegraphic station of its own sufficiently powerful to enable it to communicate independently with the greatest possible number of States Members of the League.

4. The Council requests the Secretary-General of the League to comply with the Transit Committee’s suggestions concerning the Secretariat, and more particularly the framing of a schedule of the principal telegraphic and radio-telegraphic routes available.

5. The Council notes with satisfaction that the Committee proposes to study certain questions arising out of the application of Article 11, questions concerning which the Committee is to submit a detailed report at a later date. In this connection, it refers to the Committee of the Council the proposal submitted in paragraph (d) of its report to the effect that the States should be asked to draw up immediately lists of military and civilian experts from among whom the Council could appoint commissioners to be sent to the spot in the event of disputes, and requests the Committee of the Council to submit concrete proposals on the matter, in relation to the study which it is about to undertake.

6. The Council notes that the Committee of the Council proposes to submit a report on Article 16 at a later date, and, in accordance with its Committee’s suggestions, requests the Secretary-General to collect all the documents which relate to the preliminary work carried out by the League in regard to this article, in order that the information in question may be placed at the disposal of the next Assembly of the League. It is understood that this work would be done by the Secretariat on the lines suggested in the commentary attached to this proposal in the report of the Committee of the Council itself.

7. The Council requests the Secretary-General:

   (a) To collect systematically precise information regarding the economic and financial relations of the various States, with a view to a possible application of Article 16 of the Covenant. This work will be carried out in accordance with a plan to be submitted to the Council by the Secretary-General after consulting the technical organisations of the League, including if necessary the Joint Commission;

   (b) Having regard to the financial assistance provided for in Article 16 of the Covenant, to ask the financial organisation of the League to consider the Finnish proposal and all other similar measures, with a view to the establishment of a common scheme of financial assistance in support of a State which is the victim of aggression;

   (c) To institute a study of the legal position which would be brought about by enforcing in time of peace the measures of economic pressure indicated in Article 16, particularly by a maritime blockade;
“(d) To institute a study on the legislation calculated to make it easier for States to apply economic sanctions based on the experience of countries which have already done something in this direction.

“8. The Council, adopting the proposal of its Committee, refers to the Preparatory Commission the Finnish proposal concerning special arrangements whereby a reduction of armaments agreed to by States unfavourably placed, owing to geographical or other exceptional circumstances, might be compensated.”

In accordance with resolutions Nos. 1 and 2 quoted above, the Secretary-General, on January 7th, 1927, addressed to the States Members of the League of Nations a letter transmitting the report and resolutions adopted by the Council on the rapid working of the organs of the League in times of emergency. The following States have acknowledged receipt of this letter: Argentine, Cuba, Estonia, Liberia, Netherlands and Salvador.

With regard to resolutions Nos. 3 and 4, the Advisory and Technical Committee for Communications and Transit, during its tenth session held at Geneva from February 28th to March 5th, 1927, adopted two resolutions (Annex 2):

Steps have been taken or are being taken to put into effect, in collaboration with the administrations and organisations concerned, the measures proposed in these resolutions. In particular, the Secretariat is collecting information regarding telephonic communication between the seat of the League and the various capitals and has already obtained the advice of a certain number of experts on the question of the establishment of a radio-telegraphic station for the League. On the other hand, the International Air Navigation Commission has submitted a proposal for the identification of aircraft making journeys of importance to the League at times of emergency and a study is being made of the measures necessary to enable aircraft to land on ground in the neighbourhood of the seat of the League, ground which would have the privilege of extra-territoriality.

As regards Resolution No. 5, the Committee of the Council, after having entrusted the preliminary study of the question to a Committee of three members, which met in London in the month of February, adopted a report on March 15th, 1927 (Annex 3), which was submitted to the Council at its June session.

As regards Resolution No. 6, the Legal Section of the Secretariat is collecting all the documentation relating to studies which have been undertaken by the League concerning Article 16, taking into account the commentary contained in the report of the Committee of the Council. This documentation will be placed at the disposal of the Assembly.

With regard to Resolution No. 7, the first two points of this resolution (a) and (b) are being examined by the Economic Committee and by the Financial Committee. These Committees have not yet completed their work on this matter. The reports of the Secretariat on paragraphs (c) and (d) will be distributed to the Assembly in due course.

As regards Resolution No. 8, the Preparatory Commission, during its last session, after having heard further declarations by the Finnish delegation, adjourned the study of this proposal to a later session.

The Preparatory Commission for the Disarmament Conference, after having forwarded to the Council the French, Polish and Finnish proposals, undertook a preliminary examination of the questionnaire submitted by the Council and divided it up for detailed consideration between its technical Sub-Commissions.

Sub-Commission A, entrusted with the study of military, naval and air questions, held several sessions at Geneva: the first from May 28th to July 6th, 1926, the second from August 2nd to September 9th, 1926, and the third from September 27th to November 5th, 1926.

Sub-Commission B, entrusted with non-military questions, after holding sessions on May 26th, September 27th and November 29th and 30th, 1926, met again on March 16th and 17th, 1927, to consider the reports of two Committees which it had appointed to examine certain questions. The first was the Committee of Experts on Civil Aviation, entrusted with the task of examining the economic consequences to civil aviation which would be entailed by a system of aggregate limitation of civil and military aeronautics, and of submitting observations and suggestions on the economic consequences of any method of limiting air armaments which would enable civil aeronautics to be taken into account. The second was the Committee of Experts on Budgetary Questions, entrusted, in particular, with the preparation of a model statement which would serve to eliminate the difficulties arising from the divergencies between the budgetary systems. The work of this second Committee is not yet complete, and it will meet at Geneva in the month of June 1927.

The Preparatory Commission had therefore before it at its third session held at Geneva from March 21st to April 26th, 1927, a report from Sub-Commission A and three reports from Sub-Commission B. In Document C.218 will be found the texts which were agreed upon at the first reading; they have been forwarded to the Council as documents which might serve as a basis for a further session of the Commission with a view to drawing up a draft Convention.
Annex 1.

REPORT OF THE COMMITTEE OF THE COUNCIL ON THE WORK OF ITS FIFTH SESSION.

_Held at Geneva from December 1st to 4th, 1926._

The Committee of the Council examined the French, Polish and Finnish proposals (including the Finnish memorandum on financial assistance) which were referred to it by the Council resolution of September 4th, 1926.

I.

As regards point 1 (a) of the French proposal, the Committee has the honour to submit to the Council the following report of M. van Karnebeek, which the Committee has itself adopted.

"**INVESTIGATION OF THE METHODS OR REGULATIONS WHICH WOULD FACILITATE THE MEETING OF THE COUNCIL AT VERY BRIEF NOTICE IN CASE OF WAR OR THREAT OF WAR.**

"The Committee of the Council sent a list of questions on this subject to the Secretary-General. The Secretary-General's reply is given in Appendix I attached hereto. The Committee has also received a report from the Advisory and Technical Committee for Communications and Transit placed at its disposal by the President of the Council (Appendix II).

"The Committee considers that this question is of the very greatest importance not only as regards the application of Articles 15 and 16 but especially also as regards the application of Article 11. It has been proved that the maintenance of international peace may depend upon the rapid and effective intervention of the organs of the League of Nations, and the importance of preventive action under Articles 11 and 15 cannot be exaggerated.

"In this connection, the Committee considers that the Governments Members of the League of Nations ought to assume a formal obligation to facilitate by all the means in their power the meeting of the Council in case of crisis and recommends that the Assembly should adopt to this end a general resolution embodying the principle of this obligation and constituting the basis of the practical measures of application to be taken in the future.

"The Committee considers that a programme of these measures should be studied and that this task should be entrusted to the Secretary-General, who would be asked to get into touch with the administrations of the States Members and with the international institutions and organisations which would have to be consulted. This investigation, pending the adoption of the Assembly resolution, might be undertaken immediately and the final result should be submitted to the different Governments, which would then be called upon to take the necessary measures to ensure application.

"With regard to the Secretary-General's memorandum and the Transit Committee's report, the Committee makes the following observations:

"**A. General Measures.**

"Admitting that the organisation of transport by rail and by air must necessarily be based in normal circumstances on commercial interests, the attention of the International Time-Tables Conference should be drawn to the special importance, from the point of view of international peace, of organising the means of communication between Geneva and the League of Nations, and the different capitals; the importance of this justifies every possible effort to make these communications as rapid and as elastic as is compatible with commercial interests. The Committee strongly supports the Transit Committee's proposal that the Organisation for Communications and Transit of the League of Nations should be represented at the meetings of the International Time-Table Conference.

"For similar reasons, the Committee recommends that the necessary measures should be taken to apply the priority system proposed for telegraphic and telephonic communications of the League by the Transit Committee and to carry out its suggestion that the Council of the League should be able in special cases to apply to the Governments concerned to organise direct communication between specified points. It attaches great importance to measures which would confer on the States, the Secretary-General and the members of the Council and of other organisations of the League the right to use several telegraphic or telephonic routes simultaneously, simply on request and on their own responsibility.

"The Committee recommends to the Council that it should give its Technical Transit Organisation a permanent mandate to see that continual improvements are effected in communications of all kinds between Geneva and the different capitals on the lines specified above."
B. Measures to be taken by States.

"The Committee strongly supports the Transit Committee's proposal that each State should appoint a central service with the necessary powers to facilitate the urgent convening of the Council of the League, the urgent transmission of messages sent in the name of the Council and the rapid transport of such missions as the Council might decide to despatch. It is of opinion, however, that this precaution should not be confined to States which happen to be Members of the Council, since effective and rapid co-operation would be no less valuable on the part of States whose territory members of the Council might have to cross when proceeding to Geneva, and whose transport services (railway, air, telegraphic, telephonic, etc.) would be required for the purpose of communicating with the Governments Members of the Council.

"This central service, which should be on duty continuously (day and night, and on holidays) would have to be given power to proceed immediately to take the measures necessary for the organisation of special trains, requisitioning of aircraft, etc., and to arrange with other services possessing similar powers in States whose assistance might be required as described above.

"The Committee proposes that the Council should direct the attention of the Governments of the States represented on the Council to the importance of taking such measures as may be necessary to enable their representatives to attend urgent meetings of the Council with the least possible delay.

C. Measures to be taken by the Secretariat.

"The Committee warmly approves the statement of the Secretary-General who regards it as his duty to summon members of the Council urgently and without delay in case of serious emergency as laid down in paragraph 1 of Article 11.

"The Committee supports the conclusions which the Secretary-General formulated in his reply to the questionnaire addressed to him. It notes the following passage in his memorandum: ‘It is conceivable that the report of the Committee of Experts referred to in the answer to the second part of this question might necessitate the taking of certain measures by the Secretariat’ (see Appendix I). The Committee ventures to recommend that, if measures have to be taken, they should form the subject of consideration as soon as possible.

"The Committee recommends that the Secretariat should act upon the Transit Committee's proposal that a schedule be drawn up of the principal telegraphic, telephonic and radio-telegraphic routes available, in order that the Secretariat may obtain for its own use and, if necessary, for the use of those concerned information concerning communications between the different capitals.

"The Committee has devoted special attention to the position of the League in the matter of wireless telegraphy; this would seem to be inherently and eminently suitable for promoting rapid and uninterrupted communication between the Secretariat and the Members of the League. The Committee considers it desirable to recommend that all possible improvements should be made without delay, but regards it further as highly desirable that the necessary work of preparation should be begun immediately in order that the League may have radio-telegraphic means of communication which would give it the highest degree of independence and universality compatible with technical progress. Accordingly, the Committee recommends to the Council that the Technical Transit Organisation should study this question with a view to submitting a report to the Council at the earliest possible date."

II.

As regards point 1 (b) of the French proposal, the Committee examined a report submitted at its request by M. de Brouckère. This report raises three groups of questions:

1. Questions concerning the application of Article 11, in regard to which the Committee will submit a detailed study to the Council at a later date.

2. Questions concerning Article 16, in regard to which the Committee, while also deciding to submit a report to the Council at a later date, passed the following resolution:

"The Committee directs the Council's attention to the advisability of collecting all the documents on the studies carried out by the League in regard to Article 16 of the Covenant, in order that this information may be placed at the disposal of the next Assembly of the League."

The suggestion put forward by the Committee of the Council is that all the resolutions passed by the different organs of the League concerning Article 16 should be collected in a convenient document, that they should be followed by a list of the texts to be consulted for the purposes of a more exhaustive study of the subject, and that they should be preceded by an objective summary of the work done by the League in this matter.

3. A certain number of concrete proposals with the object of facilitating the study of the methods or regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant. These proposals, of which one in particular also
refers to the memorandum submitted by the Finnish delegation on financial assistance, form the subject of the following recommendations which the Committee of the Council ventures to submit to the Council:

“(a) The Secretariat might be instructed to collect systematically precise information regarding the economic and financial relations of the various States, with a view to a possible application of Article 16 of the Covenant. This work would be carried out in accordance with a plan to be submitted to the Council by the Secretary-General, after consulting the Technical Organisations of the League, including, if necessary, the Joint Commission.

“(b) Having regard to the financial assistance provided for in Article 16 of the Covenant, the Financial Organisation of the League might be asked to consider the Finnish proposal and all other similar measures, with a view to the establishment of a common scheme of financial assistance in support of a State which is the victim of aggression.

“(c) The Legal Section of the Secretariat might be instructed to study the legal position brought about by enforcing in time of peace the measures of economic pressure indicated in Article 16, particularly by a maritime blockade.

“(d) Experience having shown how greatly the presence of competent representatives of the League of Nations in the area of a possible conflict can in many cases assist in removing the danger, States might be asked to draw up beforehand lists of military and civilian experts from among whom the Council of the League could appoint commissioners.

“(e) The Legal Section of the Secretariat might be instructed to prepare a study on the legislation calculated to make it easier for States to apply the economic sanction, based on the experience of countries which have already done something in this direction.”

III.

The Committee examined the Polish proposal. At the suggestion of the Polish delegate on the Committee of the Council, the Committee decided to adjourn the examination of this proposal until the Preparatory Commission and its technical organs have completed their studies in the matter of regional disarmament.

IV.

As regards the Finnish proposals, the Committee decided to recommend that the Council should refer it without discussion to the Preparatory Commission.

Appendix I.

Reply of the Secretary-General to the President of the Committee of the Council with regard to the questions submitted to him by that Committee.

Geneva, September 21st, 1926.

I have the honour to acknowledge the receipt of your letter of September 18th, in which you were good enough to forward to me a list of questions adopted by the Committee of the Council on that day and to inform me that the Committee would be glad to hear what I had to say on the subject at one of its later meetings.

I need not say that I am entirely at the disposition of the Committee for this purpose. In the meantime, I beg to forward herewith, for its information, a brief memorandum dealing with the various points raised in the questionnaire.

(Signed) Eric Drummond, Secretary-General.

Questions 1 and 2.

On what occasions has the Council been summoned to deal with international crises?

What steps were taken in each case?

The first paragraph of Article 11 of the Covenant lays down that, "should any war or threat of war arise, the Secretary-General shall, on the request of any Member of the League, forthwith summon a meeting of the Council". This provision of the Covenant has been utilised on two occasions by Members of the League:

(a) On May 31st, 1920, Persia, following up previous communications, asked for an urgent meeting of the Council to consider acts of aggression on the part of the Soviet Government. This appeal was communicated to the Members of the Council and the meeting took place on June 14th.
On October 23rd, 1925, the Secretary-General received a telegram from the Bulgarian Government asking, in conformity with Articles 10 and 11 of the Covenant, that the Council should be immediately summoned to consider the situation created by the entry of Greek troops on Bulgarian territory. The Secretary-General took immediate action in accordance with the duty laid upon him by the first paragraph of Article 11, and summoned the Council, after consulting the President, to meet in Paris on October 26th.

The second paragraph of Article 11 provides that any Member of the League may bring to the attention of the Assembly or the Council any circumstance whatever affecting international relations which threatens to disturb international peace.

No special provision is made in this paragraph in regard to the summoning of the Council, but there have, in fact, been certain occasions on which Members of the League, in asking the Council to consider a given question under the terms of that paragraph, have requested that a special meeting should be held in order to avoid delay:

(a) On August 12th, 1921, M. Briand, in his capacity of President of the Allied Supreme Council, asked that a special meeting should be held to make recommendations regarding the fixing of the frontier in Upper Silesia. The meeting took place on August 29th.

(b) On November 7th, 1921, the British Government asked the Secretary-General to take immediate steps to summon a meeting of the Council to consider the situation created by the advance of troops of the Kingdom of the Serbs, Croats and Slovenes on Albanian territory. This request was at once communicated to the Members of the Council and a meeting took place in Paris on November 18th.

(c) On October 14th, 1924, the British Government asked for a special meeting of the Council to consider the situation on the frontier between Turkey and Iraq. This request was at once communicated to the Members of the Council and the meeting took place on October 27th.

**Question 3.**

What difficulties, if any, arose?

No difficulties arose in any of the above-mentioned cases. The Committee will realise that, when no definite reference is made to the first paragraph of Article 11, and when, therefore, it is not claimed that such an emergency has arisen as would authorise the Secretary-General, under the terms of that paragraph, to take the initiative in summoning the Council, it is necessary for him to receive, before issuing a convocation, the authorisation of the Acting President of the Council, and that the President will, in such circumstances, desire to consult his colleagues before taking a definite decision.

The above, however, does not apply when a serious emergency arises, in which case the Secretary-General has the right and duty of summoning the Council on his own authority, provided that he has received a request from any one Member of the League.

The Committee will observe that in all but one of the above-quoted cases an interval of from ten to fifteen days took place between the despatch of the request and the actual meeting of the Council.

There is no reason to doubt that the meeting could have been held much more promptly had the situation appeared to necessitate this.

**Question 4.**

Have you any suggestions for the improvement of the procedure?

Taking the word “procedure” in its strict sense, I have no proposals to make. No procedure has been laid down to govern the action of the Secretary-General under the first paragraph of Article 11, and it seems essential that he should remain free from all necessity of following any sort of procedure laid down beforehand in order to avoid any conceivable risk of delay. (See also reply to Question 6.)

**Question 5.**

Are the technical arrangements for communications in such cases satisfactory, and, if not, in what respects are they unsatisfactory?

I am not aware that there has been any difficulty or cause for dissatisfaction in regard to rapidity of communications in any of the above-mentioned cases.

(See, however, the observations below.)

**Question 6.**

What are your general observations and your opinions on the steps to be taken with regard to points 1 (a) and 3 (a) of the French proposal?

The following are the general observations which I would submit:
(a) In regard to the action of the Secretariat, it seems, as I have above remarked, essential that no restriction in regard to procedure should be imposed on the action which the Secretary-General may at any time be called upon to take under the terms of the first paragraph of Article 11 of the Covenant. I have been able, as a matter of fact, in such cases as have arisen up till now, to consult the President of the Council without losing time by doing so. This may not always be the case, and it is evidently the duty of the Secretary-General himself to take the action laid down by the Covenant, consultation of any sort being a matter of possible convenience but not of necessity.

From a material point of view, arrangements have already been made to ensure that telegrams addressed to the Secretary-General should always be opened without loss of time by an official capable of appreciating whether or not they are of an urgent character. It is conceivable that the report of the Committee of Experts referred to in the answer to the second part of this question might necessitate the taking of certain measures by the Secretariat.

(b) So far as the States represented on the Council are concerned, it is clearly desirable that all measures should be taken to enable them to be represented at any meeting which may be called, however short the notice may be. It is perhaps hardly within my competence to make observations on the methods to be adopted by the various States to ensure this end. They must, no doubt, vary to some extent according to the distance from the seat of the League of the capital of the country concerned and according to the method adopted for its regular representation on the Council. What seems essential is that it should be possible at any moment for an urgent communication from the Secretary-General to be received and considered by the competent authorities, and that in all circumstances, particularly in times of international tension, arrangements should be foreseen whereby each country can be represented at the Council at the shortest possible notice.

As regards points 1 (a) and 3 (a) of the French proposal, the Committee is no doubt aware that the report of the Enquiry Commission on the Greco-Bulgarian incident draws attention to the fact that, if the communication addressed by the President of the Council to the Greek Government had arrived half-an-hour later than it actually did, the result might have been exceedingly serious. The Commission accordingly drew the Council's attention to the desirability of considering measures for hastening intervention by the League in moments of crisis. The Council, at its meeting on December 14th, 1925, considered this suggestion and decided to refer it to the Advisory Committee for Communications and Transit, with the request that the Committee should examine the matter and submit a report to the Council.

In compliance with the above request of the Council, the Transit Committee has decided to carry out an expert study of the best means of improving communications of every kind with the seat of the League in time of crisis. This corresponds with points 1 (a) and 3 (a) of the French proposal.

Experts in railway matters, aerial navigation and telegraphy are to meet for this purpose in November or December. The International Committee on Long-Distance Telephony, which has also been consulted, is to consider the matter at its next meeting in Paris in December. A general report will then be drawn up by the Transit Committee and forwarded to the Council.

I understand that the exchanges of views which have already taken place on this subject between the members of the Transit Committee tend to show that a series of practical measures of a technical nature might be adopted.

Appendix II.

COMMUNICATIONS OF IMPORTANCE TO THE LEAGUE OF NATIONS IN TIME OF EMERGENCY.

Report submitted to the Council by the Advisory and Technical Committee for Communications and Transit.

The Commission of Enquiry into the Greco-Bulgarian Conflict recommended that "it might be considered whether special facilities for communications and transit could not be granted to Governments and to the Secretariat in case of a threat of war — in particular, the use of wireless telegraphy and priority messages might be considered". The Council decided to refer this suggestion to the Advisory and Technical Committee for Communications and Transit and to request the latter to examine it and report to the Council.

Assimilar questions, but covering a wider field, have also been raised in connection with the preparation of the work for the reduction of armaments, the Advisory and Technical Committee examined the whole problem of the principal communications of importance to the League at times of emergency. The Committee felt that it was its duty to see what special measures might be adopted, when League action under Articles 15 and 16 of the Covenant was taken or requested, to ensure the necessary speed and, in times of crisis, the necessary security, for communications of importance for the summoning of the Council and for all relations between Members of the League concerned, the Council, the Secretary-General and missions appointed by the Council.

The Committee has obtained the advice of qualified experts. The conclusions which it submits represent the unanimous opinion of the specialists consulted. The question of railway
transport, in particular, was studied by its permanent Committee for Transport by Rail. Telegraphy and radio-telegraphy were also examined by a special committee of experts.

** * * *

A. — Transport by Rail.

1. Any regular improvement in railway time-tables, particularly for communications between Geneva and the chief capitals, would greatly facilitate travelling to Council meetings and the despatching of missions at times of emergency. On the other hand, time-tables must obviously be established with reference to commercial conditions, and communications with the League cannot have priority over such requirements. It would be expedient, however, in order to promote all reasonable improvements in time-tables, to develop the co-operation already existing between the League Organisation for Communications and Transit and the International Time-table Conference. It might be possible to consider the appointment of a representative of the Technical Organisation to attend in an advisory capacity meetings of the International Time-table Conference.

2. At times of emergency, special measures might undoubtedly be taken in many cases to improve railway communications of importance to the League (special changes in time-tables, special trains, special connections with other means of transport, such as air transport, motor services, etc.). In view of the extreme variety of the cases to be considered and the fact that, as regards the movements of members of the Council and the despatching of missions by the League, communications cannot be considered in any one country alone but must be studied in all the countries Members of the League, no plan can be drawn up in advance. At the same time, under normal conditions, two measures might be considered for minimising delays at times of emergency: first, all the States Members of the League might be requested to declare their readiness, immediately on being notified by the Secretary-General of the existence of a state of emergency, to take all possible measures to help the journeys of members of the Council and missions appointed by the League; second, each State might be requested to designate a central service in possession of the necessary instructions and powers, with which Members of the Council and the Secretary-General of the League could get into direct touch upon notification of a state of emergency, in order to ensure that rapid means of transport are made available at once. It would naturally be understood that all extra costs arising out of exceptional conditions would be met out of League funds.

B. — Transport by Air.

The considerations advanced in regard to transport by rail at times of emergency also apply, mutatis mutandis, to transport by air. It would be even simpler than in the case of railway transport to take special measures at such times to improve air communications of importance to the League (as regards the lines in use: special changes in time-tables, organisation of special services over those lines; apart from lines already open, general permission for aircraft other than those belonging to a regular line when carrying members of the Council or agents of the League whose names had previously been communicated, irrespective of the nationality of such aircraft).

No plan can be established in advance, but it is expedient, here again, that States Members of the League should declare their readiness in such circumstances to take all measures within their power and should designate in advance a central service with the necessary instructions and powers.

C. — Telegraphic and Radio-telegraphic Questions.

1. All messages sent with a view to the application of Article 15 or Article 16 of the Covenant and addressed to the President of the Council of the League or to the Secretary-General by a

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1 This Committee was composed as follows:
- M. G. Sinigaglia (appointed by the Government of Italy), former Chief Inspector of the Italian State Railways, Member of the Central Commission for Rhine Navigation, Chairman.
- M. A. Politis (appointed by the Government of Greece), Technical Delegate of the Greek Government at Paris, former Director of Greek Railways, Vice-Chairman.
- M. F. Arendt (appointed by the Government of the Reich), former Ministerial Counsellor, Second Secretariat of the Reich Railway Management, Chairman.
- M. H. Reinhardt (appointed by the Government of Austria), former Ministerial Counsellor, Chairman.
- M. Arendt, Ministerial Counsellor in the Ministry of Posts of the Reich.
- M. Ettienne, Director of the International Bureau of the Telegraphic Union.
- M. Laurenz, Head of Division in the Telegraph Department of the Italian Ministry of Communications.
- M. Loudon, Head of Division in the General Post Office of Great Britain.
- M. Poullain, Deputy Director of Telegraphic Communications in the French Department of Posts and Telegraphs.

2 This Committee was composed as follows:
- M. G. Sinigaglia (appointed by the Government of Italy), former Chief Inspector of the Italian State Railways, Member of the Central Commission for Rhine Navigation, Chairman.
- M. H. Reinhardt (appointed by the Government of Austria), former Ministerial Counsellor, Chairman.
- M. Arendt, Ministerial Counsellor in the Ministry of Posts of the Reich.
- M. Ettienne, Director of the International Bureau of the Telegraphic Union.
- M. Laurenz, Head of Division in the Telegraph Department of the Italian Ministry of Communications.
- M. Loudon, Head of Division in the General Post Office of Great Britain.
- M. Poullain, Deputy Director of Telegraphic Communications in the French Department of Posts and Telegraphs.
Government, a member of the Council, or a member of a mission despatched by the Council; all messages sent by the President of the Council or by the Secretary-General to a Government, a member of the Council, or a member of a mission despatched by the Council, might, if the sender considered that these messages were of extreme urgency, bear the special note "Priorité Nations". If desirous of making use of this note, the sender would write before the address "PCD Priorité Nations"; this will be charged as three words. In transmitting the telegram, the service concerned would place the service instruction "S Priorité Nations" at the head of the text. Messages preceded by these indications could only be sent by the President and the members of the Council in person, the acting Secretary-General in person, and members of missions whose names had been notified in advance by the Secretary-General to all Governments interested.

2. All messages preceded by these conventional signs and notes would enjoy priority over all other communications, and the service despatching them would, in due course, forward the sender an acknowledgment of receipt, to be transmitted as urgent.

3. Any sender who might consider, in view of the general gravity of the occasion, that special arrangements should be made for the safe transmission of his telegram, and that his telegram should therefore be transmitted both by the ordinary line and by one or more additional routes, either telegraphic or radio-telegraphic, might make copies of his telegram and request the transmitting service to send these copies by routes specified by him; the telegraph service would follow out such instructions unless this were for material reasons impossible.

To ensure the satisfactory working of these arrangements, a schedule of the principal telegraphic and radio-telegraphic routes available might be drawn up, with the assistance of the best qualified technical body. The Secretary-General of the League would keep himself and those concerned informed of the various routes available for transmitting and, where necessary, duplicating communications between capitals. In most cases, of course, several routes would be available, so that the risk of certain telegraphic and radio-telegraphic services being interrupted at times of emergency would be reduced to a minimum.

4. In special cases, the Council of the League of Nations might request the Governments concerned to arrange, if possible, for direct connection between specified points. No advance proposals can be made on this matter.

The Committee is of opinion that a formal inter-Governmental agreement, or even an inter-departmental arrangement in the proper sense of the term, would be not merely a slow and difficult but also a useless method for putting into effect these measures for telegraphy or other communications. If, when requested by the Council, the Governments of the States Members were willing to follow out such a plan so far as it concerned them individually, and to give facilities for the execution of these measures, the telegraph departments would naturally concur and would be prepared to issue, and from time to time repeat, the necessary instructions to their officials, and to seek the assistance of the competent international technical organisation.

D. — Telephonic Questions.

As regards telephonic questions, in view of the extreme rapidity with which urgent State communications are forwarded under the newly revised telegraph regulations, and of the difference between messages sent by this means and by telegraph, it appears to be unnecessary to consider special arrangements for times of emergency, though the permanent improvement of the European telephone system is naturally of great importance to the League, especially in times of crisis. The Assembly has already passed a recommendation urging that, under the new European telephone system, communications with the League should be treated on the same footing as communications between the chief capitals. This question, which does not concern only times of emergency and therefore exceeds the scope of the present report, was submitted to the International Advisory Committee on Long-Distance Telephony, which includes most of the European telephone administrations; this Committee is to examine the question at its next meeting at the beginning of December. The Council will be duly informed of its conclusions.

The Advisory and Technical Committee, in submitting this general plan to the Council, is of opinion that if, at the request of the Council, States Members of the League or a sufficient number of such States were to declare their readiness to accept the plan as a whole and to help to carry it out, the Secretary-General of the League, with the assistance of the Committee of the services mentioned in paragraphs A and B and of the telegraph administrations and their agents, would have no difficulty in working out the detailed plan for these practical improvements.
Annex 2.

RESOLUTIONS ADOPTED BY THE ADVISORY AND TECHNICAL COMMITTEE FOR COMMUNICATIONS AND TRANSIT.

"Communications of Importance to the League of Nations at Times of Emergency."

A.

"The Advisory and Technical Committee:

1. Pursuant to the resolution of the Council dated December 8th, 1926, Article 3, paragraph (b), decides to communicate separately to every administration concerned the report on communications by rail, air, telegraph and radio-telegraph of importance to the League in times of emergency which it submitted to the Council, and which was approved by the latter during its session of December 1926; and, further, to request the said administrations to forward, not later than July 15th, 1927, any suggestion which they may think of value with a view to ensuring that the measures advocated may be carried out as speedily and as completely as possible.

2. Decides to take the necessary steps to ensure, if possible, that the Committee shall be regularly represented on the European Time-Table Conference and requests M. Politis to represent the Committee at that Conference.

3. Takes note of the information already collected by the Secretary-General of the Committee concerning telephonic communications between the seat of the League and various capitals, and requests him to supplement this information by enquiries addressed to the various administrations concerned and to report to the Committee in sufficient time to enable the Committee to make a report at its next session to the Council.

4. With a view to the practical application of the measures regarding air navigation advocated in the Committee's report to the Council, which was approved at the December session, the Committee requests the International Air Navigation Commission to consider means for the identification of aircraft making journeys of importance to the League of Nations in time of emergency.

5. The Committee is of opinion that at times of general emergency, more particularly in the period immediately preceding mobilisation, and most of all during mobilisation, the taking over, wholly or in part, by the national authorities of the means of communication would, in many cases, unquestionably tend to make communications of importance to the League slow or uncertain, in spite of any progress which might have been achieved through the measures advocated in the report approved by the Council at its December session, unless it has been arranged for such communications to be maintained by special means, independent of the general system of national communications.

(a) The Committee accordingly welcomes the resolution adopted by the Council as to the establishment of a radio-telegraphic station at the seat of and at the disposal of the League, and requests the Secretary-General of the Committee, with the assistance of experts appointed by the Chairman of the Committee, to make a preliminary study of the question and to report on it to the Committee as soon as possible.

(b) The Committee begs the Secretary-General of the Committee to examine the possibility of making or improving a landing-ground for aircraft; the said landing-ground would be in the neighbourhood of the seat of the League, and in time of emergency would share in the right of extra-territoriality to which the League is entitled.

The question of putting aircraft at the disposal of the League in case of serious emergency should also be examined."

B.

"Whereas the Council, in its resolution of December 8th, 1926, invited the Governments of the States Members of the League to consider favourably the technical measures proposed in the report of the Advisory and Technical Committee for Communications and Transit as regards communications by rail, air, telegraph and radio-telegraph of importance to the League at times of emergency and to take such measures as they deem possible to facilitate the application of these measures;

And whereas the Council requested the Transit Committee to keep in touch with all the administrations and organisations concerned, in order to facilitate the application of the measures provided in its report and to ensure that every possible improvement shall be effected in communications of all kinds between the seat of the League and the different capitals;"
"And whereas supplementary study is required both to complete the technical measures mentioned above and to ensure contact with the administrations concerned and the co-ordination of efforts generally to improve communications of importance to the League at times of emergency:

"The Advisory and Technical Committee for Communications and Transit requests its competent Technical Committees to retain on their agenda the examination of the questions included under 3(a) and (b) in the Council’s resolution of December 8th, 1926, and decides that the supplementary studies thus undertaken shall be centralised, co-ordinated and, if necessary, completed by a special Sub-Committee presided over by the Chairman of the Transit Committee and to include the Chairmen of the Technical Committees concerned and other members of the Committee whose co-operation the Chairman may see fit to enlist."

Annex 3.

REPORT APPROVED BY THE COMMITTEE OF THE COUNCIL ON MARCH 15TH, 1927, ON THE SUBJECT OF POINT 1 (b) OF THE FRENCH PROPOSAL.

METHODS OR REGULATIONS WHICH WOULD ENABLE THE COUNCIL TO TAKE SUCH DECISIONS AS MAY BE NECESSARY TO ENFORCE THE OBLIGATIONS OF THE COVENANT AS EXPEDITIOUSLY AS POSSIBLE.

I. PRELIMINARY.

(a) The Committee has not been asked to give an authentic interpretation of Article 11 of the Covenant, or even to draw up a complete code of procedure for the application of this provision. It has simply to make recommendations regarding the action that may be deemed wise and effectual for the purpose of carrying into effect the provisions of that article. The recommendations which follow are based on:

(1) Past practice;
(2) Previous resolutions of the Assembly and Council;
(3) The proceedings of these bodies and of various committees formed by the League of Nations.

It should be clearly understood that the measures referred to below are only cited as examples, and that the Committee does not wish to underrate or dispute the value of any which it may not have expressly mentioned. It is impossible to draw up in advance any rigid classification of the infinite variety of events which occur in international political life. Nor is it possible, by resolutions, recommendations or suggestions, to prescribe limits to the extensive rights which the League holds in virtue of its essential duty, that of effectually safeguarding the peace of nations. Among the measures recommended will be found those which, having been favourably received, and having already been successfully applied, appear particularly effectual. The list of these measures will doubtless be added to as further experience is gained.

(b) If the action to be taken under Article 11 is of particular concern to States which are not Members of the Council, such States must, under the terms of paragraph 5 of Article 4, be given a seat at the Council. The procedure instituted under Article 11 in no way implies the exclusion of procedure taken under other provisions of the Covenant. The Aaland Islands question, for example, was referred to the Council by the British Empire in virtue of Article 11; this did not, however, prevent the Council from declaring itself competent under Article 4, paragraph 4, and at the same time applying as far as possible Articles 12, 15 and 17.

Thus, if any action contemplated by the Council as being calculated to preserve peace is taken under the provisions of Article 15, the votes of the representatives of the parties will not count for purposes of unanimity as far as such action is concerned. The report referred to in Article 15, paragraph 6, may, of course, contain any recommendations which the Council may think likely to bring about a settlement of the dispute and prevent a rupture.

(c) If the threat of war did not arise out of a dispute coming under Article 15, the Members of the Council not directly concerned in the dispute would still be free to make recommendations, which could not fail to have a considerable moral value.

(d) Under Article 11, any war or threat of war is declared to be a matter of concern to the whole League, and the League is directed to take any action that may be deemed wise and effectual to safeguard the peace of nations. If there is no threat of war, but some circumstance threatens to disturb the good understanding between nations upon which peace depends, that circumstance may be brought to the attention of the Assembly or the Council by any Member of the League so that presumably the Assembly or Council may consider what, if anything, should be done to restore international good understanding.
II. WHERE THERE IS NO THREAT OF WAR OR IT IS NOT ACUTE.

(a) The Council will consider the question at a meeting, to be called specially if necessary, to which the contending parties will be summoned.

(b) The Council can request an organisation, or even a private individual, appointed by it to exercise conciliatory action on the parties.

(c) The Council may also suggest that the dispute be referred to arbitration or judicial settlement, in accordance with the provisions of Article 13 of the Covenant.

(d) If there is a doubt as to the facts of the dispute, a League Commission may be sent to the locus in quo to ascertain what has actually happened or is likely to happen. It is understood that such a Commission cannot go to the territory of either party without the consent of the State to which that territory belongs.

(e) If, for the accomplishment of its task, the Council deems it necessary, it can, in certain appropriate cases, ask for an advisory opinion from the Permanent Court, or else, in certain special circumstances, from a Committee of Jurists appointed by it.

III. WHERE THERE IS AN IMMINENT THREAT OF WAR.

(a) Everything should be done to ensure that the Council shall meet with the greatest promptitude. In this connection the Committee refers to the recommendations which it made in its previous report on these questions (Report of the Committee of the Council on the work of its fifth session, document C. 677, M. 268. 1926, IX dated December 4th, 1926).

(b) Even before the Council meets, it is desirable that the Acting President should send telegraphic appeals to the parties to the dispute to refrain forthwith from any hostile acts. The nature of this appeal will necessarily vary with the circumstances of each case. If, owing to exceptional circumstances, the Secretary-General considered that the Acting President was not in a position to act, he might request the ex-President most recently in office who is available to take this step in the name of the Council.

(c) As soon as the Council meets, it will no doubt verbally urge on the representatives of the nations in dispute the great importance of avoiding a breach of the peace.

(d) Further, the Council may take steps to see that the statu quo ante is not disturbed in such manner as to aggravate or extend the dispute and thus to compromise the pacific settlement thereof. For this purpose it may indicate to the parties any movements of troops, mobilisation operations and other similar measures from which it recommends them to abstain. Similar measures of an industrial, economic or financial nature may also be recommended. The Council may request the parties to notify their agreement on these points within the shortest possible space of time, the length of which will, if necessary, be fixed by the Council.

(e) In order to satisfy itself of the way in which these measures have been carried out and to keep itself informed of the course of events, the Council may think it desirable to send representatives to the locality of the dispute. The Secretary-General, duly authorised by the Council, would keep lists of experts—political, economic, military, etc.—on the basis of lists supplied by the States Members of the League and of applications for employment submitted direct to him. These lists, classified according to categories, would be held by the Secretary-General at the disposal of the Council which, in case of crisis, would thus have names of suitable experts before it. The Council may also have recourse in this connection to diplomatic personages stationed in the neighbourhood who belong to States not parties to the dispute.

(f) Should any of the parties to the dispute disregard the advice or recommendations of the Council, the Council will consider the measures to be taken. It may manifest its formal disapproval. It may also recommend to its Members to withdraw all their diplomatic representatives accredited to the State in question, or certain categories of them. It may also recommend other measures of a more serious character.

(g) If the State in default still persists in its hostile preparations or action, further warning measures may be taken, such as a naval demonstration. Naval demonstrations have been employed for such a purpose in the past. It is possible that air demonstrations might within reasonable limits be employed. Other measures may be found suitable according to the circumstances of each case.

IV. GENERAL REMARKS.

(a) It should be pointed out that the very general terms of Article 11, "any action that may be deemed wise and effectual to safeguard the peace of nations", allow of any action which does not imply recourse to war against the recalcitrant State. The above-mentioned measures have only been given as examples. Circumstances might lead to an alteration in the order of their application.
In taking any of the above-mentioned measures, the Council will, of course, not lose sight of the distinction made in Article 11 between paragraph 1, which deals with "threats of war", and paragraph 2, which deals with "circumstances...which threaten to disturb...the good understanding between nations".

In any case contemplated above, the Members of the League not represented at the Council should be kept fully informed. Where necessary or desirable, their collaboration with the Council might be sought, either by sending a communication to each of them or by summoning a special meeting of the Assembly.

In the case of disputes between Member States and non-Member States, or between non-Member States, Article 11 will be applied by the Council in the light of the above observations and bearing in mind the circumstances of each case.

IV. PRIVATE MANUFACTURE OF ARMS AND AMMUNITION AND OF IMPLEMENTS OF WAR.

The Committee of the Council, on September 3rd, 1926, forwarded to the Council, without, however, having been able to give it its full consideration, the preliminary draft Convention prepared by its Committee of Enquiry (document A. 47, page 3), together with a resolution on this question which was approved by the Council, on the proposal of the Rapporteur, the representative of Czechoslovakia, on September 4th, 1926. This resolution read as follows:

"The Committee of the Council,
Having received the report of its Committee of Enquiry on the preliminary draft Convention on the Control of the Private Manufacture of Arms and Ammunition and of Implements of War;
Taking into account the resolution of the Assembly dated September 25th, 1925:
Proposes that the Council should refer this preliminary draft (to which the Committee has not been able to give full consideration), together with the report of the Committee of Enquiry, to the Assembly for information only, drawing its attention to the connection which exists between this question and the general problem at present under investigation by the Preparatory Commission for the Disarmament Conference."

On the proposal of its Third Committee, and in view of the resolution quoted above, the Assembly adopted, on September 21st, 1926, the following resolution:

"The Assembly:
Once again draws attention to the close connection which exists between the question of the supervision of the private manufacture of arms and ammunition and of implements of war and the international trade in these articles;
Notes that, up to the present, the Convention on the Supervision of the International Trade has been ratified by only two signatory countries, and hopes that the efforts which are being made to obtain the ratification of the principal producing countries will soon be successful;
Notes the work which has been carried out under the direction of the Council with regard to the supervision of private manufacture;
Declares that it is in agreement with the Council as regards the connection which exists between this question and the whole problem now being examined by the Preparatory Commission for the Disarmament Conference;
Lays stress upon the necessity of concluding a Convention as soon as possible, though it recognises that priority must be accorded to work in connection with the Convention on Disarmament;
And proposes that the Council should continue its inquiries regarding private manufacture, in order that these questions may be included in the programme of the Disarmament Conference, if this Conference can be convened before the eighth ordinary session of the Assembly, or, if that is impossible, in order that a special Conference may be convened as soon as possible to deal with the matter."

On December 9th, 1926, the Council adopted the following resolution:

"The Council,
In view of the resolution adopted by the Assembly on September 21st, 1926, with regard to the private manufacture of arms and ammunition and of implements of war,
Decides:
To refer the draft Convention prepared by the Committee to a special Commission composed of representatives of the present Members of the Council, on which representatives of the United States of America and of the Union of Socialist Soviet Republics would be invited to sit, in order that this Commission may prepare a final draft which might serve as a basis for an International Conference.
This Commission is authorised to forward its final draft, through the Secretary-General of the League of Nations, to all those States which were invited to attend the 1925 Conference on the Supervision of the International Trade in Arms and Ammunition and in Implements of War, with a view to holding an International Conference which might meet in Geneva in the autumn of 1927 if the general Disarmament Conference cannot take place before the eighth ordinary session of the Assembly.

In virtue of the second paragraph of this resolution, a letter was addressed, on December 16th, 1926, to the Governments of the United States of America and of the Union of Socialist Soviet Republics, inviting them to send representatives to the special Commission. The Government of the Union of Socialist Soviet Republics replied to the Secretary-General as follows in a letter dated January 27th, 1927:

(Translation.)

"In reply to your note dated December 16th, 1926, regarding the convening of a special Commission to prepare a final draft Convention on the Private Manufacture of Arms, Munitions and Implements of War, I have the honour to inform you as follows:

"The Government of the Union of Socialist Soviet Republics has already, in its note of April 7th, 1926, stated definitely that it is absolutely unable to take part in any international meeting convened in the territory of the Swiss Confederation.

"The invitation contained in your note of December 16th indicates Geneva as the seat of the special Commission referred to above. In these circumstances, the Government of the Union regards this mention of Geneva as the seat of the Commission as calculated to prevent the Union from attending the meeting.

"Accordingly, the Government of the Union is compelled to regard the invitation contained in your note of December 16th as null and void, and does not feel called upon to express any opinion on the substance of the question of its participation in the work of the Commission.

(Signed) M. LITVINOFF."

The Government of the United States of America replied on February 23rd, 1927, as follows:

"The Secretary of State of the United States of America refers to the note of the Secretary-General of the League of Nations dated December 17th, 1926, in which he was good enough to invite the American Government to appoint a representative to sit as a member of a special Commission created by the Council of the League of Nations to meet at Geneva on March 14th, 1927, to consider a draft Convention with regard to the Private Manufacture of Arms and Ammunition and of Implements of War and to prepare a final draft which might serve as a basis for an International Conference. It has been noted that the preparation of such a draft Convention is stated by Sir Eric Drummond to have been decided upon by the Council of the League on December 12th, 1925, as the outcome of a resolution of the Assembly of the League endorsing the declaration inserted in the Final Act of the International Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War, the purport of which was that the international aspect of the manufacture of such arms and ammunition and implements of war should be given consideration by the different Governments.

"It is further noted that Sir Eric Drummond draws attention to a passage in the report adopted by the Council on December 9th, 1926, which based the hope of American participation in the forthcoming meeting of the special Commission upon certain statements made by the Honourable Theodore E. Burton, Chairman of the American delegation at the Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War.

"The statements of Mr. Burton to which reference is made were substantially to the following effect, viz.:

"(1) The United States Government has for many years collected and published statistics covering the production in this country of arms and ammunition;

"(2) That the United States would be willing to enter a suitable international agreement providing for the publication of such statistics by the Governments parties thereto; and

"(3) That such an agreement to be effective should cover the manufacture of arms and ammunition in both private and Government factories.

"The American Government believes that the principles enunciated by Mr. Burton would provide a sound basis for an international convention and therefore has been pleased to designate the Honourable Hugh Gibson, American Minister to Switzerland, to attend the meeting of the special Commission."

These replies were laid before the Council, which, on March 8th, 1927, adopted the following resolution:

"The Council,

"In view of its resolution of December 9th, 1926, regarding the private manufacture of arms and ammunition and of implements of war,
“Decides to request the special Commission entrusted with the preparation of a draft Convention on the Supervision of the Private Manufacture of Arms and Ammunition and of Implements of War to examine the question of the date at which the International Conference might be summoned in the autumn of 1927 and to make known its proposals in this matter to the President of the Council. Should the Commission consider it advisable to announce, before the next Council session, the date at which the Conference shall be summoned, the Council requests its President to take a decision on seeing the Commission’s proposals.”

The special Commission met at Geneva from March 14th to April 25th, 1927, and adopted a report which has been circulated as Document C. 219. 1927.

IV. RIGHT OF INVESTIGATION IN THE STATES SUBJECT TO INVESTIGATION BY THE TREATIES OF VERSAILLES, ST.-GERMAIN, TRIANON AND NEUILLY.

1. In its report to the sixth session of the Assembly, the Council described the measures which it had taken with a view to the possible exercise of the right of investigation conferred upon it by the Treaties of Peace.

At its session in December 1926, the Council, in reply to certain questions submitted by the German Government, gave some further explanations in regard to earlier regulations (Annex 1).

2. On August 31st, 1926, the President of the Conference of Ambassadors sent a letter to the Secretary-General forwarding a series of documents which constituted an Agreement concluded between the Governments represented on the Conference of Ambassadors and the German Government with a view to the application of Article 198 of the Treaty of Versailles (article contained in Part V, Section III, Air Clauses). According to this letter, the duties of the Aeronautical Committee of Guarantee, which had been substituted for the Inter-Allied Commission of Control, had ceased on August 9th, 1926, this being the date on which the Agreement had come into force. The Agreement was registered with the Secretariat, in accordance with Article 18 of the Covenant, and published in the Official Journal of December 1926.

Documents 1 and 2 of this Agreement, consisting of letters exchanged between the Conference of Ambassadors and the German Ambassador in Paris, provide that the stipulations of Article 213 of the Treaty of Versailles shall apply to the obligations mentioned in the Agreement. They likewise provide that a number of lists relating to German civil aviation, which are mentioned in the Agreement, shall be held at the disposal of the League of Nations in conformity with the conditions to be fixed by the latter in pursuance of Article 213. The matter is on the agenda of the session of the Council to be held in June.

3. The Chairmen of the Commissions of Investigation which had been appointed by the Council for one year in January and February 1925 had had their appointments renewed for a further year in virtue of a decision taken by the Council on June 9th, 1926. At its session in December 1926, the Council decided to appoint the following officers for a period of one year:

- Commission of Investigation in Germany: General Baratier;
- Commission of Investigation in Austria: General Marietti;
- Commission of Investigation in Bulgaria: Colonel W. J. C. Schuurman;
- Commission of Investigation in Hungary: General C. Bonham-Carter, C.B., C.M.G., D.S.O.

These officers took up their appointments when the terms of office of the previous Chairmen expired (January-February 1927).

The changes made in 1926 in the composition of the Council led to corresponding changes in the possible composition of the Commissions of Investigation. In pursuance of regulations adopted by the Council, administrative arrangements were made in this connection by the Secretariat.

Annex 1.

EXPLANATIONS WITH REGARD TO THE RULES ADOPTED BY THE COUNCIL ON SEPTEMBER 27TH, 1924, AND MARCH 14TH, FOR THE EXERCISE OF THE RIGHT OF INVESTIGATION.

Adopted by the Council on December 11th, 1926.

1.

The Council of the League of Nations, acting by a majority vote, shall decide, in conformity with Article 213 of the Treaty of Versailles, whether it is necessary, in any particular case, to hold an investigation, and it shall then specify the object and the limits of such investigation. The Commissions of Investigation shall act under the authority and on the instructions of the Council. The Council’s decisions shall be taken by a majority vote.
To render an effective investigation possible, the Commission shall apply to the representative appointed by the German Government or to his delegates, who will procure without delay the assistance of the administrative, judicial or military authority competent under German law. Such investigation shall then be carried out and findings reached as the Commission, acting within the limits of its instructions, may consider advisable, the interested party being given a hearing (contradicoirement).

3.

The prohibition laid down that the nationals of a State subjected to the right of investigation shall not form part of Commissions of Investigation shall be understood in the sense that the nationals of the State in the territory of which an investigation is undertaken shall never form part of a commission holding such investigation.

4.

It is understood that the provisions of Article 213 of the Peace Treaty with Germany relating to investigations shall be applicable to the demilitarised Rhine zone as to other parts of Germany. These provisions do not provide in this zone, any more than elsewhere, for any special control by local standing and permanent groups. In the demilitarised Rhine zone, such special groups not provided for in Article 213 shall not be set up except by convention between the Governments concerned.

5.

The explanations given in Articles 1, 2 and 3 above naturally apply to cases under Article 159 of the Treaty of St.-Germain, Article 143 of the Treaty of Trianon and Article 104 of the Treaty of Neuilly.

V. STATISTICAL INFORMATION ON THE TRADE IN ARMS AND AMMUNITION AND IN IMPLEMENTS OF WAR: MILITARY YEARBOOK.

The Secretariat still publishes the Statistical Yearbook relating to the trade in arms and ammunition and in implements of war, and the Military Yearbook (general and statistical information with regard to land, naval and air armaments). These publications have been prepared again this year. The first supplies information with regard to fifty-five countries, the second with regard to fifty-eight.

4.

POLITICAL QUESTIONS.

I. SITUATION IN CHINA.

(a) STATEMENT BY THE BRITISH GOVERNMENT ON ITS POLICY IN CHINA.

On February 8th, 1927, the British Government communicated for the information of the Members of the League a statement of British policy in China.

The statement recalled that, since 1922, British policy in China had been based on the letter and spirit of the Washington Agreements — namely, that the future policy of the Powers having concluded treaties with China should be guided by certain general principles designed to safeguard the integrity and independence of China and to promote her political and economic development and the rehabilitation of her finances.

The British Government still adhered to this policy as regards general principles. Its complete success, however, depended on co-operation between the Powers concerned and a single central Government in China, and subsequent events had modified the hypothesis on which it was based. The statement then set forth the circumstances which had led to the British Government's decision, as a precautionary measure, to send to China such troops as might be necessary to protect the British community in Shanghai, adding that the composition of this force was in itself a guarantee that it could only be used for the defensive purposes for which it was exclusively intended.

This was only one aspect of the British Government's policy as regards China. That Government had declared its readiness to negotiate on treaty revision as soon as the Chinese
themselves had constituted a Government with authority to negotiate. It had meanwhile formulated unilateral measures implying an immediate and radical modification of the treaty position, which it might, under certain conditions, be possible to take.

The statement emphasised that the policy of the British Government, as defined above, was a development of, not a departure from, that inaugurated at Washington, and concluded as follows:

"In any case His Majesty's Government have felt it right to make this communication to the League of Nations so that its Members may have before them a full statement of His Majesty's Government's policy in China and may understand how completely it is in accord with both the letter and the spirit of the Covenant. His Majesty's Government deeply regret that there does not appear to be any way in which the assistance of the League in the settlement of the difficulties in China can be sought at present. But, if any opportunity should arise of invoking the good offices of the League, His Majesty's Government will gladly avail themselves of it."

(b) COMMUNICATION FROM THE CHINESE REPRESENTATIVE ON THE COUNCIL.

The Chinese representative on the Council, acting on the instructions of his Government, communicated on February 16th, 1927, to the Secretary-General, for his information, a copy of the note from the Chinese Minister for Foreign Affairs to the British Minister at Peking, dated January 31st, 1927, concerning the despatch of British troops to Chinese territory.

In reply to the Secretary-General's enquiry whether the Chinese Government wished this note to be circulated to the Members of the League, the Chinese representative stated that the communication was for the information of the Secretary-General, to be kept in the official records of the Secretariat. He added, however, that the Chinese Foreign Office reserved its right to reply to the British Government's statement regarding its policy in China.

II. REQUEST OF THE ROUMANIAN GOVERNMENT UNDER ARTICLE 11, PARAGRAPH 2, OF THE COVENANT REGARDING THE AGRARIAN QUESTIONS SUBMITTED TO THE MIXED HUNGARO-ROUMANIAN ARBITRAL TRIBUNAL.

On February 26th, 1927, the representative of Roumania on the Council informed the Secretary-General that his Government had notified the President of the Mixed Hungaro-Roumanian Arbitral Tribunal that the Roumanian arbitrator would no longer sit for the discussion of agrarian questions introduced by Hungarian nationals. Acting under Article 11, paragraph 2, of the Covenant, the Roumanian Government expressed the desire to inform the Council of the reasons for which it had taken this measure.

On March 8th, 1927, the Council heard the statements of the representatives of Roumania and of Hungary. In view of the importance and the complexity of the matters brought to its notice, the Council requested the representative of the British Empire to make, with the assistance of the representatives of Japan and Chile, a full examination of the question and to submit a report at its next session.

III. MEMORANDUM FROM THE DIET OF MEMEL.

At the request of the Powers Members of the Council — France, Great Britain, Italy and Japan, signatories of the Memel Convention (May 8th, 1924) — a question raised in a memorandum from the Diet of Memel was examined by the Council for the first time on September 3rd, 1926.

The document in question was forwarded to the Members of the Council by the Secretary-General in accordance with the Council's decision of September 28th, 1925. The representatives of the four above-mentioned States informed the Secretary-General, by a letter dated June 9th, 1926, that, without forming an opinion upon the merits of the case for the moment, they considered that the statements contained in the memorandum should be examined by the Council.

The Lithuanian Government was invited to present its observations on the subject, and, in a letter to the Secretary-General dated August 11th, 1926, raised certain objections both to the Council's decision of September 28th, 1925, and to the procedure followed by the representatives on the Council of the signatories of the Convention. It communicated, out of deference to the Council, certain information in regard to the substance of the question.

On September 3rd, 1926, the British representative drew the attention of the Council to the question of procedure raised by the Lithuanian Government and proposed that the Council should appoint a Committee of Jurists to study the matter, with the assistance of the representative of the Lithuanian Government.

1 The decision was as follows: "If the Secretary-General should receive spontaneous communications addressed to the Council or the League of a serious character, bearing on infractions or alleged infractions of the Memel Convention, he is authorised to forward the same as a matter of information and without comment to the Members of the Council."
The Lithuanian representative explained his Government’s arguments against the procedure followed by the signatories of the Memel Convention. In the opinion of the Lithuanian Government, the procedure arising out of Article 17 of the Convention could not be put into effect before the League until a Member of the Council had brought to the Council’s notice, on its own responsibility, after an enquiry, an infraction of any provision of the Convention.

The Lithuanian representative declared that the Lithuanian Government, which came into power as a result of the May elections and was supported by the deputies elected in Memel, was determined strictly to fulfill the obligations assumed under the Memel Convention and to settle by friendly understanding with the local authorities of the Memel territory all difficulties arising from the practical application of the Convention and Statute of Memel. He asked the representatives of the signatory Powers to renounce their intention further to pursue the action taken on June 9th, 1926, and to withdraw from the agenda the question raised in the memorandum from the Diet of Memel.

The Council decided to appoint a Committee of Jurists to examine the procedure which had been adopted. The report of the Jurists was laid before the Council at its meeting held on September 20th, 1926.

The Council individually and not to the League or its Secretariat.

Further, the Committee was of the opinion that Article 17 of the Convention only contemplated action by the League when a Member of the Council had drawn the Council’s attention to an infraction of the Convention. According to the terms of the article, the Member in question should, before informing the Council of an infraction, make sure that there were good reasons to believe that such an infraction had been committed.

The British representative, while abstaining from a discussion on the jurists’ report, observed that it seemed to him difficult for the Council to proceed with any matter raised in the letter of June 9th, 1926, by the signatories of the Memel Convention. He added that, as a provisional financial agreement had been concluded by Lithuania and Memel, the British Government wished to withdraw the questions raised in the letter of June 9th, while reserving the right to reopen them later, if necessary. The representatives on the Council of the other signatory Powers associated themselves with the statement of the British representative.

The German representative said that he attached particular importance to the opinion expressed by the jurists that complaints from the inhabitants and authorities of Memel could be addressed to the Governments represented on the Council individually and not to the League or its Secretariat.

On the proposal of its President, the Council adopted the conclusions of the jurists, thus laying down the procedure to be followed in the future.


The Assembly, at its meeting held on September 25th, 1926, adopted the following resolution:

“The Assembly requests the Council to instruct the Secretariat to study the system of the single transferable vote and the principle of proportional representation in general, in connection with the problem of the election of the non-permanent Members of the Council, in order that this question may be laid before the next ordinary session of the Assembly.”

The Norwegian Government, which had taken the initiative of submitting the question to the Assembly, subsequently forwarded to the Secretary-General two memoranda explaining the working of the system of the single transferable vote and the reasons which, in its opinion, militated in favour of its adoption by the League for the election of the non-permanent Members of the Council. The Norwegian Government expressed the opinion that the single transferable vote system was the only form of proportional representation which could successfully be applied to the Council elections. It stated that it was anxious to study any proposal regarding the question which other Governments Members of the League might wish to make. The Council, in agreement with the Norwegian Government, considered that the memoranda submitted

1 Article 17 runs as follows:

“The High Contracting Parties declare that any Member of the Council of the League of Nations shall be entitled to draw the attention of the Council to any infraction of the provisions of the present Convention.

2 In the event of any difference of opinion in regard to questions of law or of fact concerning these provisions between the Lithuanian Government and any of the Principal Allied Powers Members of the Council of the League of Nations, such difference shall be regarded as a dispute of an international character under the terms of Article 14 of the Covenant of the League of Nations. The Lithuanian Government agrees that all disputes of this kind shall, if the other party so requests, be referred to the Permanent Court of International Justice. There shall be no appeal from the Permanent Court’s decision, which shall have the force and value of a decision rendered in virtue of Article 13 of the Covenant.”
to it were a sufficient exposition of the technical aspects of the case, and that further technical study would therefore be superfluous.

The Secretary-General was accordingly instructed by the Council to communicate the two memoranda of the Norwegian Government to the Members of the League, as well as any reports that might be received from other Members.

V. GRECO-BULGARIAN QUESTION: REPORT ON THE PROGRESS EFFECTED IN THE EXECUTION OF CERTAIN RECOMMENDATIONS MADE BY THE COUNCIL ON DECEMBER 14TH, 1925.

1. Refugees.

A Convention respecting reciprocal emigration was signed at Neuilly-sur-Seine on November 27th, 1919, between Bulgaria and Greece, under which some 49,000 persons of Greek race have changed their nationality from Bulgarian to Greek and some 77,000 of Bulgarian race have changed their nationality from Greek to Bulgarian. In each case the individuals have emigrated to the land of their national affinity if they had not already done so.

A Mixed Commission was set up under the Convention to carry out its provisions. Amongst these were a certain number concerning the liquidation of the property of emigrants and of those who had already emigrated but had claims to property in the country they had left. The Commission consisted of a Bulgarian and a Greek member and two members of other nationalities who were nominated by the Council of the League.

The Commission of Enquiry sent by the Council to Greece and Bulgaria in November 1925 reported that this work of liquidation was progressing but slowly, and that discontent had in consequence arisen. The two Governments informed the Council of their desire to hasten the liquidation of this property, and agreed to keep the Council informed of the progress made. At its meeting in March 1927, the Council was informed that the number of liquidations of property had risen from 70 in December 1925 to over 3,000 in February 1927; the total claims to be settled amounted to some 40,000. The two Governments agreed to continue to keep the Council informed of the progress made.

The report of the Commission of Enquiry, also dealt with a class of refugees of Bulgarian race already in Bulgaria, who had come there from Greece at different periods, but who had been unwilling to avail themselves of the Convention for Voluntary Emigration referred to above although they were entitled to do so. They claimed, on the other hand, the rights conferred on minorities by the Treaty between the Principal Allied Powers and Greece signed at Sèvres on August 10th, 1920. According to this Treaty, these persons had the right to return to Greece, where some of them had left property. Pressure of circumstances had caused the Greek Government to settle on these vacant lands refugees from Asia Minor.

It was subsequently agreed that the Mixed Commission for the execution of the Convention on Reciprocal Emigration should extend, by a period of about three months, the time-limit for the deposit of declarations of emigration, in order to enable this class of persons to take advantage of the Convention if they so wished. The Council was informed, at its meeting in March 1927, that some 4,000 declarations had been received, affecting some 13,000 persons. These are in addition to the figures given above.

2. Nomination of a Chairman of the Conciliation Commission on the Greco-Bulgarian Frontier.

The Council decided on December 14th, 1925, that a Commission of Conciliation should be created to operate on the frontier between Bulgaria and Greece. The Commission was to consist of Greek and Bulgarian officers and two Swedish officers, who were appointed for duty on that frontier for a period of two years. In addition, the two Swedish officers were requested to make recommendations which would enable the Council to proceed to the nomination of a Chairman of the Commission. The Chairman was to be selected from among persons belonging to organisations working in the Balkans which are attached to or have relations with the League. At the meeting of the Council held in September 1926, the Swedish officers requested to be allowed to postpone the submission of their proposals regarding the nomination of the Chairman. The Council agreed to this proposal.
I. SAAR TERRITORY.

At its sessions in December 1926 and March 1927, the Council examined various questions connected with the Saar Territory, in particular the appointment of the Chairman and members of the Governing Commission and the question of the freedom of transport and transit over the railways of the Territory.

The Italian representative acted as Rapporteur. The Council and the Members of the League have been kept informed of the various questions connected with the Saar by means of the periodical reports of the Governing Commission published in the Official Journal, December 1926, March 1927 and June 1927.

GOVERNING COMMISSION.

At its meeting on March 12th, 1927, the Council appointed the Chairman and members of the Governing Commission of the Saar Territory.

On this occasion, the Rapporteur, expressed the regret of the Council at the decision taken by Mr. Stephens (Canadian), Chairman of the Governing Commission, who had sent in his resignation; he thanked him on behalf of the Council for the services he had rendered the League.

The following members were appointed for one year as from April 1st, 1927:

M. KOSSMANN (Saar);
M. LAMBERT (Belgian);
M. MORIZE (French);
M. VEZENSKY (Czechoslovak).

Mr. Stephens consented to remain in office until the appointment of the fifth member of the Commission who will succeed to the Chairmanship.

The German representative on the Council observed that one of the members, M. Lambert, had been in office since February 1920, whereas the Council had previously expressed the view that the term of office of a member should not exceed five years. He added that no criticism was directed against M. Lambert. He knew that M. Lambert had fulfilled his duties most satisfactorily. It would, however, be desirable to give other countries an opportunity to take part in the work of the Commission.

As regards the salaries of the members of the Governing Commission, the Council decided on December 11th, 1926, that, owing to the high cost of living in the Saar Territory, an increase in salary should be granted to each member of the Commission for the financial year 1926-27. The salaries thus fixed (150,000 French francs) were also confirmed for the period 1927-28. A sum of 75,000 French francs was allotted to the Chairman of the Commission for his entertainment expenses. In accordance with the Treaty of Versailles, the expenses of the Governing Commission are met out of the revenue of the Territory.

FREEDOM OF TRANSPORT AND TRANSIT OVER RAILWAYS OF THE SAAR TERRITORY.

On March 18th, 1926, the Council took note of a report from the Governing Commission in which it informed the Council that the development of the local gendarmerie would be complete in a few weeks’ time and that the French Government was, at the request of the Governing Commission, about to withdraw step by step all the troops stationed in the Territory. On this occasion, the Council drew the attention of the Governing Commission to the fact that it was its duty to ensure in all cases freedom of transport and transit over the railways of the Territory. The Council had expressed the opinion, that even before the withdrawal was completed, measures for this purpose should be prepared — in particular, a railway committee, possessing the necessary powers, should be at the disposal of the Governing Commission. It invited the Governing Commission to submit proposals on this subject.

On May 21st, 1926, the Governing Commission submitted a first report containing the views of the majority and two opinions by the minority of the Commission. The Council decided on two occasions to defer its examination of the question, and, in December 1926, requested the Governing Commission to submit a new report.

In accordance with this request, the Commission submitted a new report on February 18th, 1927, which was adopted by four votes; one member of the Commission did not vote for the report because he could not agree to all the points in it.
In this report the Governing Commission submitted the following proposals, which were intended solely for the protection and security of transport and transit over the Saar railways:

1. The present Railway Committee will be maintained and will continue to perform the duties which have so far devolved upon it: to ensure the discipline and policing of military transports using the Saar railways; to organise transports of troops and military material over the railways, etc. This Committee, which is made up of the necessary complement of officers and technical officials, will be maintained within its present limits and will not include more than a hundred persons.

2. The Saar Railways Defence Force, the composition of which can be international, and for the furnishing of which the Governing Commission will enter into negotiations with the occupying Powers in the Rhineland, will be stationed in the Saar. This force will be organised for the sole purpose of securing the protection of transit and transport over the Saar railways and will not have the right to interfere in the maintenance of order of the protection of persons and property. This force will be distinguished by a special badge which each of its members will wear when on duty. The forces will number eight hundred.

3. The Railway Committee, the Defence Force and two battalions stationed outside the Saar will be at the disposal of the Governing Commission whenever the latter deems it necessary to request their intervention in order to ensure the protection of the Saar railways.

The Commission's report specified that the organisation and maintenance of these forces must impose no financial burden or other housing difficulty on the Saar Territory, and that, moreover, after this organisation had been set up, there would no longer be anything to prevent the French Government evacuating its troops stationed in the Saar.

The Council's examination of this report gave rise to a prolonged debate at its two meetings on March 12th, 1927, in which the Chairman of the Governing Commission, Mr. Stephens, the Rapporteur and the German, French, Belgian and British representatives took part. A resolution submitted by the Rapporteur was finally unanimously adopted by the Council.

By this resolution the Council took note of the report of the Governing Commission and stipulated that the organisation proposed by the Commission should be put into effect within three months, and therefore the troops stationed in the territory of the Saar should be withdrawn within that period; that the Railway Committee and the Railway Defence Force should be under the orders of the Governing Commission and be responsible to the Governing Commission; that the Defence Force should only take action affecting the population under exceptional circumstances; and that the strength of eight hundred represented a maximum, which the Governing Commission was entitled to reduce without being obliged previously to refer the matter to the Council.

Documents preserved with View to the Plebiscite of 1935.

Changes affecting Documents preserved with a View to the Plebiscite.

M. Bonzon, Provisional Records Commissioner for the Saar Plebiscite, had, in his report dated October 31st, 1923, made certain recommendations to the effect that the Secretariat of the League of Nations and the Governing Commission should be officially notified of any change in the position — as indicated in the original returns prepared by him — of documents preserved with a view to the plebiscite.

In pursuance of these recommendations, the seven Landrâte of the Territory and the Bürgermeister of the town of Saarbruck have sent in reports on the period from April 1st, 1926, to March 31st, 1927, and the Governing Commission has also sent in reports for the year 1926. The local authorities have continued to send in a special notification in the case of every change in the position of documents, as was stipulated in the recommendations referred to above.

Petitions from Inhabitants of the Saar Territory.

Several petitions from organisations or private individuals in the Saar Territory have been submitted to the Council for its information by the Governing Commission, in pursuance of the Council's resolution dated May 17th, 1920. These petitions were accompanied by the observations which the Commission thought it desirable to make in each case. They deal principally with the currency situation in the Territory, the administration of the Territory and the housing problem.

General Questions.

On May 17th, 1920, the Council approved an arrangement by which the Governing Commission should furnish the League of Nations with detailed information on all political, economic, financial, social and other questions connected with the Saar Basin of interest to the League of Nations, together with all the official publications of the Governing Commission.
In accordance with this arrangement, the Governing Commission addressed to the League of Nations its twenty-seventh, twenty-eighth and twenty-ninth periodical reports on the third and fourth quarters of the year 1926 and the first quarter of the year 1927 respectively. Some of the questions dealt with in these reports are given below.

1. Political Situation.

The Advisory Council and the Technical Committee of the Saar held several sessions during the period from July 1926 to March 1927, and gave their opinion on the various draft decrees prepared by the Governing Commission. These draft decrees concerned, among other things, the following matters: Housing system; putting into force of the agreement concluded at Baden-Baden on October 27th, 1925, between the Governing Commission and Germany in relation to questions of public relief; questions of pensions and grants to disabled soldiers; the fiscal treatment of goods on importation into the Saar Territory; the increase of certain duties and taxes; compulsory attendance at continuation schools.

In December 1926, the Governing Commission prolonged for one year the term of office of the members of the Advisory Council, which was due to expire on December 31st, 1926. The municipal and communal elections having been held in July 1926, the Governing Commission thought it preferable to postpone the elections to the Advisory Council for one year so as to avoid the disturbance of two electoral campaigns in the Territory within a year. As a consequence of this decision, the Governing Commission prolonged also the term of office of the members of the Technical Committee until December 31st, 1927.

2. Economic, Social and Financial Situation.

During the third quarter of 1926 there was no appreciable change in the economic and social situation in the Saar Territory. With regard to the last quarter of 1926, statistical tables concerning production, cost of living, prices and unemployment were favourable. The Governing Commission, however, expressed anxiety owing to the fact that the rapid recovery of the franc had caused a certain disproportion between economic conditions in the Saar and the Territory’s requirements in the matter of exports. The Governing Commission has taken all steps in its power to bring down prices, particularly as regards articles of prime necessity. In its report dated March 31st, 1927, the Governing Commission stated that the apprehensions expressed in the previous report regarding the economic situation of the Saar Territory were seen, in the first quarter of 1927, to have been well founded. In January 1927, the Governing Commission’s attention was drawn, by the Saar industrialist, in particular, to the difficulties encountered in selling the products of the Territory for export, these difficulties being due chiefly to the price of coal and to the high cost of production and transport, which, it was urged, made it impossible for the Saar factories to withstand the competition of other countries on foreign markets. The Governing Commission, after consulting the circles concerned, realised that the reason for these difficulties was to be found in the rise of the French franc, which is the legal currency of the Territory, and that the prosperity of the Saar Territory, which is highly industrialised, the entire population being dependent for its livelihood on the factories and mines, could only be ensured by sustained efforts in every direction. Thanks to the steps taken by the Governing Commission, the French State Mines Administration agreed to make a first reduction in the price of coal as from February 1st, 1927, without altering wages. In return, the Governing Commission reduced the tariffs for the transport of goods on the Saar railways, and had a scheme worked out for the reform of the tax on earned income, which scheme was laid before the Advisory Council. The Federation of Employers of the Saar industries, believing that unemployment on a large scale could only be avoided if wages were adapted to the new economic situation, denounced, on January 31st, 1927, the wage agreement with its workmen, and reduced wages by 12 per cent, with effect from March 16th, 1927. The Mines Administration also denounced its collective wage agreement, on February 14th, and publicly announced its intention of reducing wages by about 10 per cent as from March 16th, 1927. It had further reduced the price of coal as from March 1st, 1927, by about 13 per cent, including the reduction granted on February 1st. The Governing Commission thought it its duty to intervene in order that the Territory might be spared a disastrous strike. At its request, negotiations took place between the French Minister of Public Works and the Secretaries of the Miners’ Federations, in consequence of which the reduction of wages for the mines was fixed at 8.5 per cent, to take effect on March 16th and April 1st, 1927. As regards industry, the Arbitration Committee recommended a reduction of 10 per cent in wages, but this recommendation was not accepted by all Federations, and particularly by the Federation of employers of the metallurgical industry, whose own proposals were rejected by a referendum among the workmen; this did not, however, give the requisite majority for the proclamation of a strike.

Paragraph 13 of the Annex on the Saar in the Treaty of Versailles lays down that the amount contributed by the French State mines of the Saar and their accessories and subsidiaries, either to the local budget of the Territory or to the communal funds, shall be fixed with due regard to the ratio of the value of the mines to the total taxable wealth of the Basin. In March 1924, an agreement was concluded in this respect between the Governing Commission and the French Government, by which the contribution of the State mines was fixed for a period of three years at 1 6.76, a coefficient which expresses the relation between the value of the
mines and the total taxable wealth of the Saar, which were valued at 346 million gold marks and 2,341 million gold marks respectively. In conformity with the provisions of this agreement, the Governing Commission decided, during the first quarter of 1927, to request the French Government to open negotiations with a view to determining, with effect from April 1st, 1928, the coefficient to be used in calculating the contribution to be paid by the mines. The Commission considered that the change in the economic situation since 1924 might justify a request for a revision of this coefficient, and in making this request it was meeting a wish which had frequently been expressed by the population.

The general budget of the Territory for the financial year 1927 (April 1st, 1927, to March 31st, 1928) was fixed provisionally by the Governing Commission. It represents a total of 391,029,603 francs, against 363,152,411 francs in 1926. The surplus of 84,026 francs is at the disposal of the Governing Commission. This provisional budget is balanced, but will have to be slightly modified, both as regards receipts and expenditure, in virtue of recent decisions of the Governing Commission. The balance was only achieved by including in the receipts the surplus from earlier financial years amounting to 29,982,451 francs.

During the third quarter of 1926, the position of the labour market continued to be satisfactory. Strikes broke out in nine districts, most of which ended after a few days and in which about 1,700 workmen were involved. During the last quarter of 1926, seven strikes broke out, involving 1,300 workmen in all. All these strikes were due to disputes about wages.

During the first quarter of 1927, the situation of the labour market had become much less favourable, and only underwent a slight improvement at the end of March. The principal reason of the unfavourable situation was the seasonal stoppage of the building industry during the winter, as well as the bad situation in other industries, which forced them either to discharge hands or to adopt a shorter working day. In the course of this quarter, three strikes were registered. The first was a one-day protest strike in a single mine (3,500 workmen) on account of the discharge of three workmen. The second broke out in a building undertaking over a wage question (90 workmen), and lasted only two days. The third broke out in a glass works on account of a reduction of wages (140 workmen). The last-named strike began on March 18th, 1927, and was not over at the end of the month. The Arbitration Committee was called on to give awards in six cases.

The number of unemployed was 3,625 at the beginning of January, rising to 4,115 at the end of March 1927. In February, it had reached the figure of 5,284 persons, equal to 2.68 per cent of the total number of workmen employed.

3. Customs Questions.

Customs questions predominated during the third quarter of 1926. On August 21st, 1926, there came into force the agreements signed on August 5th, 1926, between the French and German Governments — the first establishing a provisional regime for six months which regulates commercial relations between the two countries, and by which the Saar benefits as being French Customs territory; the second a special arrangement which grants additional facilities to Saar concerns in regard to imports from Germany and to Saar producers in respect of exports to Germany. This arrangement affects the principal industries, except metallurgy and the groups associated with it, which must await the conclusion of the Steel Trust. Certain industries, in particular the pottery, glass, tobacco and chemical industries, are granted the privilege of exporting contingents free of duty to Germany.

The Governing Commission prevailed upon the French Government to waive the consular visa on certificates of origin. Germany is now to be allowed to import into the Saar, either free or at the minimum tariff, contingents of products which the population finds it hard to obtain within the Customs territory. The Governing Commission has also obtained the granting of limited exemptions from the prohibition on the export of coal. During the last quarter of 1926, the Commission frequently intervened between the public and the French Customs administration in order to promote the settlement of a certain number of difficult questions. The problem of the import tax on luxuries is on the eve of solution by legislation. Under the new regulations, goods subject to the luxury tax under French legislation will enter the Saar Territory duty-free and subject only to the general tax on business turnover provided that they are not subject to a luxury tax under Saar legislation. Moreover, on November 6th, 1926, the French and German Governments concluded an arrangement the object of which was to adjust the Customs regime applicable on the Saar frontiers to the situation created by the signature of the Steel Combine. This arrangement also gave the Saar finishing industry facilities for export free of duty to Germany, and in compensation permitted the duty-free export of various products and machinery to the Saar.

During the first quarter of 1927, the Economic Affairs Department continued to give its attention to Customs questions. The two Franco-German agreements mentioned above relative to the exchange of products of the Saar Territory, dated respectively August 5th and November 6th, 1926, were prolonged to May 31st, 1927, the quotas given in those agreements having been raised by 50 per cent.
4. Foreign Relations.

(a) Commission on Customary Rights for Saar Frontiers.

On September 15th, 1926, the delegates of the German and French Governments and of the Saar Governing Commission on the International Commission for the Saar Frontiers, signed at Saarbruck a protocol relating to the passage of workmen across the Saar-German frontier. This protocol takes into account the special situation of workers inhabiting German Customs territory and working in the Saar.

Further, the Commission on customary Rights for Saar Frontiers has drafted four other protocols: two protocols on the maintenance of the frontier; two protocols on customary rights for the Franco-Saar and Saar-German frontiers.

(b) Question of Officials: Social Insurance.

In pursuance of the Baden-Baden agreement concluded between the Governing Commission and the German Government on December 21st, 1925, the Governing Commission has instituted a pensions fund for all officials of the Saar Territory entitled to pensions, whether placed at its disposal by the German Government or not. Under this agreement, particulars as to the administration of this fund are to be given regularly in the Governing Commission's reports to the League. Three reports on the administration of the fund have been communicated by the Governing Commission to the League in the form of Annexes to the twenty-seventh, twenty-eighth and twenty-ninth periodical reports.

At the end of November 1926, negotiations took place between the representatives of the Governing Commission and the German Government at Trèves on the subject of the special grant to be made to Saar officials. Under the agreement reached, the relief to be granted to Saar officials is intended to settle finally all the claims which these officials might consider themselves to have either on the German Government or on the Governing Commission.

In October and November 1926, the representatives of the Governing Commission and the German Government met at Würzburg to negotiate with regard to the allocation of charges in connection with accident insurance, invalidity and employees, and with regard to mixed jurisdiction and the method of payment of insurance pensions.

(c) Posts and Telegraphs.

The service regulations annexed to the International Telegraphic Convention of St. Petersburg, which were revised by the International Telegraphic Conference at Paris in 1925, came into force in the Saar on November 1st, 1926. Accordingly, arrangements ratified by the Governing Commission were concluded between the Saar Posts and Telegraphs administration and the corresponding administration in France (July 21st and September 1st, 1926), Belgium (October 29th and 30th, 1926) and Luxemburg (November 5th and 9th, 1926).

5. School Teaching on the League of Nations.

In pursuance of the recommendations addressed by the League of Nations to the different States, the Governing Commission, at the time of Germany's entry into the League, took certain steps in the Saar to ensure that the existence and aims of the League of Nations should be made known in the State schools. Accordingly, it offered grants to a number of qualified teachers permitting them to take part in the courses organised at Geneva on International questions under the direction of Professor Zimmern and under the patronage of the International Students' Association. The Commission has also issued, for the guidance of the teaching profession, a general pamphlet on the work of the League of Nations. This pamphlet gives a short outline of the history and principles of the League of Nations, and indicates the methods by which such instruction may be given in the State schools.


The periodical reports of the Governing Commission also contain detailed information on numerous questions connected with the administrative activity of the Commission, particularly finance, economic affairs, the housing problem, the mines administration, social insurance, labour, public works, education, justice, public relief, health and agriculture, reorganisation of salaries of officials, etc.
II. FREE CITY OF DANZIG

During the sessions held in September and December 1926 and in March 1927, the Council dealt with several questions concerning the Free City of Danzig, and in particular with its financial situation, the payment by the League of Nations of the expenses connected with the post of High Commissioner of the League at Danzig, and the storage and transport of war material in the territory of the Free City.

The Chilian representative acted as Rapporteur.

The questions regarding the financial situation of Danzig are mentioned in the chapter of the present report which deals with the work of the Financial Committee.

The President of the Senate of the Free City, the Polish diplomatic representative at Danzig and the High Commissioner of the League of Nations attended the Council’s meetings when certain questions were under discussion.

POST OF HIGH COMMISSIONER.

Expenses in connection with the Post of High Commissioner.

At its meeting on December 7th, 1926, the Council, at the suggestion of the League’s High Commissioner at Danzig, considered the question whether the expenses in connection with his post should be paid by the League of Nations, or whether the money for such expenses should be advanced by the League, as had been done up to the present, and afterwards recovered from the Governments of Danzig and Poland, each Government paying half.

Before coming to a decision on the question, the Council, at the suggestion of the Rapporteur, asked the Supervisory Commission to submit a report on the principles which had so far been followed with regard to the salaries and expenses of permanent commissioners appointed by the Council.

The Supervisory Commission stated in its report that, in its opinion, there was no need to change the system which had been followed up to the present in regard to the payment of expenses in connection with the post of High Commissioner at Danzig.

The Council agreed with this view at its meeting on March 7th, 1927.

STORAGE AND TRANSPORT OF WAR MATERIAL IN THE TERRITORY OF THE FREE CITY.

The High Commissioner of the League of Nations at Danzig asked the Council for certain explanations regarding a paragraph in the Council’s resolution of June 23rd, 1921, concerning the manufacture, sale, storage and transport of war material in the Free City of Danzig, which provided that the transport and temporary storage of the above-mentioned material should be prohibited unless the consent of the Council of the League of Nations had previously been obtained.

The High Commissioner stated that from time to time commercial firms applied to him for permission to convey through the territory of Danzig war material consigned to a country other than Poland; as regards Poland, such transport has in a general manner been authorised by the Council. He added that, before his arrival at Danzig, it had become customary for the High Commissioner to judge of the expediency of granting such permission, acting in this matter as the Council’s representative.

On March 7th, 1927, the Council asked the Permanent Advisory Commission for Military, Naval and Air Questions to give an opinion on the question raised by the High Commissioner. Pending the Council’s definite decision, the High Commissioner was authorised to issue provisionally the requisite permits according to the terms of the paragraph of the above-mentioned resolution.

PARTICIPATION OF DANZIG IN INTERNATIONAL TREATIES AND CONVENTIONS.

In January 1 and March, 1927 2, the Secretary-General communicated to the Council lists of the international conventions to which the Free City has either acceded or expressed its intention of acceding, and treaties affecting Danzig which have been concluded between Poland and certain other countries. The Secretary-General added that the High Commissioner of the League of Nations saw no reason to exercise, in respect of these treaties and conventions, the right of veto provided for under Article 6 of the Treaty between Danzig and Poland concluded at Paris on November 9th, 1920.

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RELATIONS BETWEEN DANZIG AND POLAND.

Since the last Assembly, certain questions have been referred for decision to the High Commissioner in virtue of Article 39 of the Treaty between Danzig and Poland concluded at Paris on November 9th, 1920. Other questions have been referred to the High Commissioner with a view to mediation. In virtue of the above-mentioned article, the Government of Danzig and the Polish Government have the right to appeal to the Council against a decision of the High Commissioner. No appeal regarding any difference of opinion was made to the Council during its sessions held in September and December 1926 and in March 1927.

III. GRECO-BULGARIAN EMIGRATION.

The Mixed Commission on Greco-Bulgarian Emigration, appointed in virtue of the Convention of November 27th, 1919, between Greece and Bulgaria, has continued its work. In conformity with this Convention, the Commission must consist of a member appointed by each of the two contracting States and of two members of other nationalities, from among whom the President has to be selected, and who are nominated by the Council of the League of Nations. The two members of the Commission nominated by the League Council are at present Mr. Corfe (New Zealander) and M. De Reynier (Swiss).

At its meetings on September 7th, 1926, December 10th, 1926, and March 11th, 1927, the Council examined the question of refugees of Bulgarian race who came to Bulgaria from Greece, and in particular the question of the execution of certain recommendations adopted on this subject by the Council on December 14th, 1925 (see chapter in this report on Political Questions: "Greco-Bulgarian Question: Refugees").

IV. EXCHANGE OF GREEK AND TURKISH POPULATIONS.

The Mixed Commission for the Exchange of Greek and Turkish Populations, which was appointed in virtue of the Convention concluded between the Greek and Turkish Governments on January 30th, 1923, has continued its work. In conformity with this Convention, the Commission must consist of four members representing Greece and four members representing Turkey, together with three members chosen by the Council of the League of Nations from among nationals of Powers which did not take part in the war of 1914-18. The Presidency of the Commission has to be exercised in turn by each of these three neutral members. The neutral members chosen by the Council are at present M. Holstad (Norwegian), General De Lara (Spaniard) and M. Widding (Dane).

In April 1927, the Secretary-General communicated for the information of the Council and the Members of the League of Nations a decision of the Mixed Commission dated March 19th, 1927, concerning the execution of Article 16 of the above-mentioned Convention, in regard to the population of Western Thrace and Constantinople.

6.

PROTECTION OF MINORITIES.

I. GENERAL REMARKS.

The supplementary report to the sixth ordinary session of the Assembly contained a detailed statement on the subject of the procedure adopted by the Council in dealing with minorities questions. By its resolution of September 22nd, 1925, the Assembly approved this part of the report. According to the report, the "Minorities Committee" had in practice become a normal body for dealing with that part of the work of the League of Nations which was connected with the protection of minorities. Since that date, these activities have been

continued normally, and a number of minorities petitions, including some of considerable importance, have been examined by these Committees. In the course of the year, almost all the members of the Council have been called upon to sit on one or more of the Committees.

II. MINORITIES SCHOOLS IN POLISH UPPER SILESIA.

A. APPEAL OF THE DEUTSCHER VOLKSBUND OF POLISH SILESIA CONCERNING THE ADMISSION OF CHILDREN TO THE PRIMARY GERMAN MINORITIES SCHOOLS IN THE VOIVODIE OF SILESIA.

The Secretary-General received on February 12th, 1927, through the Polish Government, an appeal to the Council of the League of Nations lodged by the Deutscher Volksbund of Polish Silesia. This appeal referred to the cancellation of the entries of a number of children for the primary German minorities schools, and was made in virtue of the provisions of Article 149 of the German-Polish Convention relating to Upper Silesia signed at Geneva on May 15th, 1922. The Polish Government, in transmitting the appeal in question to the Secretary-General, in conformity with Article 157 of the Convention, attached thereto its own observations. The question thus raised was placed on the agenda of the forty-fourth session of the Council (March 1927).

The facts in question may be summed up as follows:

In May 1926, a large number of parents asked that their children should be admitted to the primary German minorities schools in Polish Silesia. These applications related to 8,649 children. Some of these children were to attend school for the first time; others had previously attended the Polish majority schools, and application was made for their transfer to the German minority schools. Some time after these applications for entry had been presented, the Education Department of the Voivodie ordered an administrative enquiry with a view to determining their authenticity and whether certain conditions laid down in Articles 106 and 131 of the Geneva Convention had been complied with. This enquiry was carried through in 67 communes, and the statements of 5,784 persons, representing 6,592 children, were heard. In the course of their examination, these persons were asked to state the mother-tongue of the children, and they also had again to declare whether they desired to enter their children for the German minority school or the Polish majority school. As a result of this enquiry, the competent authorities declared 7,114 entries for the minorities schools to be invalid. Of the seven reasons for which applications were rejected, five, relating to a comparatively small number of children, have not formed the subject of appeal by the Deutscher Volksbund. The other two reasons were the following:

1. In the case of 1,307 children, the persons responsible for their education had not attended the enquiry, and the authenticity of their signatures and, consequently, the accuracy of the statements made by them on the entry forms could not be checked.

2. The entries of 5,205 children were declared invalid on the ground that the persons responsible for their education had declared, at the enquiry, either that their mother-tongue was Polish (2,100 children) or both Polish and German (3,105 children), and, therefore, these children were not considered as belonging to the German minority.

At the beginning of the school year 1926-27, all the pupils whose entries had been declared invalid were excluded from the minorities schools. Many of these children thereafter attended no school at all, and the persons responsible for their education were fined in many cases for infringement of the Compulsory School Attendance Law. Some of the children excluded from the German minorities schools, after their expulsion from these schools, attended the Polish schools.

In view of the position, the Deutscher Volksbund on September 25th, 1926, submitted a petition to the Polish Minorities Office. In this it declared, first, that the decision of the Silesian Voivodie declaring school entries invalid on the ground that the children entered did not belong to the linguistic minority was illegal; it demanded, secondly, the immediate admission to the primary minority schools of all children regularly entered; and, thirdly, it protested against the infliction of penalties on the persons responsible for the education of the children, or the children themselves, until a final decision had been taken with regard to the petition.

In conformity with Article 152 of the Geneva Convention, this petition was forwarded to the President of the Mixed Commission, M. Calonder, for his opinion.

The President gave his opinion on December 15th, 1926. He examined, amongst other points, the question whether the administrative enquiry ordered by the Polish authorities was compatible with the Geneva Convention. He remarked that:

"The nature of the whole enquiry is revealed by the fact that the persons responsible for the education of the children had to give information about the mother-tongue of the children and to renew their declaration as to what school their children were to attend. In other words, enquiry was made as to whether the language of their children or the linguistic group to which they belonged as given by the parents in their entries, in virtue of Article 131 of the Geneva Convention, was correct".
The President considered that, in these circumstances, the measures taken by the Polish authorities constituted an infringement of both the first and second paragraphs of Article 131 of the Geneva Convention, which read:

"1. In order to determine the language of a pupil or child, account shall only be taken of the verbal or written statement of the person legally responsible for the education of the pupil or child.
   This statement may not be verified or disputed by the school authorities.

2. Similarly, the school authorities must abstain from exercising any pressure, however slight, with a view to obtaining the withdrawal of requests for the establishment of minority schools."

The President of the Mixed Commission further considered that this enquiry constituted an infringement of the principle of equality of treatment enunciated in Article 75 of the Geneva Convention.

As regards the entries declared invalid on the ground that the children did not belong to the linguistic minority, the President gave an interpretation of Article 131 of the Geneva Convention according to which the question whether the child should receive its education in German or in Polish depends exclusively on the subjective decision of the person responsible for its education, and objective circumstances, such as national origin or mother-tongue, do not come into account either as regards the person responsible for the education of the child or as regards the child itself. In the opinion of the President, this right of the person concerned to decide freely whether German or Polish should be the school language of the child for whose education he is responsible undoubtedly extends so far as to allow him to send one of his children to the minority school and the others to the majority school. Nevertheless, the President took the view that, from the educational standpoint, it was a mistake to send children who did not understand German to the German schools. In view, however, of the fact that Articles 74 and 131 of the Convention, as interpreted by the President of the Mixed Commission, absolutely precluded any direct or indirect interference by the school authorities in the matter of the language of instruction, the President gave his opinion that the educational problem could only be solved by an agreement, outside the scope of the Convention, between the competent authorities and the Deutscher Volksbund.

The President of the Mixed Commission formulated the following conclusions in his Opinion:

"1. In view of Articles 75 and 131 of the Geneva Convention, the general administrative enquiry which took place in the summer of 1926 for the hearing of all parents, guardians, etc., who had entered children for the minority schools was not justified.

2. The following entries for the minority schools were wrongfully rejected:
   A. All entries of children whose parents, guardians, etc., upon examination, formally expressed the desire to send their children to the German minority school, irrespective of whether they stated the mother-tongue to be Polish, German and Polish, or German;
   B. All entries of children whose parents, guardians, etc., upon examination, made no declaration as to the school they desired their children to attend, irrespective of whether they stated the mother-tongue to be Polish, German and Polish, or German;
   C. All entries of children whose parents, guardians, etc., upon examination, expressed the desire to have their children taught in German and Polish but did not specify whether they were to be taught in the German minority school or in the Polish majority school, irrespective of whether they stated the mother-tongue to be Polish, German and Polish, or German;
   D. The entries of the 1,307 children whose parents, guardians, etc., did not respond to the summons to appear for examination in the summer of 1926 and whose entries were annulled on this ground.

All the children included under A, B, C, and D shall immediately and ex officio be admitted to the minority schools, with the exception of those who were excluded:
   (a) Because they did not possess Polish nationality;
   (b) Because they were entered by a person not legally responsible for their education;
   (c) Because they did not belong to the school district;
   (d) Because they should have attended another school;
   (e) Because they were no longer subject to the obligation to attend school.

The petitioner should submit special petitions with regard to children refused on these grounds.