Report to the Ninth 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 eighth ordinary session of the Assembly until about May 15th, 1928.

A supplementary report, which will be distributed on the opening day of the ninth ordinary session of the Assembly, will summarise the work of the fiftieth session of the Council (June 1928) and of such Conferences and Committees of the League as have met between the date of the compilation of the present report and September 1928.

In conformity with the procedure adopted for the last five 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, 1928.
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1.

CO-OPERATION OF SPAIN AND BRAZIL IN THE WORK OF THE LEAGUE.

The President of the Council, during its meeting of March 8th, 1928, called the attention of his colleagues to the fact that, according to the notices given during the year 1926, Brazil would cease to be a Member of the League from a date immediately following the next session of the Council, and Spain from a date coinciding with that of the next following session. He proposed that the Council should invite the two Governments in question to consider whether the reasons which had led them, in 1926, to give notice of withdrawal from the League had lost something of their force through events which had since taken place, or whether those reasons were still so strong in 1928 that they felt bound to take the final step.

The President felt that such an invitation would give one more unquestionable proof to Brazil and Spain of the value which not only the Council but the League as a whole set on their continued co-operation, and that it might remind those countries of the immense importance for the whole world of the decision which they would shortly have to take.

The proposal of the President was cordially welcomed by all the Members of the Council.

CORRESPONDENCE WITH THE SPANISH GOVERNMENT.

The Council on March 9th, 1928, adopted the following resolution:

"The Council:

Noting with deep concern that, in accordance with the notice given during 1926, Spain will cease to be a Member of the League from the month of September next;

Convinced that the co-operation of the Spanish nation is of the utmost value for the successful work of the Council and of the Assembly for the preservation of peace and of good international relations;

Expresses the hope that the Spanish Government will give the most favourable consideration to the possibility of continuing its participation in the work of the League, to which in the past it has contributed so much."

The Council, at the same time, approved the terms of the covering letter to be addressed to the Spanish Government by the President of the Council:

"I have the honour, on behalf of the Council of the League of Nations, and at its unanimous request, to communicate, for the consideration of your Government, a resolution which the Council adopted at its meeting on March 9th.

At the same time, I feel I should like to acquaint you with the spirit in which the Council adopted the resolution in question, the terms of which necessarily give an inadequate idea of the feeling of all the Members of the Council in regard to Spain.

I would state at the outset that the Council has been most careful to avoid even the appearance of an expression of opinion in regard to the possible interests of Spain in the decision which is now before your Government. If the Council sought to give an opinion on this point it would be exceeding its competence and departing from the principles which have continually guided the action of the League. The point which the Council now desires to make clear beyond any possibility of doubt is the keen desire which is felt by the whole League of Nations to see Spain once more co-operating fully in the progressive work which it is endeavouring to carry out.

It is inevitable that the Council should attach a very special importance to the co-operation of Spain. Spain is to all the world a country which has a secure place amongst the nations. In art and in letters, in her historical prestige, in her great contribution to the development of modern civilisation, and in the extension of Spanish civilisation to one of the most important regions of the world, Spain holds a pre-eminent position. The recent history of Spain clearly shows that her future will be no less splendid than her past. But to us who are Members of the Council, Spain means much more even than this. She was one of the original Members of the Council and, as the only one of the original Members not involved in the Great War, was marked out to play a part of special importance in our deliberations. She did, in fact, play that part in a spirit of impartiality and wisdom, to which other nations have on many occasions paid tribute.

There is, we believe, no doubt that the influence and prestige of the League have steadily grown since its inception and are destined to grow much more. But in proportion as its influence increases, its responsibility increases also. The League has faced more than one moment of difficulty; and the fact that it has faced them
with success makes it all the more certain that, should some new and graver crisis arise, it is to the League that humanity will look to save it from disasters equal to or greater than those that are within the memory of us all. It is because the League of Nations, and especially the Council, must endeavour to ensure with increasing certainty that, if a crisis arises, they may be strong enough to prevent the outbreak of war, that we view with special anxiety the prospect of being deprived of the collaboration of Spain.

It is therefore with deep concern that the Council, through me, ventures to ask you to give your earnest attention to our resolution, taking into account — as you must — both the interests of your country and also, I hope, the considerations which I have ventured to set forth as to the importance which the decision of your Government will have on the future of the League of Nations and the consolidation of international peace.

"(Signed) URRUTIA,
"President of the Council."

The Spanish Government on March 22nd, 1928, replied as follows:

"I have the honour to acknowledge the receipt of your kind letter of the 9th instant, communicating to me, on behalf of the Council of the League of Nations and in accordance with the wish expressed by all its Members, the resolution adopted by the Council at its meeting on that day, for the consideration of His Majesty's Government.

"The cordial terms of your letter, in which you avoid even the appearance of an expression of opinion in regard to our national aspirations, merely stating your earnest desire that the League should not be deprived of the co-operation of Spain, so that she might continue to assist the League in its great and disinterested work, have made a profound impression on my Government, which met in Council for the express purpose of considering this important communication.

"During these last years, Spain has not ceased to pursue the lofty ideal which inspires the League of Nations, and she has proposed and concluded treaties of conciliation and arbitration with various States. We therefore greatly appreciate the Council's invitation transmitted by you, and in reply, the Spanish Government has no alternative but to express its gratitude and to accept the invitation unconditionally and without reservation. We leave it to the Assembly to decide the form which Spain's co-operation should take and the position due to her in order that her rôle may be effectual and valuable and in consonance with her special situation as a great Power which was neutral during the last war, and with her great past, as the creator of nations and civilisations.

"In conclusion, I should like you to convey my sincerest gratitude to the representatives of all the countries which have expressed affection and respect for the Spanish nation, with its long and glorious past, and I would renew to Your Excellency the special assurance of my highest consideration.

"(Signed) Miguel PRIMO DE RIVERA."

The President of the Council has acknowledged the receipt of this letter and asked the Secretary-General to communicate it to all the Members of the League.

CORRESPONDENCE WITH THE GOVERNMENT OF BRAZIL.

The Council on March 9th, 1928, adopted the following resolution:

"The Council:
"Noting with deep concern that, in accordance with the notice given during the year 1926, Brazil will cease to be a Member of the League from a date immediately following the next session of the Council;
"Convinced that the co-operation of the Brazilian nation is of the utmost value for the successful work of the Council and of the Assembly for the preservation of peace and of good international relations;
"Expresses the hope that the Brazilian Government will give the most favourable consideration to the possibility of continuing its participation in the work of the League, to which in the past it has contributed so much."

The Council at the same time approved the terms of the covering letter to be addressed to the Government of Brazil by the President of the Council:

"I have the honour to forward to you a resolution adopted by the Council of the League of Nations at its meeting on March 9th.
"No one who has worked for international peace and co-operation at the meetings of the League of Nations can forget the important part which the Brazilian delegations have taken in all our activities.
Brazil has been one of the protagonists of arbitration and international justice: the Statute of the Permanent Court of International Justice bears the profound imprint of the ideas put forward by Brazil, and the Brazilian delegates, to whose views their colleagues have always listened with respect, have year by year defended the cause of arbitration. I venture to say that they have seen the ideas they sowed bear a rich harvest, for the great movement towards arbitration which has taken place in recent years is undoubtedly due mainly to the existence of the League of Nations and to the action taken at its Assemblies by delegations inspired by a spirit of idealism and justice.

"The League is, however, far from having reached its full development. Last year it dealt with the great problems of world economic organisation, and at this first Economic Conference, which is to be followed by further endeavours, Brazil once again gave the League the valuable assistance of her Government delegates and her experts. The problems raised by the great questions of the security of nations and the reduction and limitation of armaments are also among those dealt with by the League. Will not Brazil come to the League's aid alike with her idealism and her practical wisdom? Will she discontinue her co-operation in all the other work—technical, intellectual and social—in which she has hitherto taken part as a Member of the League?

"Having the honour, at the moment, of being President of the Council of the League, it is my duty to express to you my colleagues' views; and, being myself a citizen of one of those nations of the New World which have done so much and may yet do so much to realise the great ideal of international organisation and peace, I feel bound to associate myself with these views, with especial sympathy, but too inadequately expressed in this letter.

"(Signed) URRUTIA,
"President of the Council."

The Brazilian Minister for Foreign Affairs on April 9th, 1928, replied as follows:

"I have the honour to acknowledge receipt of Your Excellency's letter together with the text of the resolution on the relations between Brazil and the League of Nations adopted by the Council at the sitting held on March 9th.

"I hereby renew to Your Excellency and to the Council the thanks I had the opportunity of expressing on answering the telegram in which you informed me of that resolution and advised me of the despatch of the documents which I have now received. I must furthermore express Brazil's appreciation of the very cordial terms in which these documents are worded.

"On June 10th and 12th, 1926, Brazil announced her intention of withdrawing from the League of Nations, setting forth fully the grounds for her action. The facts which preceded that decision of the Brazilian Government are well known. The widest publicity was given to the occurrence in its divers phases, and to all commentaries aroused by it.

"The Government now responsible for the policy of Brazil, duly considering the subject, both from the political and from the moral standpoint, reviewing all the documents of the case, with the sole purpose of being loyal to the duties and responsibilities of this country, find no determining factor for altering, under such delicate circumstances, a situation which has already been clearly defined, since the contingencies which brought it about are nowise changed. If therefore, collaboration with the League of Nations implies permanence as a Member thereof, the Brazilian Government is the first to regret that the present circumstances do not allow such collaboration.

"It would appear to me, however, that it is not only by occupying a seat in the Assembly or in the Council that a country can collaborate with the League of Nations. Such countries collaborate as recognise its service to civilisation and to humanity. Countries that do honour to the great organisations created by the League of Nations, amongst which the Permanent Court of International Justice stands foremost, and join in conferences through which the League of Nations strives for universal welfare by working out problems of general interest, rightly consider themselves collaborators. Lastly, it is clear that support is also brought to the League of Nations by those countries that preach and practise, in whatever part of the world they may be, to the utmost of their power the true policy of preserving peace, in no matter what emergency, by the employment of juridical solutions, by their disinterestedness, by their amity and by their spirit of justice and of concord.

"Collaboration being thus understood, I beg Your Excellency and the Council to consider my country one of the most devoted collaborators of the League of Nations, and if, in the future, Brazil finds it possible to return thereto, she will only have ground
for rejoicing both at the honour of being once more a Member and at the facts in consequence of which her return to that great institution will have been made possible. Brazil sincerely wishes that the blessings of mankind may be showered ever increasingly upon the League of Nations.

"(Signed) Octavio Mangabeira."

CO-OPERATION OF COSTA RICA.

The President, in submitting his draft resolution to the Council on March 9th, reminded his colleagues that the Government of Costa Rica had three years previously notified its intention of withdrawing from the League. He pointed out that the time-limit fixed by the Covenant had expired over a year previously, and that Costa Rica had therefore ceased to be a Member of the League. He ventured to emphasise, however, on behalf of the Members of the Council, the great satisfaction which would be felt by the League if the Government of Costa Rica, reversing its decision, would consent to participate again in that institution.

It was suggested that the Secretary-General should forward to the Government of Costa Rica the statement made by the President as an expression of the feelings of all the Members of the Council, and this suggestion has since been carried into effect.

LEGAL QUESTIONS

I. PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

(See Agenda of the Assembly of 1928, Item No. 10 A, B and C.)

A. WORK OF THE PREPARATORY COMMITTEE FOR THE FIRST CODIFICATION CONFERENCE.

By its resolution of September 27th, 1927, the Assembly, after considering the reports presented by the Committee of Experts for the Progressive Codification of International Law, decided to submit for examination by a first Codification Conference, to be held, if possible, in the year 1929, the following questions:

(a) Nationality;
(b) Territorial Waters;
(c) Responsibility of States for Damage done in their Territory to the Person or Property of Foreigners.

The preparatory work for the Conference was entrusted by the Assembly to a Committee of five experts to be appointed by the Council. By a resolution of September 28th, 1927, the Council appointed as members of the Preparatory Committee: Professor Basdevant, Councillor Carlos Castro-Ruiz, Professor François, Sir Cecil Hurst and M. Massimo Pilotti.

The method of work to be followed by the Preparatory Committee is set out in the report submitted to the Assembly by the First Committee.

The first task of the Committee is to draw up for each of the questions on the agenda of the Conference a schedule indicating the various points considered suitable for examination. The schedules are to be submitted to the Governments, through the Secretariat, with the request that information may be furnished from the three following points of view:

(a) The state of their positive law, internal and international, with, as far as possible, circumstantial details as to the bibliography and jurisprudence;

1 The Minutes of the Assembly's discussions on the subject of codification are printed separately in document C.548.M.196.1927.V.

2 See, in particular, document C.196.M.70.1927.V.
(b) Information derived from their own practice at home and abroad;
(c) Their wishes as regards possible additions to the rules in force and the manner of making good present deficiencies in international law.

At the next stage of its work the Preparatory Committee is to examine the information and the expressions of opinion received from the Governments. It may, if necessary, address further enquiries to the Governments. When the necessary enquiries have been completed, the Committee is to establish the points on which agreement or divergence of view exists and to embody its conclusions in a report intended to serve as a detailed basis for the discussions of the Conference.

It will then be for the Council of the League to decide as to the date of meeting of the Conference and the form of the invitations to be issued to the Governments. In issuing the invitations, the Council is to consider the advisability of formulating special rules for the conduct of the Conference, more particularly with reference to certain questions specified in the Assembly’s resolution of September 27th, 1927.

The Assembly contemplated that the Council would convene the Conference at The Hague by agreement with the Netherlands Government.

The first stage of the above programme of work was accomplished by the Preparatory Committee at a session held at Geneva from February 6th to 15th, 1928. A report (document C.44.M.21.1928.V) was drawn up setting out the three schedules of points on which the Governments are invited to furnish information. This report was transmitted to the Governments by the Secretary-General under cover of Circular Letter No. 36, dated March 1st, 1928.

In agreement with the Preparatory Committee, the Secretary-General has requested the Governments to transmit their replies to the Secretariat not later than October 31st, 1928, and has informed them that the Preparatory Committee considers it essential to have the replies by that date in order that it may be able to undertake the second part of its task at a session beginning on January 28th, 1929. The following passage from the Secretary-General’s letter explains the views of the Preparatory Committee with regard to the subsequent progress of its work.

“In view of the Assembly’s decision that the forthcoming Conference shall, if possible, be held in the year 1929, and of the considerable time which will evidently be required by the Committee for the purpose of examining the information furnished by the Governments and drawing up the contemplated bases of discussion for the Conference, the Committee has requested me to state that it attaches the greatest importance to receiving answers from all the Governments by a date not later than October 31st next. It has decided to hold a session to consider these answers not later than January 28th, 1929. These periods have been fixed with the view, on the one hand, of allowing to the Governments at least the period of six months contemplated by the report of the First Committee for the purpose of preparing their replies and, on the other hand, with the view of permitting sufficient time for the preparation of the resulting material for consideration by the Committee when it meets. Their observance appears to be essential if the Conference is to be held within the period fixed by the Assembly.”

The Preparatory Committee has been invited to avail itself of any assistance which can be obtained from the various learned associations established for the study and development of international law. Accordingly, its report has been transmitted to these associations, and any communications which may be received from them will be considered by the Committee at the same time as the information supplied by the Governments.

As recommended by the First Committee of the Assembly, the Committee is also devoting special attention to the work of codification which has been undertaken by the Pan-American Union.

B. PROPOSAL OF THE DELEGATION OF PARAGUAY AT THE EIGHTH ORDINARY SESSION OF THE ASSEMBLY FOR THE PREPARATION OF A GENERAL AND COMPREHENSIVE PLAN OF CODIFICATION OF INTERNATIONAL LAW.

The Assembly decided that the Committee of Experts for the Progressive Codification of International Law should be invited to consider at its next session under what conditions effect could be given to this proposal.

The question has therefore been placed on the agenda of the fourth session of the Committee which opens on June 22nd, 1928.

C. WORK OF THE COMMITTEE OF EXPERTS FOR THE PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

This Committee was established in execution of the Assembly’s resolution of September 22nd, 1924, with the mandate to prepare provisional lists 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, and, after obtaining the opinion of the Governments, to report as to the questions which are sufficiently ripe for international action and on the procedure which might be followed with a view to preparing eventually for conferences for their solution.

After presenting the reports referred to in Section A above, the Committee had still a number of subjects under consideration.

At its session of 1927, the Assembly resolved that the Committee should be invited to complete the work which it had already begun.

The next session of the Committee of Experts has been convened for June 22nd, 1928, and information concerning its work will accordingly be given in the supplementary report to the Assembly.

D. Effect given to Recommendations of the Committee of Experts for the Progressive Codification of International Law made in its Reports to the Council in 1927.

(a) Procedure of International Conferences and Procedure for the Conclusion and Drafting of Treaties.

In consequence of a recommendation of the Committee of Experts, the Secretariat has, under resolutions of the Assembly and the Council, been instructed to undertake a study of this question. The necessary measures are being taken for this purpose.

(b) Exploitation of the Products of the Sea.

After considering the recommendations made by the Committee of Experts, the Assembly, by its resolution of September 27th, 1927, decided that this subject, which it recognised to be of great importance and urgency, should be referred for consideration to the Economic Committee of the League, on whose agenda it has accordingly been placed. In consequence, information on the subject will henceforward be given in connection with the work of the Economic Committee, and not under the heading of Codification of International Law.

II. Legal Assistance for the Poor.

Execution of the Assembly's Resolution of September 20th, 1924

The Assembly's resolution of September 20th, 1924, concerning legal assistance for the poor contemplated:

1. The collection, by enquiries addressed to the Governments, and the publication of (a) information regarding the treaties, laws and other provisions regulating legal assistance to poor persons in the various countries and between the various countries; (b) a list of the agencies, both public and private, which afford legal assistance to poor persons; and (c) a list of authorities or persons nominated by Governments to answer enquiries regarding legal assistance to the poor from authorities or duly qualified persons in foreign countries.

2. An enquiry as to how far the various Governments "would be disposed to become parties to a Convention dealing with free legal aid for the poor on the basis of the principles formulated in Articles 20 to 23 of the Hague Convention of July 17th, 1905, and whether possibly they would desire to propose any modification of such principles".

The collection of texts referred to above has now been issued by the Secretariat and communicated to all the Governments. The first part of the Assembly's resolution of September 20th, 1924, has therefore been executed.

As regards the enquiry concerning the extent to which the Governments would be disposed to become parties to a Convention dealing with free legal aid for the poor, the Council, on December 5th, 1927, decided that it was not necessary for the League to take steps with a view to the international regulation of the question, as it would in all probability be examined by the Conference on International Private Law, which was to be held at The Hague in the beginning of 1928 under the auspices of the Netherlands Government.

The Conference on International Private Law, which took place in January of this year at The Hague, examined the question of legal aid for the poor and adopted a new Convention.
III. CASE OF THE CRUISER SALAMIS.

At its sessions of September and December 1927, the Council dealt with a request from the Hellenic Government that measures should be taken to establish the interpretation of certain articles of the Treaty of Versailles upon which partly depended the issue of proceedings brought before the Greco-German Mixed Arbitral Tribunal by the Hellenic Government for the cancellation of contracts for a cruiser known as the Salamis, which the Hellenic Government had concluded in 1914 with the Vulcan Company.

The Hellenic Government suggested that the Council might ask for an advisory opinion from the Permanent Court of International Justice.

The German Government informed the Council that it did not see any reason why the Council should intervene in the matter.

On December 12th, 1927, the Council approved a report drawn up by a Committee composed of the legal advisers of its members, to whom the subject, and more particularly the question of the Council's competence, had been referred. The principal conclusions of this report may be summarised as follows:

The matter which the legal advisers had to study was particularly a question of competence of the Council.

It will not be contested that, as a general principle, and in the absence of some special attribution of competence, the Council should not intervene in a question pending before another international organ, such as a Mixed Arbitral Tribunal, when (a) the request for the Council's intervention is made by only one of the parties; and (b) when the case is being dealt with by that international organ, with the consent of both Parties, and is regarded by it as within its competence. If this rule were not followed as a general principle, the position of all international tribunals would be prejudiced and an intolerable burden would be imposed on the Council of the League of Nations.

The above principle would not apply if both parties to the case joined in asking the Council to intervene, or if the Mixed Arbitral Tribunal itself did so. The German representative, however, has not joined in the request to the Council, and the Mixed Arbitral Tribunal, for its part, has not made any application to the Council.

In view of the importance of the principle that the Council should not take any action which could be misinterpreted as an encroachment on the sphere of an international tribunal which has been duly seized of a question, it would be courteous for the Council to address a communication to the Mixed Arbitral Tribunal to the effect that, if it should judge it to be desirable that an interpretation of Article 192 (and Article 190, if that article is considered relevant) should be obtained by way of an advisory opinion by the Permanent Court of International Justice and should address a communication to the Council to that effect, the Council would defer to such a desire.

On December 12th, 1927, the Council adopted the report of the Committee of Jurists.

On instructions from the Council, the Secretary-General sent a letter to the President of the Mixed Arbitral Tribunal in the sense proposed by the Committee of Jurists.

3.

FINANCES OF THE LEAGUE.

I. GENERAL FINANCIAL POSITION.

During the year 1927, 87 per cent of the amount of the contributions due for that year was received from the States Members, as against 86 3/4 per cent of the budget for 1926 during that year.

The total amount received on account of arrears during 1927 was 1,659,322.19 gold francs, as compared with 1,965,032.55 gold francs in 1926.

The cash position of the three autonomous organisations of the League on December 31st, 1927, was as follows:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Surplus</th>
<th>Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretariat</td>
<td>1,189,096.43</td>
<td>—</td>
</tr>
<tr>
<td>International Labour Organisation</td>
<td>—</td>
<td>328,700.16</td>
</tr>
<tr>
<td>Permanent Court of International Justice</td>
<td>230,197.25</td>
<td>—</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,419,293.68</strong></td>
<td><strong>328,700.16</strong></td>
</tr>
</tbody>
</table>
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 is now composed of the following members:

His Excellency M. Stefan Osuský, Czechoslovakia, Chairman.
Lord Meston of Agra, India, Vice-Chairman.
Dr. J. A. Nederbragt, Netherlands, Rapporteur.
M. Jean Réveillaud, France.
His Excellency M. C. Parra-Pérez, Venezuela.

II. ACCOUNTS FOR 1927.

The Commission examined points raised in the report drawn up by the League’s auditor, M. Ceresa, as well as certain general observations made by the Rapporteur. After having considered with the Secretary-General and the responsible officials of the autonomous organisations certain broad questions of principle, the Commission made recommendations regarding further improvements which might be made in the form of the accounts.

III. SURPLUS FOR THE FINANCIAL YEAR 1927 AND LEAGUE BUILDING FUND

The Commission recommended that the net surplus (i.e., the total surplus less the deficit of the International Labour Organisation), amounting to 1,090,593.52 gold francs, should be returned to the Members of the League in accordance with Article 38 (a) of the Financial Regulations.

The Commission noted that the Building Fund would probably reach, after the sale of the Hôtel National and various receipts such as interest had been credited to it, the sum of 16½ million francs. At its last session, the Assembly had, however, approved in principle that the amount to be spent on the new building should be increased to approximately 19,500,000 francs. In these circumstances, the Commission considered it essential that some immediate steps should be taken to bridge over the difference between the amount available in the Building Fund Account and the commitments which it will have to meet. The Commission recommended therefore that the amount to be returned, in 1929, out of the Building Fund should be fixed at 700,000 gold francs, as against 1,400,000 francs during each of the two previous years.

IV. BUDGET FOR 1929.

The budget for 1929, as forwarded to the Members of the League, for consideration by the Assembly, amounts to 26,871,244 francs, as compared with 25,333,817 francs for 1928. The Commission, having noted that the major part of the increase was due to work that was being undertaken under direct or implied instructions from the Assembly and the International Labour Conference, decided to submit in its general bearings the problem of the increase of the budget for the consideration and orders of the Assembly.

V. MISCELLANEOUS QUESTIONS.

The Commission, at its January and April sessions, began the consideration of the various administrative questions which had been submitted to it by the Assembly during its eighth ordinary session. This study is still being continued and will be completed at a further session to be held in June.
REDUCTION OF ARMAMENTS.

I. DECLARATION REGARDING WARS OF AGGRESSION.

The Assembly, at its eighth ordinary session on September 24th, 1927, adopted the following resolution:

"The Assembly:
Recognising the solidarity which unites the community of nations;
Being inspired by a firm desire for the maintenance of general peace;
Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;
Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament:

 Declares:
 (1) That all wars of aggression are, and shall always be, prohibited;
 (2) That every pacific means must be employed to settle disputes of every description, which may arise between States.

The Assembly declares that the States Members of the League are under an obligation to conform to these principles."

In view of this resolution, the Council adopted the following resolution on September 27th, 1927:

"The Council:

In view of the resolution adopted by the Assembly on September 24th, 1927, prohibiting all wars of aggression and declaring that every pacific means must be employed to settle disputes of every description which may arise between States,

Requests the Secretary-General to bring this resolution to the notice of all States Members of the League."

The Secretary-General communicated the resolutions of the Assembly and of the Council to the Governments in a circular letter dated October 18th, 1927.

II. CIVIL AVIATION.

The Assembly, during its eighth ordinary session on September 26th, 1927, adopted the following resolution:

"Whereas in certain countries there is at present a close connection, from the technical point of view and from the point of view of organisation, between the requirements and developments of civil aviation and those of military aviation;

And whereas this connection leads to difficulties in limiting air armaments without hampering civil aviation;

The Assembly:
Declares that it is desirable for this purpose that the development of civil aviation should be directed solely towards economic ends to the exclusion of military interests;

Recommends all States Members of the League of Nations to act as far as possible on the recommendations made in this connection by the Preparatory Commission for the Disarmament Conference;

And requests the Council to instruct the Advisory and Technical Committee for Communications and Transit to consider practical methods likely to facilitate the conclusion of the agreements between aviation undertakings in the various countries which are referred to in these recommendations."

The Council, on September 27th, 1927, after considering this resolution, asked the Secretary-General to forward it to the States Members of the League of Nations, and to the Advisory and Technical Committee for Communications and Transit.

The Secretary-General, on October 18th, 1927, sent to all States Members a circular letter communicating to them the resolution of the Assembly.
The Advisory and Technical Committee for Communications and Transit, which met at Geneva on February 27th, 1928, decided to instruct a special Committee of Enquiry to determine the steps to be taken as a consequence of this resolution. The appointment of this special Committee was entrusted to the Chairman, who was authorised to take any measures that might facilitate the co-operation of the Governments concerned.

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

(a) The Assembly, during its eighth ordinary session on September 26th, 1927, adopted the following resolution:

"The Assembly:

"Having taken note of the report (document C.169.M.119.1927) approved by the Committee of the Council on March 15th, 1927, with regard to the methods and 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;

"Approves this report and recommends its adoption by the Council as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in the event of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency."

The Council, on December 6th, 1927, adopted the following resolution on this subject:

"The Council:

"Having taken note of the report approved by the Committee of the Council on March 15th, 1927, with regard to the 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;

"Approves this report and adopts it as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in case of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency."

(b) Number III (e) of the report of March 15th, 1927, referred to in the above resolution, is as follows:

"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."

The Secretary-General, in accordance with these suggestions, has taken the necessary steps with a view to compiling the lists mentioned, basing these lists on spontaneous offers of assistance which have reached him, on the lists of the members of the various Committees and Sub-Committees previously or at the moment in existence, and on the information contained in the files of the Secretariat regarding persons who have already assisted the League of Nations in its work. No Government has yet sent to the Secretary-General any list of experts of this character.

(c) A reference may here be inserted to No. 7a of the resolution adopted by the Council of December 8th, 1926. The resolution is as follows:

"The Council requests the Secretary-General:

"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 Committee."

The Secretary-General, acting on this resolution, has consulted the Economic and Financial Committees, whose views are embodied in two reports which were adopted by the
Council on March 9th and December 21st, 1927 respectively. These two reports have been communicated to the Committee on Arbitration and Security (mentioned below) and the Council expressed the view, in a resolution dated March 6th, 1928, that, at present, no further action on the part of the Secretariat was necessary.

(d) For the work of the Committee on Arbitration and Security, see Section VI below.

IV. COMMUNICATIONS WITH THE LEAGUE IN TIMES OF EMERGENCY.

(a) The Assembly, during its eighth ordinary session on September 26th, 1927, adopted the following resolution:

"The Assembly:
"Being desirous of adopting all measures likely to make possible the prompt application of the system contemplated by the Covenant for the maintenance of peace, and of giving to States Members of the League of Nations a greater feeling of security;
"Convinced that, in this connection, it is of the utmost importance to ensure the rapid working of the organs of the League of Nations at times of emergency;
"Considering that their intervention in the shortest possible time may prove to be an essential condition for the prevention of war;
"Inspired by the spirit and provisions of the Covenant;
"Reasserts that it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council in times of emergency;
"Invites the States Members of the League of Nations to take in advance all necessary measures for this purpose;
"Congratulates the Council on having studied the question, to which the Assembly attaches the greatest importance, and requests the Council to continue its studies, particularly in regard to telephonic communications between the seat of the League and the different capitals, the identification of air-craft making journeys of importance to the League of Nations at times of emergency, the establishment of a radio-telegraphic station at the seat of the League, the adaptation of a landing-ground in the neighbourhood of the seat of the League, and, more generally, provisions enabling the League of Nations to be prepared at any moment to meet any emergency with the greatest possible rapidity."

The Council, acting on this resolution, adopted the following resolution on September 27th, 1927:

"The Council:
"Having regard to the resolution adopted by the Assembly on September 26th, 1927, regarding meetings of the Council and of the organs of the League of Nations in times of emergency;
"Notes that the Assembly asserts that 'it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council in times of emergency', and calls the attention of the States Members of the League to the consequences of this obligation;
"Forwards to the States Members of the League of Nations this resolution of the Assembly; and
"Requests the Secretary-General to communicate it to the Advisory and Technical Committee for Communications and Transit with the request that it will continue the investigations which it has already started on this question."

This resolution of the Council, together with the resolution of the Assembly, was communicated by the Secretary-General to all the Members of the League of Nations in a circular letter dated October 19th, 1927.

The Advisory and Technical Committee for Communications and Transit, at its meeting on February 27th, 1928, continued its study of the questions affecting rapid communications between the seat of the League and the rest of the world, and particularly the questions mentioned in the resolutions quoted above.

For the details of the decisions taken and the present position of the work, reference should be made to that part of the report which deals with the work of the Organisation for Communications and Transit.

(b) The Committee on Arbitration and Security adopted on March 7th, 1928, a resolution on communications with the League in times of crisis. See Section VI below.
V. FINANCIAL ASSISTANCE TO STATES VICTIMS OF AGGRESSION.

The Assembly, during its eighth ordinary session, adopted on September 26th, 1927, the following resolution:

"The Assembly:
"Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government's proposal for ensuring financial aid to any State victim of aggression;
"Being convinced of the need for a system of financial aid for contributing to the organisation of security, which is an indispensable preliminary to general disarmament:
"Requests the Council to continue its examination of the plan, which the Committee declares to be necessary, and to prepare and complete it with a view to its final adoption either by a Disarmament Conference or by a special Conference to be convened for the purpose.
"The Assembly suggests to the Council that it would be advisable to submit the plan referred to, and the documents relating to Article 16 prepared by the Legal Section of the Secretariat, the observations submitted by the several Governments and the Minutes of the discussions in the Third Committee on this subject, to the Committee which it proposes should be appointed in pursuance of its resolution relative to arbitration, security and disarmament."

The Council took the following decision on September, 27th, 1927:

"The Council:
"Notes the Assembly's resolution of September 26th, 1927, concerning financial aid to States victims of aggression;
"Forwards this resolution to the Preparatory Commission for communication to the Committee which it is to appoint to study questions relating to arbitration and security;
"Authorises that Committee to consult the Financial Committee whenever it thinks fit and, if necessary, to request the latter to make technical studies of the question;
"Requests the Financial Committee to co-operate with the Committee on Arbitration and Security and the Preparatory Commission for the Disarmament Conference for the purposes mentioned above."

As a result of the discussions in the Committee on Arbitration and Security, a Joint Committee was established composed of four members of the Committee on Arbitration and Security and three members of the Financial Committee. This Joint Committee held a session in the month of March 1928. A second session was arranged for the beginning of June 1928.

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

The Assembly, during its eighth ordinary session, adopted on September 26th, 1927, the following resolution:

"The Assembly:
"Noting the progress achieved in the technical sphere by the Preparatory Commission for the Disarmament Conference and by the Committee of the Council towards enabling the Council to be rapidly convened and to take decisions in case of emergency;
"Being anxious to bring about the political conditions calculated to assure the success of the work of disarmament;
"Being convinced that the principal condition of this success is that every State should be sure of not having to provide unaided for its security by means of its own armaments and should be able to rely also on the organised collective action of the League of Nations;
"Affirming that such action should aim chiefly at forestalling or arresting any resort to war and, if need be, at effectively protecting any State victim of an aggression;
"Being convinced that the burdens which may thereby be imposed on the different States will be the more readily accepted by them in proportion as:

"(a) They are shared in practice by a greater number of States;
"(b) The individual obligations of States have been more clearly defined and limited:

"1. Recommends the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments;"
"2. Recalls its resolution of September 24th, 1926, which reads as follows:
   "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."

" Accordingly requests the Council to urge the Preparatory Commission to hasten the completion of its technical work and to convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed;

"3. Requests the Council to give the Preparatory Commission, whose task will not be confined to the preparation of an initial Conference on the limitation and reduction of armaments, and whose work must continue until the final goal has been achieved, the necessary instructions for the creation without delay of a Committee consisting of representatives of all the States which have seats on the Commission and are Members of the League of Nations, other States represented on the Commission being invited to sit on it if they so desire.

"This Committee would be placed at the Commission's disposal and its duty would be to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.

"The Assembly considers that these measures should be sought:
   "In action by the League of Nations with a view to promoting, generalising, and co-ordinating special or collective agreements on arbitration and security;
   "In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant;
   "In agreements which the States Members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States;
   "And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council's decisions or recommendations."

The Council adopted the following resolution on September 27th, 1927:

"The Council:
   "Forwards to the Governments Members and non-Members of the League of Nations the resolution adopted by the Assembly on September 26th, 1927, with regard to arbitration, security and disarmament;
   "Draws these Governments' attention to the recommendations made by the Assembly with a view to 'the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments';
   "Invites the Preparatory Commission of the Disarmament Conference to hasten the completion of its technical work in order that the Council may convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed;
   "Requests the Preparatory Commission to appoint a Committee which will be placed at its disposal and whose duty will be 'to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement'.
   "This Committee will consist 'of representatives of all the States which have seats on the Commission and are Members of the League of Nations, the other States represented on the Commission being invited to take part if they so desire'."

The Preparatory Commission constituted on November 30th, 1927, a Committee on Arbitration and Security. The resolution of the Council provides that the States non-Members of the League of Nations represented on the Preparatory Commission should
be invited to take part if they so desire. The representative of the United States of America on the Preparatory Commission replied to a question put to him on the subject by the Chairman to the following effect:

"At such time as the Committee on Arbitration and Security, working parallel to this Commission, may submit its recommendations to this body, my Government will be glad, in the light of its traditional and historic policy, to take these recommendations into careful consideration. That these recommendations would be productive of fruitful results is, I assure you, our sincere hope."

The representative of the Union of Socialist Soviet Republics replied to the question of the Chairman as follows:

"The Soviet delegation is unable to participate as a member of the Committee on Arbitration and Security. The Soviet delegation is, however, prepared to observe and follow with the closest attention the work of the Committee within such limits and forms as may be permitted by the Preparatory Commission and satisfactory to ourselves."

The Commission, in view of this declaration, agreed that the Government of the Union of Socialist Soviet Republics should send an observer to the Committee on Arbitration and Security.

The Committee on Arbitration and Security first met on December 1st, 1927. Its bureau was constituted as follows: Chairman: M. Beneš (Czechoslovakia), Vice-Chairmen: M. Urrutia (Colombia) and M. Undén (Sweden).

To guide the Committee in its work, the Preparatory Commission transmitted to it the resolutions of the Assembly and the Council, to which reference has already been made. The Committee, on the basis of these texts, established a programme dealing with the following three classes of questions: Treaties of Arbitration and Conciliation; Security Agreements; Articles 10, 11 and 16 of the Covenant and Financial Assistance to States Victims of Aggression.

Three Rapporteurs, M. Holsti (Finland), M. Politis (Greece), and M. Rutgers (Netherlands) were respectively asked to prepare, on each of these three questions, memoranda which might serve as a basis of discussion at the second session of the Committee arranged for February 1928.

It was understood that these memoranda, before being sent to the members of the Committee, would be co-ordinated by the Rapporteurs, in collaboration with the Chairman, who would endeavour to make of them an organic whole.

The Preparatory Commission was informed at its meeting on December 3rd, 1927, of the programme of work of the Committee on Arbitration and Security.

In conformity with this programme, the draft memoranda prepared by the three Rapporteurs were co-ordinated by them in collaboration with the Chairman of the Committee during a meeting held at Prague from January 26th to February 1st, 1928. The Rapporteurs and the Chairman, endeavoured to take into account, as far as possible, the indications contained in notes which had been sent by certain Governments (Germany, Belgium, Great Britain, Norway and Sweden) as well as the observations made by the representatives of other Governments during the previous discussions on the questions of arbitration and security.

The second session of the Committee began at Geneva on February 20th, when the document prepared at Prague was discussed (document C.A.S. 10). This document included:

1. Introduction to the three memoranda on arbitration, security and the articles of the Covenant, submitted by the Chairman and the Rapporteurs;
2. A memorandum on arbitration and conciliation, submitted by M. Holsti;
3. A memorandum on security questions, submitted by M. Politis;
4. A memorandum on Articles 10, 11 and 16 of the Covenant, and on financial assistance afforded to States victims of aggression, submitted by M. Rutgers.

On the basis of discussions at the plenary meetings of the Committee, a Drafting Committee was instructed to prepare at once the following texts:

1. A model general convention for the pacific settlement of all international disputes;
2. A model general convention relating to judicial settlement, arbitration and conciliation;
3. A model general conciliation convention;
4. A model collective treaty of mutual assistance;
5. A model collective treaty relating to non-aggression;
6. A model bi-lateral treaty of the same type;
7. Various draft resolutions.
These texts were then submitted for approval to the Committee on Arbitration and Security, which decided:

1. To authorise its Chairman to convene it for a third session, not later than the end of June 1928;
2. To proceed, at its third session, with the second reading of the model treaties drawn up during its second session;
3. To examine, at its third session, certain suggestions for the prevention of war made by the German delegation at the second session (M. Rolin Jaqueyns (Belgium) was asked to prepare a memorandum on this question);
4. To study, at the same session, draft model bi-lateral treaties;
5. To continue the examination of the articles of the Covenant in accordance with the resolution of the Assembly of 1927.

The supplementary report on the work of the Council will deal with the model arbitration and security treaties, which must be read a second time, together with the German suggestions for the prevention of war, which are to be examined during the next session of the Committee.

The texts adopted by the Committee during its second session are given below. They take the form of draft resolutions which the Committee recommends should be submitted to the Assembly in September (see document C.P.D. 108).

RESOLUTION ON THE SUBMISSION AND RECOMMENDATION OF MODEL GENERAL CONVENTIONS ON CONCILIATION, ARBITRATION AND JUDICIAL SETTLEMENT.

"The Assembly:

"Having noted with satisfaction the model general conventions prepared by the Committee on Arbitration and Security regarding conciliation, arbitration and judicial settlement;

"Fully appreciating the value of these model general conventions;

"And convinced that their adoption by the largest possible number of States would contribute towards strengthening the guarantees of security;

"Recommends them for consideration by all States Members or non-Members of the League of Nations;

"Hopes that they may serve as a basis for States desiring to conclude conventions of this sort;

"Draws the attention of Governments which might find it impossible to assume general undertakings to the fact that they would be free to accept the rules established by these model conventions by means of private agreements or by a simple exchange of notes with States of their own choosing;

"In view of this possibility, invites the Council to issue to the Secretariat of the League of Nations the necessary instructions for the keeping of a register, in which would be entered the separate undertakings given within the framework of the general conventions, in order that States Members or non-Members of the League of Nations may be rapidly informed of the progress made in the extension of this indirect effect of the general conventions."

RESOLUTION REGARDING THE GOOD OFFICES OF THE COUNCIL.

"The Assembly:

"In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security;

"Recognising that the development of procedures for the pacific settlement of any disputes which may arise between States is an essential factor in the prevention of wars;

"Expresses its appreciation of the progress achieved in concluding treaties of this kind, and its desire to see the application of the principle of the pacific settlement of all disputes extended as far as possible; and

"Invites the Council to inform all States Members of the League that, should States feel the need of reinforcing the general security conferred by the Covenant and of concluding, for this purpose, a treaty to ensure the pacific settlement of any disputes which may arise between them, and should negotiations in connection therewith meet with difficulties, the Council would, if requested—after it has examined the political situation and taken account of the general interests of peace—be prepared to place at the disposal of the States concerned its good offices, which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue."
RESOLUTION CONCERNING THE OPTIONAL CLAUSE OF ARTICLE 36 OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

"The Assembly:
"Referring to the resolution of October 2nd, 1924, in which the Assembly, considering that the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice are sufficiently wide to permit States to adhere to the special Protocol opened for signature in virtue of that article, with the reservations which they regard as indispensable, and convinced that it is in the interest of the progress of international justice that the greatest possible number of States should, to the widest possible extent, accept as compulsory the jurisdiction of the Court, recommends States to accede to the said Protocol at the earliest possible date:
"Noting that this recommendation has not so far produced all the effect that is to be desired;
"Being of opinion that, in order to facilitate effectively the acceptance of the clause in question, it is expedient to diminish the obstacles which prevent States from committing themselves;
"Being convinced that the efforts now being made through progressive codification to diminish the uncertainties and supply the deficiencies of international law will greatly facilitate the acceptance of the optional clause of Article 36 of the Statute of the Court, and that, meanwhile, attention should once more be drawn to the possibility offered by the terms of that clause to States, which do not see their way to accede to it without qualification, to do so subject to appropriate reservations limiting the extent of their commitments, both as regards duration and as regards scope;
"Noting, in this latter connection, that the reservations conceivable may relate, either generally to certain aspects of any kind of dispute, or specifically to certain classes or lists of disputes, and that these different kinds of reservation can be legitimately combined.
"Recommends that States which have not yet acceded to the optional clause of Article 36 of the Statute of the Permanent Court of International Justice should, failing accession pure and simple, consider, with due regard to their interests, whether they can accede on the conditions above indicated;
"Requests the Council to communicate the text of this resolution to those States as soon as possible, desiring them to notify it of their intentions in the matter; and
"Asks the Council to inform it at the next session of the replies received by that date."

RESOLUTION ON THE SUBMISSION AND RECOMMENDATION OF MODEL TREATIES OF NON-AGGRESSION AND MUTUAL ASSISTANCE.

"The Assembly:
"Having noted with satisfaction the model treaties of non-aggression and mutual assistance prepared by the Committee on Arbitration and Security;
"Fully appreciating the value of these model treaties;
"And convinced that their adoption by the States concerned would contribute towards strengthening the guarantees of security:
"Recommends them for consideration by States Members or non-Members of the League of Nations; and
"Hopes that they may serve as a basis for States desiring to conclude treaties of this sort."

RESOLUTION CONCERNING THE GOOD OFFICES OF THE COUNCIL.

"In view of the resolution adopted by the Assembly on September 26th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security.
"The Assembly:
"Convinced that the conclusion between States in the same geographical area of security pacts providing for conciliation, arbitration and mutual guarantees against aggression by any one of them constitutes one of the most practical means that can now be recommended to States anxious to secure more effective guarantees of security;
"Being of opinion that the good offices of the Council, if freely accepted by all the parties concerned, might facilitate the conclusion of such security pacts;
"Invites the Council to inform all the States Members of the League of Nations that should States feel the need of reinforcing the general security conferred by the Covenant and of concluding a security pact for this purpose, and should the negotiations relating thereto meet with difficulties, the Council would, if requested — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue."
RESOLUTION CONCERNING M. RUTGERS' MEMORANDUM ON ARTICLES 10, 11 AND 16 OF THE COVENANT.

"The Committee on Arbitration and Security:

"Having taken note of the memorandum on Articles 10, 11 and 16 of the Covenant, appreciates the great importance of the work accomplished in regard to the application of these provisions;

"Considers that the data regarding the criteria of aggression collected in this memorandum constitute a useful summary of the Assembly's and the Council's work in regard to this matter and of the provisions of certain treaties;

"Draws particular attention to the fact that the action which the Council, under Article 11 and the other articles of the Covenant, is called upon to take in case of conflict will provide it with valuable indications to enable it to form an opinion and decide who is the aggressor if war breaks out in spite of all endeavours to prevent it;

"Considers that the examination of Article 11 of the Covenant, which lays down that the League 'shall take any action that may be deemed wise and effectual to safeguard the peace of nations', forms a useful corollary to the enquiry undertaken by the Committee of the Council and approved by the Council on December 6th, 1927, on the recommendation of the Assembly, and at the same time clearly demonstrates — without in any way detracting from the force of the other articles of the Covenant — that the League must in the first place endeavour to prevent war, and that, in all cases of armed conflict or threat of armed conflict of any kind, the League should take action to prevent hostilities or to bring hostilities to a standstill if they have already begun;

"Notes the suggestions contained in the memorandum with regard to Article 16; recommends these studies to the Assembly as a valuable contribution in that they do not propose any rigid and detailed procedure to be followed in times of crisis, and do not add to or retract from the rights and duties of the Members of the League, but constitute highly instructive indications of the possibilities inherent in the various articles of the Covenant and the manner in which those articles can be applied without prejudice to the methods of application which an infinite variety of circumstances may demand."

RESOLUTION CONCERNING COMMUNICATIONS WITH THE LEAGUE IN TIMES OF EMERGENCY.

"The Committee on Arbitration and Security,

"Considering that, in case of emergency, rapidity and security in the matter of communications between the Secretary-General, the Members of the Council, the States concerned, or the special missions of the Council, are of particular importance with a view to ensuring efficacious action by the League;

"Noting that the importance of this was recognised by the Assembly, during its last ordinary session, in Resolution No. III, adopted on September 26th, 1927, on the proposal of the Third Committee;

"While gratified at the results of the initial efforts of the Committee for Communications and Transit to make the best possible use of existing means of communication;

"Directs attention to the following passage in the report of the Committee for Communications and Transit, dated March 1927, which was submitted to the Council and the Assembly:

"... that at a time of general emergency — for example, immediately before mobilisation and, above all, during the actual period of mobilisation — the total or partial taking over by the State of the means of communication must inevitably mean that, in many cases, communications of importance to the League might be rendered less rapid or less certain despite the successful application of the measures laid down in the report approved by the Council at its December session, unless some special means, independent of the general system of national communications . . . .';

"Considers that the systematic study of the means to be employed by the organs of the League to enable Members to carry out the obligations devolving upon them in virtue of the different articles of the Covenant, requires that communications for the purposes of League action in case of emergency should have every guarantee of independence and should be as little affected as possible by the disturbance which a state of emergency will necessarily produce in the regular working of the communications controlled by the different Governments;

"Trusts that the supplementary technical studies undertaken by the Transit Committee, at the request of the Council and in conjunction with all the authorities concerned, with a view to providing the League of Nations with independent air communications and a radiotelegraphic station enabling it to communicate direct with as many Members of the League as possible, may be rapidly completed; and emphasises the desirability of enabling the Assembly, during its next ordinary session, to take steps to put these schemes into effect, more particularly as regards the establishment of a radio-telegraphic station."
The Committee on Arbitration and Security further expressed the wish that the results of its second session should be communicated to all the States in time for discussion at the next ordinary session of the Assembly.

The Preparatory Commission, during its session held in March, 1928, expressed its satisfaction with the work done, and approved the direction which had been given to that work by the Committee. It supported the recommendation of the Committee by the following resolution:

"According to precedent, the report of the Committee on Arbitration and Security on the work of its second session, together with the Minutes of that session, will be communicated to all Governments. The Commission seconds the recommendation adopted by the Committee that these documents should be transmitted in sufficient time to allow of their discussion at the next session of the Assembly."

VII. PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

(a) The constitution of the Preparatory Commission for the Disarmament Conference provides that the Council may change its composition if the composition of the Council itself should change. Taking into account the changes made in its membership owing to the last election, the Council, in a resolution of September 28th, 1927, noted the inclusion in the membership of the Preparatory Commission of the new Members of the Council. Among the members leaving the Council, the representative of Salvador, expressed a desire to leave the Commission in order to avoid unduly enlarging its membership. The Council, on the other hand, decided to invite the Governments of Belgium and Czechoslovakia, which were leaving the Council, to continue their collaboration with the work of the Commission, and the Greek Government to participate in that work.

Subsequently the Council, by a resolution of March 9th, 1928, invited the Government of the Turkish Republic to sit as a member of the Preparatory Commission. The Turkish Government was represented at the fifth session by its Minister for Foreign Affairs, and accepted on that occasion an invitation to become a member of the Committee on Arbitration and Security.

(b) The Preparatory Commission has held two sessions since the eighth ordinary session of the Assembly. The fourth session took place between November 30th and December 3rd, 1927. During that session it constituted the Committee on Arbitration and Security which met at once and adopted its programme of work. The Minutes of the fourth session of the Preparatory Commission and of the first session of the Committee on Arbitration and Security have been communicated to the Members of the League in document C.667.M.225.1927.IX.

The fifth session of the Commission was held from March 15th to 24th, 1928. During that session the Preparatory Commission examined the preliminary report of the Committee on Arbitration and Security, and adopted the resolution which was quoted in Section VI above.

Moreover, the Preparatory Commission examined a proposal submitted to it by the delegation of the Union of Socialist Soviet Republics on November 30th, 1927, which was later amplified by a draft Convention for immediate, complete and general disarmament. Finally, the Commission noted the position of the work as a whole. With reference to this last point, Count Bernstorff, delegate of Germany, submitted to the Commission a proposal relating to the last paragraph of Article 8 of the Covenant. Similarly, the delegation of the Union of Socialist Soviet Republics, after having noted that the Commission did not favour the adoption of the proposal to which reference has just been made, submitted a new and subsidiary proposal on the reduction of armaments.

The Preparatory Commission, after considering these various proposals and the question of the continuation of its work, adopted the following resolution on March 24th, 1928:

"The Preparatory Commission for the Disarmament Conference:

I. Having examined the bases of the draft Convention for immediate, complete and general disarmament submitted by the Union of Socialist Soviet Republics, notes that the immense majority of its members are of opinion that this draft cannot be accepted by the Commission as a basis for its work, which work must be pursued along the lines already mapped out;

II. Takes note of the proposal submitted by the German delegation regarding the last paragraph of Article 8 of the Covenant. Similarly, the delegation of the Union of Socialist Soviet Republics, after having noted that the Commission did not favour the adoption of the proposal to which reference has just been made, submitted a new and subsidiary proposal on the reduction of armaments, and, while reserving their consideration until its next session, commends them to the attention of the various Governments;

III. Decides to leave its President free to fix, according to circumstances, the date at which it would be practically useful to convene a new session of the Commission in order to proceed to the second reading of the draft Convention on the Reduction and Limitation of Armaments. The Commission expresses the hope that the new session will begin at the earliest suitable date, if possible, before the next session of the Assembly."

The Secretary-General communicated this resolution to the Members of the League of Nations in document C.164.M.49.1928.IX.
VIII. PRIVATE MANUFACTURE AND PUBLICITY FOR THE MANUFACTURE OF ARMS AND AMMUNITION AND OF IMPLEMENTS OF WAR.

At its eighth ordinary session, the Assembly adopted the following resolution on this subject on September 24th, 1927:

"The Assembly:
"Having noted the report (document C.219.M.142.1927) of the Special Committee appointed by the Council to draft a Convention on the supervision of the private manufacture and the publicity regarding the manufacture of arms and ammunition and of implements of war;
"Reaffirming the importance it attaches to the establishment of a Convention which would enable non-producing and producing countries to be placed on an equal footing, as contemplated in the declaration embodied in the Final Act of the Conference for the Supervision of the International Trade in Arms and Ammunition and in Implements of War;
"Convinced that the establishment of a Convention for the supervision of private manufacture and the publicity regarding manufacture is of the highest importance for the putting into force of the Convention on the International Trade;
"Request the Council to convey its views to the Special Committee, in order that the latter may agree upon a single text which will enable the Council to convene an international Conference as speedily as possible."

The Council endorsed the resolution of the Assembly in its resolution of September 27th, 1927, and forwarded that resolution to the Special Commission. The Chairman of the Special Commission took advantage of the session of the Preparatory Commission in March 1928 to get into touch with the other members of the Special Commission. During these discussions, it was decided that the Chairman should call a meeting of the Special Commission a few days before the next session of the Preparatory Commission, or in any case, immediately before the session of the Council which preceded the opening of the next session of the Assembly.

As regards the composition of this Special Commission, it is to be noted that the Council in a resolution dated September 26th, 1927, decided, in view of the importance of Belgium and Czechoslovakia as producing countries, and the competence of the persons representing those countries on the Special Commission, and the special competence of Dr. Guerrero, delegate of Salvador, to maintain Belgium, Czechoslovakia and Salvador on the Special Commission.

IX. CONTROL OF THE INTERNATIONAL TRADE IN ARMS AND AMMUNITION AND IN IMPLEMENTS OF WAR: CHEMICAL AND BACTERIOLOGICAL WARFARE.

(a) The Convention signed at Geneva on June 17th, 1925, concerning the control of the international trade in arms and ammunition and in implements of war has been ratified, since the eighth ordinary session of the Assembly, by China and Venezuela. Before the eighth ordinary session of the Assembly, France had ratified the Convention and Liberia had adhered.

(b) The Protocol on Chemical and Bacteriological Warfare, drawn up at the same time as the Convention mentioned above, has been ratified, since the eighth ordinary session of the Assembly, by Italy, the Union of Socialist Soviet Republics and Venezuela. Liberia has signified its adhesion.

X. RIGHT OF INVESTIGATION UNDER THE TREATIES OF VERSAILLES, ST. GERMAIN, TRIANON AND NEUILLY.

(a) Presidents of the Commissions of Investigation.

The Council, during its session held in December 1927, made the following appointments for a period of one year, with possibility of renewal:

Commission of Investigation in Germany: General Baratier;
Commission of Investigation in Austria: General Calcagno;
Commission of Investigation in Bulgaria: Colonel Schuurman;

The changes made in 1927 in the composition of the Council involved corresponding changes in the possible composition of the Commission of Investigation. In conformity with the regulations adopted by the Council, administrative arrangements have been made by the Secretariat.

(b) Inter-allied Military Control in Bulgaria.

The President of the Conference of Ambassadors sent to the Secretary-General on December 31st, 1927, on behalf of the British, French, Italian and Japanese Governments,
a letter informing him that the Liquidation Board, to which the Conference had entrusted the duty of securing the continued enforcement of the military clauses of the Treaty of Neuilly after the termination of the work of the Commission of Control established under Articles 94 and following of that Treaty, had concluded its operations on June 30th, 1927. The President also forwarded to the Secretary-General a final report drawn up by the Liquidation Board with a view to the possible application by the Council of the League of Article 104 of the Treaty of Neuilly.

In the same letter, the Conference drew the special attention of the Council to the general conclusions set forth in Chapter XXIV of the report, and added that it would be for the Council of the League of Nations to draw its own conclusions from the facts reported by the Liquidation Board, particularly if it became necessary to apply Article 104 of the Treaty.

This letter was forwarded to the Council, and was published in the Official Journal of the League of Nations in March 1928.

(c) APPLICATION OF ARTICLE 89 OF THE TREATY OF NEUILLY.

The President of the Conference of Ambassadors addressed to the Secretary-General on August 31st, 1927, a letter enclosing a series of documents embodying an agreement made between the Governments represented on the Conference of Ambassadors and the Bulgarian Government, with a view to ensuring the application of Article 89 of the Treaty of Neuilly (article contained in Part IV, Section 3, clauses concerning military and naval aviation).

This letter intimated that the duties of the Liquidation Board of the Inter-Allied Commission of Control had ceased simultaneously with the entry into force of the regime provided for by the above agreement.

The agreement was communicated to the Members of the Council, registered by the Secretariat in accordance with Article 18 of the Covenant, and published in the Official Journal for March 1928.

(d) APPLICATION OF ARTICLE 128 OF THE TREATY OF TRIANON.

The President of the Conference of Ambassadors sent to the Secretary-General on December 3rd, 1927, a letter enclosing a series of documents embodying an agreement between the Governments represented on the Conference of Ambassadors and the Hungarian Government, with a view to ensuring the application of Article 128 of the Treaty of Trianon (article contained in Part V, section 3, clauses concerning military and naval aviation).

This letter intimated that the system established under the agreement had come into force. The agreement was communicated to the Members of the Council, registered with the Secretariat in accordance with Article 18 of the Covenant, and published in the Official Journal of March, 1928.

(e) INTER-ALLIED AERONAUTICAL CONTROL IN GERMANY.

The President of the Conference of Ambassadors sent on March 20th, 1928, to the Secretary-General the following letter, which has been forwarded to the Members of the Council:

"I have the honour to forward to you the final report of the Committee of Aeronautical Guarantees in Germany, whose duties came to an end on September 1st, 1926.

"This report, which was drawn up after that date by Colonel Burdett, Chairman of the Committee, contains a survey of the development of German civil aviation between August 1922 and March 1926 and gives precise information regarding the position of aviation at the end of March 1926; it thus constitutes a link between the final report of the Aeronautical Commission in Germany, which was sent to the Secretariat of the League of Nations on April 28th, 1922, and the Air Agreements of May 22nd, 1926, which regulate the present German air position.

"On behalf of the Governments represented in the Conference of Ambassadors, I have to request that you will bring this communication to the notice of the Members of the Council of the League of Nations."

XI. REQUEST OF THE GOVERNMENTS OF (a) CZECHOSLOVAKIA, (b) ROUMANIA, (c) KINGDOM OF THE SERBS, CROATS AND SLOVENES FOR CONSIDERATION BY THE COUNCIL OF THE INCIDENT WHICH OCCURRED ON JANUARY 1st, 1928, AT SZENT-GOTTHARD RAILWAY-STATION, ON THE AUSTRO-HUNGARIAN FRONTIER.

This question was placed on the agenda of the Council at its session of March 1928 at the request of the three Governments mentioned above. In their letters to the Secretary-General, dated February 1st, the representatives of these three Governments referred to the various decisions of the Council of the League of Nations concerning the exercise of the right of investigation provided for by the Peace Treaties, and to the regulations adopted by the Council on the same subject. The representatives of the three Governments urged that it was the duty of the Council, in virtue of the aforementioned decisions and the provisions of the Treaty of Trianon, to intervene.
At its meeting of March 7th 1928, the Council, appointed the representatives of the Netherlands, Chile and Finland to form a Committee to examine the documents and declarations made to the Council on the subject. The Committee submitted to the Council on March 10th, 1928, the following preliminary report:

"By its resolution of March 7th, 1928, the Council appointed the representatives of the Netherlands, Chile and Finland to form a Committee entrusted with an examination of the documents and statements submitted to the Council in regard to this matter. The Committee was asked to make a report at a later meeting of the Council, and was authorised to request the assistance of any experts in the various League organisations that it considered necessary to call upon.

"The members of the Committee have examined, either individually or together, in the course of several long meetings, the information submitted to the Council. They are of opinion that this incident is worthy of the Council's close attention and consider that it is indispensable that all suitable measures should be taken to elucidate the incident as fully as possible. They have come to the conclusion that, in order to submit the report requested by the Council, it will be necessary to obtain further information on various points. Amongst others, it is necessary to ask the Hungarian Government for information which it could hardly furnish immediately.

"The Committee will, if necessary, use the powers conferred upon it by the Council resolution to consult technical experts chosen from among the League organisations, who might be sent to the spot, if the Committee finds that desirable for the execution of its task.

"The Committee will consider at later meetings the information thus collected. It proposes to communicate its report to the Council before the June session.

"The Committee, during its preliminary discussions, has also considered the question of conservatory measures to be taken in cases similar to that on which it is engaged and reserves the right to return to this question in its report to the Council.

"The Committee requests the Council to approve the procedure indicated in the present preliminary report."

The preliminary report of the Committee was approved by the Council. The Committee of Three, after having obtained supplementary information from the Hungarian Government, and after having consulted a number of experts, met at The Hague from May 3rd to May 7th, 1928, and drew up two reports. One report dealt with the incident of Szent-Gotthard, and the other with the measures to be taken in the interval between the sessions of the Council. These reports have been distributed to the members of the Council and will be examined at its June session.

XII. STATISTICAL INFORMATION ON THE TRADE IN ARMS, AMMUNITION AND IMPLEMENTS OF WAR: ARMAMENTS YEAR-BOOK.

The Secretariat continues to publish the Statistical Information on the trade in arms, ammunition and implements of war and the Armaments Year-Book (general information and statistics on land, naval and air armaments). These volumes have been still further developed this year. The first gives information on fifty-six countries, the second on fifty-eight.

Reference might be made, in this connection, to the proposals made by the delegate of Germany on the Preparatory Commission for the Disarmament Conference in regard to the last paragraph of Article 8 of the Covenant (see Section VII above).

5.

POLITICAL QUESTIONS.

I. REQUEST OF THE ROUMANIAN GOVERNMENT UNDER PARAGRAPH 2 OF ARTICLE 11 OF THE COVENANT REGARDING THE AGRARIAN QUESTIONS SUBMITTED TO THE MIXED ROUMANO-HUNGARIAN ARBITRAL TRIBUNAL.

REQUEST OF THE HUNGARIAN GOVERNMENT FOR THE APPOINTMENT BY THE COUNCIL, IN VIRTUE OF ARTICLE 239 OF THE TREATY OF TRIANON, OF TWO DEPUTY JUDGES FOR THE MIXED ROUMANO-HUNGARIAN ARBITRAL TRIBUNAL.

On February 26th, 1927, the Roumanian representative on the Council informed the Secretary-General that his Government had notified the President of the Mixed Roumano-Hungarian Arbitral Tribunal set up in virtue of Article 239 of the Treaty of Trianon that the Roumanian arbitrator would no longer sit for the discussion of agrarian questions introduced by Hungarian nationals. The Roumanian Government expressed the desire, in virtue of Article 11, paragraph 2, of the Covenant, to inform the Council of the reasons on which its decision was based.
On March 8th, 1927, the Council, after hearing the Roumanian and Hungarian representatives, requested the representative of the British Empire, assisted at his request by the representatives of Chile and Japan, to make a careful investigation of the important question before it and to submit to it a report at its next session.

At its meeting on June 13th, 1927, the Council decided, at the Hungarian representative’s instance, to add to the Roumanian Government’s request under paragraph 2 of Article 11 of the Covenant a request by the Hungarian Government for the appointment, by the Council, in virtue of Article 239 of the Treaty of Trianon, of two deputy judges for the Mixed Roumano-Hungarian Arbitral Tribunal.

On June 16th, 1927, the Committee of Three appointed at the previous session informed the Council that it had held several meetings and, after numerous exchanges of views with the Hungarian and Roumanian representatives, had requested them to ask their respective Governments to make a fresh study of the question. The Council accepted the Committee’s proposal, and decided to examine the question at its next ordinary session in September, 1927.

The conciliatory proposals submitted by the Committee of Three to the two parties not having been accepted by them, the Committee convened the parties again on September 2nd, with a view to a new attempt at conciliation, but this also failed.

The Committee then decided to ask the opinion of a certain number of distinguished jurists, and, after receiving this opinion, drew up the following report:

"This question, as set out in the above titles, is only one aspect of the question which was submitted successively to the Conference of Ambassadors and the Council of the League of Nations in 1922 and 1923.

On August 16th, 1922, the Hungarian Government applied to the Conference of Ambassadors in regard to the expropriation—undertaken by Roumania in connection with the scheme of agrarian reform—of the immovable property of persons who, while possessing rights of citizenship (indigénat) in the territories transferred to the Kingdom of Roumania by the Treaty of Trianon, had opted for Hungarian nationality under Articles 63 or 64 of that Treaty, and also under Article 3 of the Roumanian Minorities Treaty. The Conference of Ambassadors, in a note dated August 31st, 1922, informed the Hungarian Government that its claims related entirely to the stipulations of the Treaty between Roumania and the Principal Allied and Associated Powers concerning minorities, and should, under the Treaty, be addressed to the League of Nations. On a further request by the Hungarian Government, the Conference of Ambassadors, in a letter dated February 27th, 1923, informed Hungary that she, or another Member of the League, should take the initiative in bringing the matter before the Council.

Hungary therefore applied to the League of Nations, stating that a satisfactory solution had not been obtained by direct negotiations, and formulating the following demands:

1. That the Council should deal with the substance of the question, in view of the urgency of the matter, at its next session;
2. That it should give a ruling on the substance of the question by declaring that the Roumanian legislative and administrative enactments in question were contrary to the Treaties; by insuring, as regards the future, that Roumania should act in conformity with the provisions of the Treaties; by ordering that the immovable property of Hungarian optants should be restored to them and that it should in future be free from all charges contrary to the provisions of the Treaties; and, finally, that full compensation for damage should be given to the injured parties.

The Council considered this question in April and July 1923. The proposals made at the April session to refer the question to the Permanent Court to obtain a decision, or even an advisory opinion, were not accepted by the Roumanian representative.

M. Adatci, the Rapporteur, was then requested to prepare the ground for a fresh discussion before the July session of the Council, and the Council expressed the hope that, in the interval between the sessions, the two Governments would do their best to reach an agreement. With this object, the representatives of Hungary and Roumania proceeded, on the invitation of M. Adatci, to Brussels on May 6th, 1923. The results of these negotiations will be found in a report to which a draft recommendation and a summary of the conversations were appended (see Annex 533a, page 1011, of the Official Journal, August 1923).

On July 5th, 1923, during the twenty-fifth session of the Council, the Brussels negotiations were the subject of protracted discussions, the Roumanian delegate appealing to the Brussels ‘Agreements’ and the Hungarian delegate stating that no agreement had been reached. The following resolution was then proposed:

The Council:
After examining the report by M. Adatci dated June 5th, 1923, and the documents annexed thereto;
Approves the report;
Takes note of the various declarations contained in the Minutes attached to the report of the Japanese representative, and hopes that both Governments
will do their utmost to prevent the question of Hungarian optants from becoming a disturbing influence in the relations between the neighbouring two countries.

"The Council is convinced that the Hungarian Government, after the efforts made by both parties to avoid any misunderstanding on the question of optants, will do its best to reassure its nationals;

"And that the Roumanian Government will remain faithful to the Treaty, and to the principle of justice upon which it declares that its agrarian legislation is founded, by giving proof of its goodwill in regard to the interests of the Hungarian optants."

"This resolution was adopted by all the members of the Council, with the exception of the Hungarian delegate, who refrained from voting and stated that, in his opinion, the whole problem remained open; he added, inter alia, that his Government reserved the right to take any further steps which the Treaties and the Covenant of the League of Nations might allow in order to obtain justice for those whom he had the right and the duty to represent.

"From December 1923 onwards, a number of applications from Hungarian nationals or optants owning lands in the territories transferred to Roumania were submitted to the secretariat of the Roumano-Hungarian Mixed Arbitral Tribunal, provided for in Article 239 of the Treaty of Trianon, asking, among other matters, that the Tribunal should declare that the measures restricting their right of ownership, which had been applied to their movable and immovable property by the Roumanian State, were contrary to the provisions of Article 250 of the Treaty of Trianon, and that it should order the Roumanian State to make restitution.

"In 1925, the Roumanian Government submitted applications objecting to the jurisdiction of the Tribunal. After hearing the counsel of the two parties between December 15th and 23rd, 1926, the Tribunal, on January 10th, 1927, declared itself competent, in virtue of Article 250, paragraph 3, of the Treaty of Trianon, and called upon the defendant (Roumania) to forward her reply within a period of two months.

"On February 24th, 1927, Roumania informed the Tribunal that she would refrain from submitting her reply regarding the substance of the question and that, consequently, her arbitrator would no longer sit in connection with any of the agrarian matters brought forward by Hungarian nationals. At the same time, she submitted to the Council, in virtue of Article 11, paragraph 2, of the Covenant, a request to allow her to acquaint the Council with the reasons on which her attitude was based.

"This question came before the Council on March 7th, 1927.

"The Russian representative explained the reasons which had led the Roumanian Government to withdraw its arbitrator from the Tribunal.

"The Hungarian representative asked the Council to appoint, in accordance with the Treaty of Peace, two deputy members to enable the Tribunal to continue its work.

"The Council, on the proposal of the President, requested the British representative to report on this question at its next session. Sir Austen Chamberlain having expressed the desire that two of his colleagues should be appointed to act with him for the purpose of examining the question, the Council requested the representative of Japan and the representative of Chile to assist Sir Austen Chamberlain in preparing a report for the next session. The two parties to the dispute accepted this proposal, which was adopted by the Council.

"On May 31st, Sir Austen Chamberlain, on behalf of the Committee of Three, convened the Roumanian and Hungarian representatives in London. The conversations took place on May 31st and June 1st. The delegates of both countries stated at the outset that they could not definitely bind their Governments. The Committee first of all heard the additional statements of the two parties and certain particulars which they furnished. The Committee thought it its duty to try all possible means of reaching a final solution by conciliation. In doing so, it was confident that it was fulfilling the wishes of the Council and conforming to the established practice of that body. It therefore asked the delegates to obtain from their respective Governments all possible concessions with a view to reaching a satisfactory solution. On the proposal of the Committee, the delegates of the two Governments agreed to inform the Committee of the point of view of their respective Governments at the June session of the Council.

"At the June session of the Council, the Committee of Three met on several occasions at Geneva and maintained close contact with the representatives of the two Governments.

"Looking at the problem as a whole, the Committee desired to find a solution which would allay discontent. It could not forget that the matter had originally been submitted to the Council not under Article 239 of the Treaty of Trianon but under Article 11 of the Covenant, and that its intervention had been asked for, on that occasion, first of all by Roumania and then by Hungary. In these circumstances, it could not evade the duty imposed on it by the Covenant and confine itself simply to the election of the two deputy members for the Mixed Arbitral Tribunal, which the Hungarian representative, as a result of the proceedings, demanded.

"If it did so, it would have failed to discharge its political duties as a mediator and conciliator in a dispute which extended far beyond the actual terms in which it had been originally submitted by the two parties.
Moreover, the Committee could not take a purely and strictly legal view of the Council’s duties, especially as it realised that the election of the two deputy members would not have finally ended a difference which had been successively submitted to three international authorities.

On the contrary, it attempted on more than one occasion to bring about a general settlement which would have terminated the controversy and led to better feelings.

The Council, however, had further reasons for not playing a purely mechanical part.

“In 1923 — as to-day — the two parties stated their points of view at great length and dealt with all aspects of the dispute both as regards substance and form.

“The Council has merely followed the discussions of the two parties, and, having regard to the complexity of the problem, it recommended them in 1923 to do everything possible to prevent the question of the optants from becoming a disturbing influence in the relations between the two neighbouring countries.

“It recommended Hungary to reassure her nationals and Roumania to give evidence of goodwill in regard to the interests of the Hungarian optants.

“Would the question with which we have been dealing since our session last March have arisen if the two parties had followed these recommendations?

“The Committee of the Council during its June session submitted certain formulas to the two parties, always with a view to conciliation and in the hope that the two Governments would agree.

“The Committee is forced to confess that its hopes have been disappointed and that the two parties have been unable to accept the conciliatory formulas which it proposed.

“As the two parties rejected the compromise proposed by the Committee of Three, the latter convened them again on September 2nd, with a view to a final attempt at conciliation. During these fresh conversations, the representatives of the two countries communicated certain proposals to the Committee. The Hungarian representatives informed the latter made in March that the question of jurisdiction of the Mixed Arbitral Tribunal should be referred to the Permanent Court of International Justice, but declared that he was unable to make new concessions. This offer was not accepted by the Roumanian representative, who in his turn submitted certain formulas based on the proposals made by the Committee of Three with a view to compromise. These formulas were rejected by the Hungarian representative. Under these circumstances, the Committee of Three was compelled to abandon its hope of reaching a settlement by direct conciliation.

“The Committee was therefore obliged to seek a solution by other methods. A minute examination of the question of the Mixed Arbitral Tribunal’s jurisdiction seemed to be of primary importance. It therefore asked the following questions:

1. Is the Mixed Roumano-Hungarian Arbitral Tribunal entitled to entertain claims arising out of the application of the Roumanian Agrarian Law to Hungarian optants and nationals?

2. If the answer to that question be in the affirmative, to what extent and in what circumstances is it entitled to do so?

The Committee, after examining these questions and having them examined by eminent legal authorities, arrived at the following conclusions:

“The Mixed Roumano-Hungarian Arbitral Tribunal owes its establishment to the Treaty of Trianon. It is an international tribunal and its jurisdiction is therefore fixed by the terms of the Treaty which created it. It has no jurisdiction beyond what which the agreement of the contracting parties has conferred on it. The limits of its jurisdiction are defined by Articles 239 and 250 of the Treaty of Trianon.

“The question at present submitted to the Council for examination relates to the claims mentioned under Article 250 to the Mixed Arbitral Tribunal by Hungarian nationals. The provisions of this article prohibit the retention and liquidation, dealt with in Article 232 and in the Annex to Section IV of Part X of the Treaty, of the property of Hungarian nationals situated in the territory of the former Austro-Hungarian Monarchy. They also provide for the restitution to their owners of goods freed from any measure of this kind and from any other measure of disposal, of administration or of sequestration taken in the period which elapsed between the Armistice and the entry into force of the Treaty. They authorise the submission of claims, by claimants who are Hungarian nationals, to the Mixed Roumano-Hungarian Arbitral Tribunal provided for in Article 239.

“If it could be established in any particular case that the property of a Hungarian national suffered retention or liquidation or any other measure of disposal under the terms of Articles 232 and 250 as a result of the application to the said property of the Roumanian Agrarian Law and if a claim were submitted with a view to obtaining restitution, it would be within the jurisdiction of the Mixed Arbitral Tribunal to give relief.

“The Mixed Arbitral Tribunal is not competent to give decisions on claims arising out of the application of an agrarian law as such unless the case mentioned in the preceding paragraph arises. In this latter case, the jurisdiction of the Mixed Arbitral Tribunal would not be ousted on the ground that the application of an agrarian law was involved.

“Since these considerations show that the claim of a Hungarian national for restitution of property in accordance with Article 250 might come within the jurisdiction...
of the Mixed Arbitral Tribunal even if the claim arises out of the application of the Roumanian Agrarian Law, we shall proceed to the definition of the principles which the acceptance of the Treaty of Trianon has made obligatory for Roumania and Hungary.

"1. The provisions of the peace settlement effected after the war of 1914-18 do not exclude the application to Hungarian nationals (including those who have opted for Hungarian nationality) of a general scheme of agrarian reform.

"Article 250 forbids the application of Article 232 to the property of Hungarian nationals in the transferred territory. Under the terms of Article 250, the prohibition to retain and liquidate cannot restrict Roumania's freedom of action beyond what it would have been if Articles 232 and 250 had not existed. Even if none of these provisions appeared in the Treaty, Roumania would none the less be entitled to enact any agrarian law she might consider suitable for the requirements of her people, subject to the obligations resulting from the rules of international law. There is, however, no rule of international law exempting Hungarian nationals from a general scheme of agrarian reform.

"The question of compensation, whatever its importance from other points of view, does not here come under consideration.

"2. There must be no inequality between Roumanians and Hungarians, either in the terms of the Agrarian Law or in the way in which it is enforced.

"Any provision in a general scheme of agrarian reform which either expressly or by necessary implication singled out Hungarians for more onerous treatment than that accorded to Roumanians, or to the nationals of other States generally, would create a presumption that it was intended to disguise a retention or liquidation of the property of Hungarian nationals as such in violation of Article 250 and would entitle the Mixed Arbitral Tribunal to give relief. The same would apply in the case of a discriminatory application of the Agrarian Law.

"The prohibition against the holding of immovable property by Hungarians in the territories transferred to Roumania, even if applied to all foreigners, would not be in accordance with the obligation which Roumania has contracted by the Treaty to permit Hungarian optants to keep their immovable property, but this is a question which does not come within Article 250.

"3. The words 'retention and liquidation' mentioned in Article 250, which relates only to the territories ceded by Hungary, apply solely to the measures taken against the property of a Hungarian in the said territories and in so far as such owner is a Hungarian national.

"The right which the Allied Powers reserved to themselves under Article 232 to retain and liquidate Hungarian property within their territory at the time of the entry into force of the Treaty applies to the property of a Hungarian inasmuch as he is a national of an ex-enemy country. It is not sufficient that these measures entail the retention of Hungarian property by the Government and that the owner of this property is a Hungarian. The measure must be one which would not have been enacted or which would not have been applied as it was if the owner of the property were not a Hungarian.

"The Committee of the Council therefore ventures to suggest that the Council should make the following recommendations:

"(a) To request the two parties to conform to the three principles enumerated above;

"(b) To request Roumania to reinstate her judge on the Mixed Arbitral Tribunal.

"The Committee of the Council hopes that the two parties, in so far as each is concerned, will accept these proposals. In the even of a refusal by Hungary, the Committee considers that the Council would not be justified in appointing two deputy members in accordance with Article 239 of the Treaty of Trianon.

1 Before reading the three concluding paragraphs of his report, Sir Austen Chamberlain said:

"The Committee would have been glad if it could terminate its report at this point, where it proposes a solution honourable alike to both parties and securing justice for both alike; a solution which further permits the normal functioning of the Arbitral Tribunal — to which we attach great importance, for there are many such international tribunals in existence — to continue with the assent and goodwill of both parties. But it is possible that one or other party, or even both parties, may even if the Council adopts the reports, refuse to accept these proposals, and we have therefore reluctantly and with the hope that it may never be necessary to have recourse to them, felt it our duty to suggest to the Council in what way they should deal with any one of these three contingencies."
"In the event of a refusal by Roumania, in spite of the acceptance by Hungary of the above proposals, the Committee considers that the Council would be justified in taking appropriate measures to ensure in any case the satisfactory working of the Mixed Arbitral Tribunal.

"In the event of a refusal of the above recommendations by both parties, the Committee considers that the Council will have discharged the duty laid upon it by Article 11 of the Covenant."

At its September session, the Council devoted four meetings (on September 17th and 19th, 1927) to the examination and discussion of this report, which was submitted to it by the British representative on the Council, Chairman of the Committee of Three. After the representatives of the two parties had stated their attitude (see Minutes of the forty-seventh session), the other members of the Council expressed their opinion on the Committee of Three's report. Finally, the Council adopted the following proposal, submitted to it by its President, the Chilian representative:

"I proposed that the Council should pronounce on the recommendations contained in that part of the report which I have indicated, but I deliberately excepted the two members of the Council who are parties to the dispute. I invited the latter not to give a final answer till the month of December, so that their Governments could examine carefully, and I hope favourably, the report of the Council." I trust that the two parties will agree to delay till December their formal opinion on the part of the report in question and inform the Secretary-General in sufficient time before that meeting of their final decision, so that the Council may examine what further action, if any, may then be required.

"If the parties will accept the suggestion I have just made, I ask my colleagues to join with me in submitting the recommendations contained in the report to the consideration of the Governments interested and to beg them to conform to the principles indicated therein."

The Roumanian and Hungarian replies reached the Secretariat a few days before the session of the Council held in December 1927. Roumania stated that she accepted the report "as a whole with its conclusions." Hungary said that she was unable to accept "the text recommended by the Council as a basis of agreement with Roumania."

In a letter dated November 29th, 1927, the representative of Hungary also submitted to the Council a memorandum setting forth the reasons for her decision. One of the annexes to this memorandum contained a copy of a letter in which the Hungarian Government applied direct to the Roumanian Government "in order that they might come to an agreement for the friendly settlement of the matter." In the Hungarian Government’s opinion, such an agreement would avoid touching on questions of principle; it would aim only at practical results and would be based on an exact study of fact and on practical considerations, without prejudice to the rights invoked or maintained in this affair up to that time.

The Roumanian Minister for Foreign Affairs, representing his country on the Council having fallen ill before the opening of the session of December 1927, the representative of the British Empire, acting as Rapporteur, sent him a personal telegram in which he advised him not to undertake the journey to Geneva in the present state of his health and before the Roumanian Government, which had recently suffered the loss of its Prime Minister, had been able to give full and complete consideration to the proposal that direct negotiations should be undertaken by the parties without prejudice to their legal position or to the procedure before the Committee of Three and the Council. The Rapporteur also informed the Council that he would regret the renewal of the discussion before the Roumanian Government had had time fully to consider the possibility of concluding a direct agreement between the two parties, in conformity with the desire expressed by the Council at its September session.

With the approval of the representatives of the two parties, the Council sent the Roumanian Minister for Foreign Affairs a telegram confirming the personal one the British representative had sent.

On March 7th, 1928, the Secretary-General communicated to the Council a note addressed by the Roumanian Government to the Hungarian Government in reply to the Hungarian offer of direct negotiations.

The Roumanian Government informed the Hungarian Government that if the latter accepted the report of the Committee of Three, the Roumanian Government would be prepared, as an act of grace, to allow a certain sum to be deducted from the reparations due to her by Hungary. This sum would be paid by the Hungarian Government to the complainants (optsants or non-optsants), the suits would be withdrawn and the claims definitely cancelled.

Each party refusing to accept the proposals made by the other, the direct negotiations fell through. Proceedings were, therefore, resumed before the Council, as provided for in its decision of December 1927, and, on the Rapporteur's proposal, the President of the
Council, at the meeting of March 8th, 1928, asked the representatives of Roumania and Hungary to state what action had been taken by their Governments as a result of the resolution adopted by the Council in September 1927.

The Roumanian representative renewed his acceptance of the report in its entirety. The Hungarian representative maintained that his Government could not accept the principles laid down in this report, and repeated the proposal that the question whether or not the Mixed Arbitral Tribunal had exceeded its powers in declaring itself competent to deal with agrarian questions should be submitted to the Permanent Court of International Justice. If the Roumanian Government repeated its refusal, Hungary proposed that the Court should be asked for an Advisory Opinion on the question whether the three principles contained in the report of the Committee of Three were to be deduced from the obligations assumed by Hungary and by Roumania in virtue of the Treaty of Trianon.

After the representatives of the two parties had made further speeches in support of their contentions, the Rapporteur put the following proposal to the other members of the Council:

“Would my colleagues be prepared to recommend the representatives of the Hungarian and Roumanian Governments to agree that the Council should name two persons, nationals of States which were neutral in the war, who should be added to the Mixed Arbitral Tribunal as established by Article 239 of the Treaty of Trianon (that is to say, that Tribunal including the Roumanian member, who would be restored to it by his Government) and that to this Arbitral Tribunal of five members there should be submitted the claims which have been filed under Article 250 of the Treaty of Trianon by Hungarian nationals who have been expropriated under the agrarian reform scheme in the territory of the former Austro-Hungarian Monarchy transferred to Roumania?”

The members of the Council having accepted the Rapporteur’s proposal, this was officially submitted to the two parties at the meeting held on March 9th. The Roumanian representative said that he could accept the proposal on condition that the two supplementary judges should be compelled to respect, as a compromise, the three rules incorporated in the report of the Committee of Three of September 1927.

The Hungarian representative stated that his Government gave its full approval to the Rapporteur’s proposal, but that it did not accept the amendment suggested by the Roumanian representative.

The Roumanian representative having pointed out that there was a contradiction between the Council’s decision of September 1927 and the Rapporteur’s new proposal, the Rapporteur suggested that, as an act of courtesy to the Tribunal, the Council should send it the complete Minutes of the discussions on the question. He added that, in his opinion, the resolutions taken previously were not contradicted by his new proposal.

After an exchange of views the President proposed to the Council the following draft resolution:

“The Council, considering that the best method of settling the dispute was by friendly negotiation between the two parties, recommended that method to them in September 1927, and stated three principles which, in its opinion, might serve as an equitable basis for this negotiation.

“Finding, however, that such friendly negotiation has not been possible between the parties, the Council, while considering its recommendation of September 19th, 1927, to be of value, and without modifying its views which are contained in the Minutes of its discussions, submits unanimously for the acceptance of the parties the following recommendation:

“That the Council should name two persons, nationals of States which were neutral in the war, who should be added to the Mixed Arbitral Tribunal as established by Article 239 of the Treaty of Trianon (that is to say, that Tribunal including a Roumanian member, who would be restored to it by his Government), and that to this Arbitral Tribunal of five members there should be submitted the claims which have been filed under Article 250 of the Treaty of Trianon by Hungarian nationals who have been expropriated under the agrarian reform scheme in the territory of the former Austro-Hungarian Monarchy transferred to Roumania.

“The Council requests the representatives of the Hungarian and Roumanian Governments to inform it at its next session of the replies of those Governments, and decides at once to insert the question on the agenda of that session.”

This resolution was adopted by the Council and accepted by the representative of Hungary.

The Roumanian representative abstained from voting.

The question was placed on the agenda of the Council session of June 1928.
II. REQUEST OF THE LITHUANIAN GOVERNMENT DATED OCTOBER 15TH, 1927, UNDER ARTICLE 11 OF THE COVENANT.

REQUEST, DATED OCTOBER 26TH, 1927, WITH REGARD TO THE EXPULSION OF ELEVEN POLISH NATIONALS ON LITHUANIAN TERRITORY.

In a telegram dated October 9th, 1927, the Lithuanian Prime Minister, informed the Secretary-General of the closing of a number of seminaries and 45 primary schools, and of the imprisonment of 120 Lithuanians, headmasters of schools, priests and teachers in the Vilna district.

In this telegram the Lithuanian Government asked that the provisions of the Polish Minorities Treaty of June 28th, 1919, should be applied. He added that a detailed complaint would follow his telegram.

In a letter dated October 15th, 1927, the Lithuanian Prime Minister brought to the notice of the Council a number of facts which had given rise in his country to the fear that Poland might be intending to interfere in the domestic affairs of Lithuania. He stated that the Lithuanian Government had first of all regarded this matter as being merely a violation of the Minorities Treaty, but that later it had become convinced that the Polish Government was putting into operation a far-reaching scheme directed against the very existence of an independent Lithuania. The Lithuanian Government therefore asked that its complaint should be included in the agenda of the next Council session, in virtue of Article 11 of the Covenant, "in order that the legal position might be restored and the responsibility of the Polish Government established."

Other communications followed regarding the expulsion of eleven Polish nationals on Lithuanian territory, and the Lithuanian Government asked that this question of the exiles should also be included in the agenda of the December session under the same heading as the above-mentioned request (of October 15th), in order that the two questions might be considered simultaneously.

At its session in December 1927, the Council devoted two meetings, on December 7th and December 10th respectively, to this question.

The Lithuanian representative again stated his country's complaints and explained to the Council that the absence of definite relations, as well as the uncertainty reigning in this part of Europe, had created a state of mind unfavourable to peace. He requested the Council to be good enough to send a Commission to conduct an enquiry into the situation on the Polish-Lithuanian frontier, both on the Lithuanian and the Polish side.

The Lithuanian representative also observed that his Government considered that the Polish Government was entirely responsible for the organisation, on territory administered by the Polish Government, of bandes de diversion with a view to invading Lithuania under arms. An indirect attack might, he said, be more serious than a direct attack — in other words, than an attack by Polish regular troops.

Moreover, as the persecution of the Lithuanians in the Vilna district had not ceased, the Lithuanian Government requested the Council to order an enquiry and, in accordance with the results of that enquiry, to formulate a recommendation.

In reply to the various Lithuanian complaints, the Polish representative on the Council of the League pointed out that in minorities questions it was preferable to adhere strictly to established procedure, which laid down that the Secretary-General and the Committee of Three should examine the question before any further action was taken.

He assured the Council once more that Poland recognised the political independence and territorial integrity of Lithuania and harboured no designs against this independence. At the same time, he drew the Council's attention to the harmful nature, from the point of view of friendly relations between the two countries, of the arguments invoked by Lithuania, namely, that a "state of war" existed between Poland and Lithuania.

Replying to the Polish representative, the Lithuanian representative expressed the hope — indeed, the conviction — that Poland would no longer in the future constitute a menace to Lithuania. He explained that Lithuania, perhaps more than any other country, required a friendly understanding with all countries, and that the expression "state of war" referred solely to the non-existence of normal relations between the two countries; the political engagements of Lithuania and Poland entirely excluded the possibility of warfare.

After the statements of the two parties (see Minutes of the forty-eighth session of the Council, fourth and seventh meetings), the Netherlands representative on the Council and Rapporteur on this question submitted to the Council a report and resolution. This resolution was worded as follows:

"The Council of the League of Nations:
Declares that a state of war between two Members of the League is incompatible with the spirit and the letter of the Covenant, by which Lithuania and Poland are bound;
Takes note of the solemn declarations made by the Lithuanian representative that Lithuania does not consider herself in a state of war with Poland and that in consequence peace exists between their respective countries;
Takes note of the solemn declarations of the Polish representative that the Polish Republic fully recognises and respects the political independence and territorial integrity of the Lithuanian Republic;"
"Recommends the two Governments to enter into direct negotiations as soon as possible in order to establish such relations between the two neighbouring States as will ensure the good understanding between nations upon which peace depends;"

"Places at the disposal of the two parties the good offices of the League and of its technical organs should their assistance be desired in the negotiations which it recommends;

"Decides that the Lithuanian Government’s complaints regarding the treatment of persons of Lithuanian race or speech, referred to in its appeal, shall be examined by a Committee consisting of the Acting President of the Council and two other Members of the Council appointed by him. This Committee will report to the Council in due course;

"Decides that, in the event of a frontier incident or threat of an incident, the Secretary-General of the League of Nations may, at the request of one of the parties, consult the Acting President of the Council and the Rapporteur, who shall then advise any steps they consider necessary to bring about a better state of feeling. The Council notes that both parties have agreed to facilitate any enquiry by the League of Nations;

"Notes with satisfaction the Polish representative’s declaration to the effect that the Polish nationals referred to in the Lithuanian Government’s appeal will be authorised to return to Poland without hindrance. In case of unforeseen difficulties, the Rapporteur would place his good offices at the disposal of the parties with a view to removing those difficulties.

"The Council declares that the present resolution in no way affects questions on which the two Governments have differences of opinion.”

The Council adopted this resolution and the representatives of Poland and Lithuania accepted it on behalf of their Governments.

Further, the representatives of Great Britain, France and Italy, acting on a decision taken by the Council in private session, instructed their respective military attaches in the two countries to proceed without delay to the Polish-Lithuanian frontier zone, in order to make an inspection and submit a report to the Council. The military attaches’ report, stating that there was no abnormal concentration in that zone, was distributed to the Members of the Council in December 1927.

During the session of March 1928 the Rapporteur — the representative of the Netherlands was requested by the Council at its meeting of March 5th to submit a report on the official information received from the Polish and Lithuanian Governments since the session in December 1927. The Rapporteur, at the meeting of March 9th, stated that he had telegraphed on March 5th to the Lithuanian Prime Minister so that the Lithuanian Government might, if it wished, be represented at the Council in case the report requested by the Council should come under discussion. The Lithuanian Prime Minister replied that, owing to the short notice given, he found it physically impossible to arrive at Geneva for the session then in course, and the Rapporteur therefore proposed that, out of courtesy to the representative of Lithuania, the subject should not be placed on the agenda for that session. The Council requested the Secretary-General to place the question on the agenda for the session of June 1928. The Rapporteur announced that he hoped to be in a better position at that time to inform the Council of the progress made.

As the result of the resolution of December 10th, the two parties, with a view to entering into the direct negotiations recommended by the Council, had already proceeded to a preliminary exchange of letters regarding the date and place of these negotiations, as well as the questions to be discussed.

In accordance with the procedure established in similar cases, the complaints relating to the treatment of Lithuanian minorities had been submitted for examination by a Committee of Three, consisting of the representative of China, Acting President of the Council, assisted by the representatives of the Netherlands and Colombia.

After the conclusion of the March session of the Council, the Secretary-General received a letter, dated April 6th, from the Polish Minister for Foreign Affairs, with which he forwarded the text of certain documents relating to the first meetings of the Polish-Lithuanian Conference which took place at Königsberg from March 30th to April 2nd. These documents showed that the two parties had succeeded at this first session in drawing up an agenda covering the following points:

1. Frontier traffic;
2. Postal and telegraphic communications;
3. Railway communication;
4. Questions relating to transit;
5. Liquidation of the consequences of the occupation of Vilna by General Zeligowski;

The inclusion in the agenda of the first four questions had been asked for by the Polish delegation and that of the other two by the Lithuanian delegation. The Polish delegation had submitted to the Lithuanian Government four proposals relating to the first four questions, and had made counter-proposals in regard to the fifth.

The Polish delegation had accepted the procedure suggested by the Lithuanian Prime Minister, viz., an examination of definite proposals in regard to the subjects on the agenda, their general discussion, and thereafter the constitution, if necessary, of Committees to study them.
By March 30th the two parties had been able to agree upon the Rules of Procedure of the Conference.

The Lithuanian delegation made the following proposals in regard to its complaints concerning, firstly, the military detachments of Lithuanian emigrants alleged to have been formed at Vilna and at Lida, and to be supported by Polish military and civilian authorities, and, secondly, the question of Lithuanian security;

1. The institution of a Joint Committee to enquire into the organisation of the military detachments of Lithuanians;
2. The consideration of the question of creating a demilitarized zone between Lithuania and Poland, together with other military measures likely to render impossible a Polish attack on Lithuania.

On April 1st, the Polish delegation replied that the complaints concerning the military organisations lacked foundation and were based on false reports. In order to safeguard the Lithuanian Government henceforth from false information of this type, the Chairman of the Polish delegation invited the Lithuanian Prime Minister to send to Warsaw an accredited representative who would be in a position to furnish the Lithuanian Government with definite and accurate information.

In regard to Lithuanian security, however, the Chairman of the Polish delegation referred to the formal declaration made by him before the Council of the League of Nations, that "the Polish Republic fully recognises and respects the political independence and territorial integrity of the Lithuanian Republic". In order to render mutual aggression impossible, he proposed, moreover, that the Lithuanian Government should immediately conclude a Treaty of non-aggression with his country.

The foregoing is a summary of the information contained in documents received at the Secretariat in regard to the Königsberg Conference. Any further information which may be received will be summarised in the supplementary report on the work of the Council.

III. THE BAHREIN ISLANDS.

On November 23rd, 1927, the Persian Government communicated to the Secretary-General, for the information of States Members of the League, a protest which it had forwarded on the previous day to the British Minister at Teheran. The Persian Government maintained that Article 6 of the Treaty signed at Jeddah on May 20th, 1927, by the representatives of Great Britain and the Hedjaz, relating to the Bahrein Islands, to which Persia had "indisputable rights", constitutes an infringement of territorial integrity as guaranteed by Article 10 of the Covenant of the League of Nations. At the time of the conclusion of the special Agreement between the British Government and the Sheikh of Bahrein, the Persian Government protested, and Lord Clarendon, in his reply of April 29th, 1869, "officially recognised the justice of that protest".

In conformity with the Persian Government's request, its note was forwarded for information to the States Members of the League of Nations¹, and the Secretary-General informed the British Government that he would similarly communicate any observations it might wish to make.

On February 25th, 1928, the British Government sent a letter to the Secretary-General, to which was annexed a copy of the reply addressed to the Persian Government. The reply stated that His Majesty's Government was not aware of any valid grounds upon which the claim of the Persian Government to sovereignty over the Bahrein Islands could be based. Those islands were not a part of Persia geographically, nor were the inhabitants of Persian race. Persia had exercised no effective control over them since about 1783, when they were invaded by Arab tribes under the leadership of the direct lineal ancestor of the present Sheikh. Furthermore, the successive treaties which since 1820 had regulated the relations between His Majesty's Government and the Sheikhs of Bahrein had all been concluded on the basis that the Sheikh of Bahrein was an independent ruler. Lord Clarendon's note of April 29th, 1869, in no way admitted the validity of the Persian claims, and, since then, numerous agreements had been entered into between the British Government and the Sheikhs which quite excluded the possibility of Great Britain ever recognising either Persian or Turkish claims to sovereignty in the islands. The attitude of the British Government had been still more clearly defined in 1906, when the British Minister at Teheran had addressed to the Persian Government a Note stating that "His Majesty's Government have never admitted the ownership or sovereignty of Persia over Bahrein".

The communication from the British Government has been forwarded for the information of the Members of the League².

IV. GRECO-BULGARIAN QUESTION: EXECUTION OF THE RECOMMENDATIONS MADE BY THE COUNCIL ON DECEMBER 14TH, 1925, REGARDING THE PROPERTY OF REFUGEES FROM BULGARIA AND GREECE.

1. Refugees.

At its session in September 1927, the Council was informed of the progress made in the work of valuation and liquidation of the properties of refugees who had been exchanged under the Emigration Convention between Bulgaria and Greece. The rather difficult question still outstanding, namely, that of compensation to the emigrants, was technical and financial rather than political in character, as the commitments of the two Governments resulting from the liquidations were expected to amount to considerable sums. The question arose as to the way in which these obligations could be met, and it was decided to request the Financial Committee to give advice on the technical aspects of the problem regarding which the President of the Mixed Commission might wish to consult it.

The result of this consultation will be found in the section of this report dealing with the work of the Technical Organisations.

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

As was stated in the report to the last Assembly, the question of the appointment of the President of the Conciliation Commission had been postponed in September 1926. In September 1927, the Council considered a report on this subject from the Swedish officers attached to the Bulgarian and Greek frontier forces. These officers, who had not yet found a suitable candidate, were of the opinion that, on the completion of their mission in February 1928, they should be replaced on the Conciliation Commission by an official of the Ministry for Foreign Affairs of each country, and that a neutral President should be appointed who should have certain additional duties during the following two years. The Bulgarian and Greek Governments agreed to the nomination of civilian officials from their respective Foreign Offices as members of the Conciliation Commission to take the place of the Swedish officers. In view, however, of the good relations existing between Bulgaria and Greece and on grounds of economy, the two Governments stated that they saw no necessity, for the moment, for the nomination of a neutral President of the Conciliation Commission. The Council took note of the replacement of the Swedish officers on the Conciliation Commission by officials of the Ministries for Foreign Affairs, and decided to leave open the question of the completion of the Commission by the appointment of a neutral President.

6. ADMINISTRATIVE QUESTIONS.

I. SAAR TERRITORY.

Since September 1927, the Council has dealt with only one question relating to the Saar Territory, viz., the appointment of the Chairman and members of the Governing Commission. The representative of Italy acted as Rapporteur. The Council and the Members of the League have been kept informed of different questions concerning the Saar Territory by the periodical reports from the Governing Commission (published in the Official Journal).

On March 10th, 1928, the Council appointed the five members and the Chairman of the Governing Commission for a period of one year commencing on April 1st, 1928. M. Lambert (Belgian), who had been a member of the Commission since 1920, had expressed the wish not to have his term of office renewed.

The Commission at present consists of the following members:

M. Ehrenroth (Finnish),
M. Koßmann (Saar),
M. Morize (French),
M. Vezensky (Czechoslovak),
Sir Ernest Wilton (British), Chairman.

1 See report to the eighth ordinary session of the Assembly, Official Journal, Special Supplement No. 54. page 253.
In accordance with the Treaty of Versailles, the expenses of the Governing Commission are met out of the revenue of the Territory.

**DOCUMENTS PRESERVED FOR THE PLEBISCITE OF 1935: CHANGES AFFECTING DOCUMENTS PRESERVED FOR THE PLEBISCITE.**

In his report of October 31st, 1923, the Provisional Records Commissioner for the Saar Plebiscite 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 for the plebiscite.

In pursuance of these recommendations the seven Landrätte of the Territory and the Bürgermeister of the town of Saarbrück have sent in quarterly reports on the period April 1st, 1927, to March 31st, 1928, and the Governing Commission has also sent in two half-yearly reports for 1927. The local authorities have continued to send in a special notification in the case of every change in the position of the documents, as was stipulated in the recommendations referred to above.

**PETITIONS FROM THE INHABITANTS OF THE SAAR TERRITORY.**

Since the last report to the Assembly, only one petition from the inhabitants of the Saar Territory has been communicated to the Council under the terms of its resolution of May 17th, 1920. It was submitted by certain trade unions, and related to the number of days' unemployment enforced upon miners of the Territory.

**GENERAL QUESTIONS.**

On May 17th, 1920, the Council approved an arrangement in accordance with which the Governing Commission has to supply the League of Nations with detailed information on all political, economic, financial, social and other questions concerning the Saar Territory which might be 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 has sent to the League of Nations its thirty-first, thirty-second and thirty-third periodical reports, relating respectively to the third and fourth quarters of 1927 and the first quarter of 1928. Some of the questions dealt with in those reports are given below:

1. **Political Situation.**

(a) In the course of its sessions between July 1927 and March 1928, the Advisory Council gave its opinion on various draft decrees prepared by the Governing Commission and relating to the following questions: compulsory vocational training, taxation of transferable securities and income, housing, bills of exchange, civil and criminal procedure, child welfare, free labour exchanges in the Saar, pensions and allowances for men disabled in the war, adhesion of the Saar to the International Convention regarding the measurement of vessels employed in inland navigation, etc.

During the same period, the Technical Committee also gave its opinion on the afore-mentioned draft decrees, and on the questions of the valorisation of mortgages and the tax on business turnover.

(b) The term of office of the members of the Advisory Council elected in July 1924 having expired, the elections for the new Advisory Council were held on March 25th, 1928. Whereas at the last elections the system of optional selection from various lists (panachage) had been allowed, the system of "blocked lists" (listes bloquées), which had already been employed at the elections for the district and municipal councils in 1926, was applied in these new elections. Further, all persons entitled to vote, even if not natives of the Territory, will henceforth be eligible for the Advisory Council, provided they have been continuously resident in the Territory for six years. In future, only voting papers prepared by the Administration may be employed.

The following is the number of seats obtained by the various political parties at the new elections for the Advisory Council, which consists of 30 members:

- Social-Democratic Party, 5;
- Communist Party, 5;
- German Economic Group (Saar Section), 1;
- German Democratic Party of the Saar Territory, 0;

1 For the results of the last elections to the Advisory Council held in 1924, see report to the fifth ordinary session of the Assembly, *Official Journal*, Special Supplement No. 23, page 270.
The term of office of the members of the Technical Committee, which had expired on December 31st, 1927, was extended to December 31st, 1928.

2. Economic, Financial and Social Situation.

During the period from July 1st, 1927, to March 31st, 1928, economic questions engaged the Governing Commission's attention and, in particular, commercial negotiations affecting the interests of the Saar Territory. The scope of the provisional Franco-German Agreements concerning commercial transactions between the Saar Territory and Germany, dated August 5th, 1926, and November 6th, 1926, respectively, has been profoundly modified by the conclusion of the Franco-German Treaty of Commerce of August 17th, 1927, which extends to the whole Customs territory certain advantages hitherto reserved to the Saar Basin. On the other hand, it has considerably raised the minimum French tariff on many products in respect of which the latter formed the basis of the concessions granted to German imports into the Territory. The two Governments agreed to enter into negotiations in October 1927 for the adaptation of the Franco-German Agreement concerning commercial transactions in the Saar Territory to the situation created by the signature of the Treaty of Commerce.

On February 23rd, 1928, was signed the new Franco-German Agreement concerning commercial transactions between the Saar Territory and Germany, by which the provisional agreements were supplemented and extended. Certain industries have obtained the extension of the markets allotted to them in Germany, while others have secured fresh outlets. The number of items in the German tariff affected by the 1926 Agreement has been increased from 105 to 171. Former privileges have been maintained and increased as regards the Saar industries supply of machinery and raw materials, and special facilities have been provided in respect of certain raw materials classed as products for export. Further, Saar trade has received important advantages in respect of a certain number of articles of which Germany is the sole purveyor. As in the previous agreements, precautions have been taken to secure that these privileges would be confined to transactions between Germany and the Saar. As in the past, the Governing Commission has undertaken the task of allotting the quotas among those concerned. It has also obtained the right to supervise the utilisation of the quotas, and measures have been taken to make the first allotment of quotas before April 1st, 1928, i.e., the date of the entry into force of the Agreement.

Paragraph 13 of the Annex to the Treaty of Versailles dealing with the Saar Territory lays down that the amount contributed by the French State Mines 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 reached on this point between the Governing Commission and France, by which the contribution of the mines was fixed for a period of three years. In the first quarter of 1927, the Governing Commission had decided to ask the French Government to open negotiations with a view to determining, with effect as from April 1st, 1928, the coefficient serving as a basis for the calculation of the mines' contribution. These negotiations were opened in January 1928. After a very thorough discussion, the Governing Commission reached an agreement with the French Government on the basis of the maintenance of the status quo as regards the contribution of the mines to the budget of the Territory and of an increase in the French Government's contribution to the budgets of the Saar communes. In addition, negotiations are to continue with a view to a revision of the 1924 settlement by friendly agreement.

Owing to the effects on the Saar mines of the European coal crisis, which makes it difficult for Saar coal to find a market, the French Mines Administration was obliged to introduce compulsory days of unemployment and to discharge a certain number of workmen. In the period from April 9th to the end of August 1927, about 800 workers were discharged. On March 15th, 1928, approximately 3,800 workers were dismissed, 2,000 of whom were inhabitants of the Territory.

The Governing Commission did what it could to assist the discharged workmen. In 1927, moreover, it endeavoured by certain adjustments of railway rates to facilitate the marketing of Saar coal, and it negotiated a common scale of rates with the Reichsbahn with a view to enabling larger quantities of Saar coal to be disposed of in South Germany.

In August 1927, the Trade Unions organised a demonstration to protest against the days of enforced unemployment and the discharge of the miners by the Mines Administration. Proceedings were taken by the Governing Commission against the chief authors of the disturbances which occurred during this demonstration.
During the last quarter of 1927, some 26,000 workers employed in the heavy metal industry went on strike, because the employers had refused to accept an award regarding wages. This strike ended after four days as the result of action taken by the Governing Commission. A strike of railway employees involving 7,000 out of 8,000 workers also took place in December 1927, in consequence of a demand for a rise in wages; it lasted eleven days.

The Committee of Conciliation intervened in a number of different cases and rendered several arbitral awards.

3. External Relations.

(a) Social Insurance. — After prolonged negotiations, a final Agreement was signed on October 13th, 1927, at Heidelberg between the Governing Commission and the German Government modifying the Agreement on social insurance, concluded in 1923 at Frankfurt-on-the-Main. Under this new Agreement the question of old-age pensions for miners was also considered. During the first quarter of 1928, negotiations took place at Düsseldorf and Berlin between the representatives of Saar and German Insurance Associations regarding the application of the Heidelberg Agreement.

Negotiations have also taken place between the representatives of the Governing Commission and those of the French Government concerning questions of social insurance arising between the Saar Territory and Alsace-Lorraine.

(b) Justice. — On December 14th, 1927, the Governing Commission and the French Government signed two declarations on the subject of judicial relations, dealing with the question of actions brought by Saar inhabitants in France, and actions brought by French citizens in the Saar Territory, and that of reciprocal legal assistance.

(c) Posts, Telegraphs and Telephones. — Negotiations which have been conducted with the administrations concerned resulted, during the last quarter of 1927 and the first of 1928, in the adjustment or reorganisation of different parts of the postal system, on the basis of the provisions of the Universal Postal Union, for purposes of correspondence between the Saar Territory and a number of countries.

The Governing Commission was represented at the Conference of the Universal Postal Union administrations which met on September 1st, 1927, at The Hague to draw up international regulations for air posts.

4. Instruction in Schools regarding the League of Nations.

The Governing Commission has continued to devote attention to the question of instruction in schools regarding the League of Nations. It has given subsidies to members of the teaching staff desirous of gaining information on international questions by attendance at various courses organised at Geneva. Steps have also been taken to introduce officially in the schools of the Territory instruction on the subject of the League of Nations.


The periodical reports of the Governing Commission contain, in addition to detailed information on numerous questions concerning the administrative activities of the Commission, chapters dealing with the following questions: finance, social insurance, labour, housing, administration of mines, public works, public education, situation of officials, justice, public relief and social hygiene, agriculture and forests, etc.

II. FREE CITY OF DANZIG.

At its sessions in September and December 1927 and March 1928, the Council dealt with the following questions concerning the Free City of Danzig: financial situation of the Free City; manufacture of aircraft in Danzig; transport of Polish munitions and war material in transit through Danzig, access to and anchorage in the Port of Danzig for Polish war vessels (a question formerly referred to as port d'attache for Polish war vessels in the Port of Danzig) and jurisdiction of Danzig Courts in actions brought by the Danzig railway officials against the Polish Railways Administration.

The two questions concerning the police of the Port of Danzig and the protection of the interests of Danzig nationals in Poland (Ruetzen-Kositzkau case), which had been included in the provisional agenda of the session of the Council in September 1927, were adjourned, at the request of the Danzig and Polish Governments.
The representative of Chile acted as Rapporteur for all the Danzig questions, with the exception of those relating to the financial situation of Danzig. These are dealt with in the chapter of the present report concerning the work of the Financial Committee.

In April 1928, a report dated February 1928 from the League High Commissioner at Danzig was communicated to the Council. This report, which covers the period from 1926 to 1928, is of a general character and deals more particularly with the relations between the Danzig and Polish Governments, Danzig's relations with other States, financial and economic questions concerning the Free City and the situation of the Polish minority at Danzig.

The Secretary-General communicated to the Council certain publications prepared by the Danzig Senate and containing the decisions given by the High Commissioner in 1926-27, a summary of the legal effects of the decisions given by the High Commissioner during the period 1921-27, and a collection of the important treaties concluded between Danzig and Poland in 1924-27.

**Manufacture of Aircraft within the Territory of the Free City.**

On June 13th, 1927, the Council asked the Air Sub-Commission of the Permanent Advisory Commission for Military, Naval and Air Questions for its opinion concerning a request submitted by the Danzig Government to the effect that, in the interests of Danzig industry and of scientific research at Danzig, the question of the restrictions imposed on the Free City in 1921 and 1922 in regard to the manufacture of aeronautic material might be re-examined.

On September 3rd, 1927, the Council examined the Air Sub-Commission's report and the relevant observations thereon made by the Danzig Government and the High Commissioner. The Rapporteur observed that the documents submitted seemed to show that the establishment of an aircraft industry at Danzig was a question of no practical interest at the moment. The question was really one of principle raised by the Senate: Should the Free City be placed in an inferior position, in this respect, to other States? The Rapporteur noted that the regulations approved by the Council on June 23rd, 1921, concerning the manufacture of civil aeronautic material at Danzig were subject to revision every two years and must therefore be considered out of date. Accordingly, they could not be regarded by Danzig as placing the Free City in a position of inferiority. The Rapporteur proposed the following solution, which was adopted by the Council: In the event of a definite request for the establishment of a civil aircraft industry at Danzig, the High Commissioner would be called upon to supervise that industry in accordance with the instructions of the League of Nations. He might, in that case, if he felt any doubts on the matter, refer it to the Council, who would, if necessary, ask the Air Sub-Commission to frame regulations to assist the High Commissioner in exercising this supervision.

**Transport of Polish Munitions and War Material in Transit through Danzig.**

(a) Cancellation of the Council's Resolution of March 14th, 1924.

In July 1927, the Danzig Government asked the Council to revise the procedure concerning the dispute between the Free City of Danzig and the Polish Republic regarding the establishment of a Polish depot for munitions of war in the port of Danzig and to cancel the resolution adopted by the Council on March 14th, 1924. By this resolution the Council had decided that the Westerplatte peninsula in the Port of Danzig should be placed at the Polish Government's disposal as a site for a depot for explosives and war material consigned to Poland, in transit through Danzig.

At the meeting on September 1st, 1927, the President of the Council stated that, in the ordinary course of events, disputes between Danzig and Poland were submitted to the Council, either by an appeal against a decision of the High Commissioner or at the request of the High Commissioner, who was authorised to refer to the Council a dispute which had been submitted to him for decision. He observed that, in the case under consideration, this procedure had not been followed. The Polish representative reminded the Council that the handing over of the Westerplatte to Poland was the result of a Danzig-Polish Agreement and, further, of a decision taken by the Council on March 14th, 1924. The Council was therefore required to settle the two following preliminary questions: Did the cancelling of the Danzig-Polish Agreement fall within the competence of the Council of the League? and, Could the resolution of the Council, based on this Agreement and already executed, be invalidated by the Council without the consent of both parties? After a discussion on the question of principle raised by Poland, in which several members of the Council took part, the Council decided to appoint a Committee of Jurists to submit a report.

The Committee of Jurists in its report, which was submitted to the Council on September 15th, 1927, concluded:

...that, as regards procedure and form, the request to place the item in question on the agenda, submitted on July 25th, 1927, to the Council by the Senate of Danzig is not in conformity with the procedure laid down in the Polish-Danzig
Treaty; that the Council — supposing the matter to have been regularly submitted to it — could only take a fresh decision on a site for the transit of Polish war material if the Council had before it a new question arising out of a new state of affairs — a matter on which the Committee cannot give an opinion; and that, while not laying down here in regard to the revision of international decisions a rule which cannot be affirmed in the present position of international law, it is desirable to point out that, in any case, the request of the Senate of Danzig cannot be complied with without a modification in Treaty stipulations, and that such modification cannot take place without the consent of the contracting parties."

On the basis of the report of the Committee of Jurists, the Council decided that no action should be taken on the request submitted by the Danzig Government.

(b) Utilisation of the Westerplatte.

At its meeting on September 27th, 1927, the Council resumed the examination of the question which it had adjourned at its session in June 1927, concerning certain technical points relating to the utilisation of the Westerplatte. This question embraced the following matters, provisionally settled by the High Commissioner in a memorandum dated April 8th, 1927, and submitted by him to the Council for a final decision:

(1) Right of admittance of Danzig authorities to the Westerplatte; (2) control and supervision of the observance of the safety regulations in this area; (3) manner in which the Customs service is to be regulated; (4) regulations applicable to consignments of war material and explosives leaving the Westerplatte; (5) definition of "war material" which may be transported via the Westerplatte; (6) appointment of an observer nominated by the High Commissioner.

The Rapporteur stated that the results of his examination confirmed all the essential points in the High Commissioner's memorandum regulating these questions. The representative of the Danzig Government and the German representative requested the Council to carry out a thorough examination of certain legal aspects of the problem, more particularly of the questions of principle attaching to the points mentioned under Nos. 2 and 3 above. The Polish representative raised the question of the definition of war material. The Council decided to postpone the whole matter to its session in December 1927 to enable the Rapporteur to obtain the views of two jurists, chosen by himself, concerning the legal points raised during the course of the Council's discussion.

On December 8th, 1927, the Rapporteur submitted to the Council the report of the two jurists, Sir Cecil Hurst (British) and M. Pilotti (Italian), and asked the Council to express an opinion on the procedure to be adopted. The Danzig representative accepted the jurists' opinion. The Polish representative, after an exchange of views between certain members of the Council, expressed himself in favour of direct negotiations between the parties.

On December 12th, 1927, the Council invited the two Governments to open direct negotiations with regard to the practical settlement of the questions pending, and recommended them to take into consideration all the material contained in the documents on the question, including the views expressed in the jurists' opinion. These negotiations would be presided over by the High Commissioner at Danzig, who, in accordance with the recognised procedure, might consult technical experts. If the negotiations failed to secure any result before the session of the Council in March 1928, the Rapporteur would submit proposals to the Council for a definite settlement.

In February 1928, the High Commissioner informed the Council that the two Governments had agreed to continue the conversations with a view to a final settlement of the matter, without resorting to the formal procedure laid down by the Council in December 1927.

On March 5th, 1928, the Council declared that, far from making any objection to the desire of the two Governments, it welcomed the proposal with satisfaction, and expressed the hope that it would be possible at a subsequent session to register a final agreement.

ACCESS TO AND ANCHORAGE IN THE PORT OF DANZIG FOR POLISH WAR-VESSELS.

In August 1927, the Danzig Government informed the Council that it had denounced the provisional agreement of October 8th, 1921, concluded between Danzig and Poland with the object of providing the necessary facilities and security for Polish warships in the Port of Danzig. It added that Poland had not agreed to this denunciation. The Danzig Government was of opinion that the works in the Polish port of Gdynia were sufficiently far advanced to enable Polish warships to shelter there in bad weather or during the winter. Accordingly, the Danzig Senate requested the Council to re-examine the question and to settle it by a decision.

1 In November 1927, the Danzig and Polish Governments agreed in future to describe as "access to and anchorage in the Port of Danzig for Polish war-vessels" the question hitherto described as "port d'attache for Polish men-of-war at Danzig".