Geneva, June 1st, 1930.

LEAGUE OF NATIONS

Report on the Work of the League since the Last Session of the Assembly.
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INTRODUCTION.

The period under review in this report is marked by a series of important diplomatic Conferences. The Conference on Economic Concerted Action was held under the direct instructions of the Assembly; certain Conferences, like the Conference on the Treatment of Foreigners and the Progressive Codification of International Law, may be regarded as the result of work which has been in progress for several years; other Conferences, like the third Conference on the Abolition of Import and Export Prohibitions and Restrictions, met in order to complete or carry into effect international arrangements approved at previous Conferences; finally, the Conference on the Limitation of Naval Armaments, though it was not a Conference of the League, was clearly of great importance in connection with the disarmament work of the League.

LEGAL QUESTIONS.

The Conference on the Progressive Codification of International Law met at The Hague from March 13th to April 12th, 1930. The subjects proposed for codification were nationality, territorial waters and the responsibility of States for damage done in their territory to the persons or property of foreigners.

The following Convention and Protocols were drafted and signed:

1. A Convention on Certain Questions relating to the Conflict of Nationality (signed by thirty States);
2. A Protocol relating to Military Obligations in Cases of Double Nationality (signed by twenty States);
3. A Protocol relating to a Certain Case of Statelessness (signed by twenty-four States);
4. A Special Protocol relating to Statelessness (signed by fifteen States).

The Conference embodied in a Final Act recommendations in regard to nationality, the territorial sea, inland waters and the protection of fisheries.

The Council, reviewing the work of the Conference on May 15th, 1930, decided that, in view of the great difficulty of the questions dealt with in certain of the recommendations, it was preferable, before taking any decision, to wait until the Governments had been able to study them in the light of the records of the Conference.

The Assembly in 1929 had contemplated inviting the Committee of Experts which had selected the subjects dealt with at the Conference to resume its activities, after the Conference had met, on the lines formerly approved. The Conference, however, has suggested a somewhat different procedure. The Council felt that it was premature to express any opinion on the recommendations of the Conference relating to future work, as the Governments had not yet had sufficient time to consider the subject, and more particularly as the question of the policy to be pursued was one which could only be discussed by the Assembly.

The Committee, appointed under the resolution adopted by the Assembly on September 24th, 1929, to consider the amendment of the Covenant of the League of Nations as a result of the general adhesion of its Members to the Pact of Paris, met from February 25th to March 5th, 1930. The Committee proposed specific amendments to Article 12 (paragraph 1), Article 13 (paragraph 4), Article 15 (paragraphs 6 and 7), with the addition of a paragraph 7bis. These amendments are set forth in the present report. The Council decided to forward them to the Assembly, reserving its own opinion on any point affecting its work.

The Committee appointed to investigate the delays which still exist in the ratification of international conventions concluded under the auspices of the League met from April 28th to May 2nd, 1930. It recommends the adoption of certain measures, in addition to the steps which have hitherto been taken, to accelerate the signature and ratification of Conventions. It suggests, for example, that each signatory Power should be requested to state its attitude with regard to any Convention which it has not ratified within a certain period from the date
of signature. It expresses the view that delays in ratification would be reduced, if not entirely eliminated, if, in each country, a greater appreciation of the utility of these international conventions could be secured, both in Government departments, in parliaments and among the general public, and it emphasises in this connection the value of the educative work which can be done by the various organisations interested in the action of the League. The Committee points out that in certain cases delays and difficulties have arisen, owing to the fact that the Governments have not studied in sufficient detail the actual subject-matter of the Conventions, and it thinks it would be well if more extensive preparatory work could be done before conferences were convened, so that the Governments might become more fully acquainted with the questions under consideration, and be more sure of their opinions.

The Council, on May 13th, noted the recommendations of the Committee, and decided to place them upon the agenda of the Assembly.

**POLITICAL QUESTIONS.**

The so-called question of the Hungarian optants, which has been pending before various international bodies since August 1922, was withdrawn from the agenda of the Council during its session in May 1930. The Council had attempted over a long period to secure a settlement of this problem, and ultimately advised the Roumanian and Hungarian Governments to seek a practical solution by direct negotiations through duly appointed plenipotentiaries. Finally, in January of the present year, the Council was informed that the problem was being considered in connection with other negotiations which were then taking place in Paris on the general question of reparations in Eastern Europe. The question was settled as part of the general reparations agreement signed in Paris on April 28th, 1930, and the representative of Hungary accordingly asked the Council in May to withdraw the question from the agenda.

The President of the Council, in January 1930, felt it his duty to make suggestions to the Governments of Paraguay and Bolivia in the interests of peace. The Government of Paraguay in various communications to the Secretary-General had denounced an incident which had occurred between Bolivian and Paraguayan troops, together with certain military movements of Bolivian troops in the Chaco Boreal. The President of the Council expressed his confidence that no new serious incident would be allowed to compromise the procedure for the pacific settlement of the conflict which had occurred in December 1928 and in regard to which the two Governments had, in the previous year, accepted the good offices of certain American nations. On May 12th, the President of the Council was able to inform his colleagues that the controversy in regard to these incidents appeared to be settled. A day or two later, both Governments informed the Council that this was actually the case and that diplomatic relations between them had been happily restored.

**REDUCTION OF ARMAMENTS.**

The Assembly in 1929 hoped that the Preparatory Commission for the Disarmament Conference would shortly be able to resume its work with a view to framing a preliminary draft Convention as soon as possible for the reduction or limitation of land, naval and air armaments. It was realised, however, that the future work of the Commission would necessarily be affected by the results of the Conference between the principal naval Powers meeting in London. The Naval Conference sat from January 21st to April 22nd, 1930. The Treaty resulting from the Conference and signed on April 22nd, 1930, with the records of the Conference, was sent by the President under a covering letter to the Secretary-General, who was asked to forward it to the Chairman and members of the Preparatory Commission. The Chairman of the Preparatory Commission, on consulting his colleagues, ascertained that the majority of them felt that a meeting in the summer would meet with serious material difficulties. The Commission has, therefore, been convened to meet in the first days of November.

The Special Commission, responsible for framing a draft Convention on the Private Manufacture and the Publicity in regard to the Manufacture of Arms and Ammunition and of Implements of War, will be unable to complete the text of that Convention until the Preparatory Commission for the Disarmament Conference has concluded its work. There will, therefore, be no meeting of the Special Commission prior to the session of the Assembly.
The Committee on Arbitration and Security met from April 28th to May 9th, 1930. The Assembly in 1929 instructed it to examine three important questions.

First, it was asked to consider the possibility of establishing a draft general Convention to strengthen the means of preventing war, on the lines of the model treaty approved by the Assembly in 1928. The Committee, after considering the suggestions and observations of the various Governments, found that the transformation of the model treaty into a general Convention presented considerable difficulties. Some of the delegates doubted the desirability of attempting it, and the Committee, though it reached agreement on certain points, was unable to submit agreed solutions regarding the more or less compulsory character of the military proposals which might be recommended by the Council in the event of a war or a threat of war, the supervision of these measures and the sanctions applicable to Powers which refused or neglected to adopt them. The Committee accordingly prepared a preliminary draft Convention setting out the two main tendencies in regard to these matters. Each of the two texts was supported by a certain number of delegations. Other delegations made intermediate proposals, abstained, or made reservations. The Council on May 13th, 1930, instructed the Secretary-General to forward the report and Minutes of the Committee, with the preliminary draft Convention, to the Assembly and to the Governments.

Secondly, the Committee had to consider the question of communications affecting the work of the League in times of crisis. The problem was first considered by two other bodies, namely, the International Air Navigation Commission and the Advisory and Technical Committee for Communications and Transit. The International Air Navigation Commission drafted its proposals in the form of amendments to the International Convention of 1919. The Transit Committee noted that this procedure not only discriminated between parties and non-parties to the Convention but would also involve considerable delay and expressed the view that the object of these amendments might be better secured by means of a resolution of the Assembly. The Transit Committee accordingly drafted a resolution laying down the rules to be applied by the Members of the League with due regard to their obligations, and stating the principles on which negotiations to secure their application might be opened between the Secretary-General and the Governments. The Committee on Arbitration adopted the view of the Transit Committee and decided to forward the resolution to the Assembly in an amended form.

Thirdly, the Committee on Arbitration and Security has examined and approved, with the help of the Financial Committee, a complete and final draft Convention on Financial Assistance to States Members of the League Victims of Aggression. The Council, on May 15th, instructed the Secretary-General to forward this Convention to the Assembly and to draw the attention of Governments to the desirability of giving their delegates to the Assembly full powers to sign it. The principle is recognised that, in the case of war entered upon in violation of international obligations, the State attacked has a right to financial assistance. The Council, however, retains a discretionary power to take a different decision. It might grant financial assistance to a State even before war had broken out, but only if one of the parties had refused or neglected to conform with the measures taken by the Council to safeguard peace. The Council would attach conditions to the use of the products of a loan and the control to be exercised, and would itself, in the last resort, settle any disputes as to the interpretation or application of the Convention.

The Conference with a View to Concerted Economic Action, which sat from February 17th to March 24th, 1930, was, as the Assembly anticipated, mainly European. It was realised during the Assembly discussions last year that, in order to deal successfully with the world economic crisis, it would be necessary to begin with an attempt to ensure closer economic relations between the countries of Europe. It was further recognised that negotiations to this end were hardly likely to succeed if, while they were proceeding, the Customs tariffs of the particular countries remained subject to increase. Hence arose the idea of a Customs truce. The Conference had, thus, two objects: to discuss the terms of the truce and to determine the main outlines of the subsequent negotiations for concerted economic action. The idea
of a Customs truce had, however, to be set aside at an early stage of the proceedings and the Conference endeavoured to discover other international guarantees which might create the necessary atmosphere of security.

Under the Commercial Convention which it finally adopted, the States which have consolidated their Customs duties in commercial treaties undertake (subject to exception in certain circumstances) not to denounce these treaties before April 1st, 1931, in other words they agree to a conditional and temporary stabilisation of their tariff situation, and States which practise the system of autonomous tariffs similarly undertake not to increase their duties while the Convention is in force. The Convention cannot become legally binding before November 30th, 1930. The Secretary-General will then convene a Conference which will fix the date for putting the Convention into force and establish a list of States whose accessions to the Convention are regarded as necessary to that end.

The Conference decided that the Commercial Convention should be supplemented by a programme of future negotiations. This programme is embodied in a Protocol whereby the signatory States recommend that concerted action should be taken with a view to securing closer economic relations and a more rational system of production and trade. The Protocol describes in detail the procedure to be followed in preparing these negotiations.

The Conference on the Treatment of Foreigners met in Paris from November 5th to December 4th, 1929. The delegations from the countries whose legislations and practice in the treatment of foreigners were most liberal desired to secure the adoption of principles which, if applied, would constitute an advance on the provisions generally inserted in bilateral treaties on establishment. Unfortunately the difficulties which were found in the pursuit of this policy were serious and these delegations finally stated that they would prefer not to sign an instrument which, in their view, would in some respects have constituted a retrograde step as compared with the existing situation. The Conference, therefore, feeling that a more thorough examination of the many questions which had been raised would have to be undertaken by certain Governments before there could be any hope of establishing an acceptable Convention, finally decided to consider the meeting in Paris as a first session, and to adjourn and resume its work at a second session after the Governments had carefully reviewed the discussions. The Council, in January 1930, expressed the view that it would hardly be possible for a second session of the Conference to meet before December 31st, 1930.

The third Conference on the Abolition of Import and Export Prohibitions and Restrictions, which met in Paris from December 5th to December 20th, 1929, and the third Conference on Hides, Skins and Bones, which met from August 29th to September 11th, 1929, were convened to consider how the Conventions dealing with these questions which had been previously established might be brought into force. The fate of the first convention is not yet certain. As a result of the Conference on Hides, Skins and Bones, these articles have been subject to no prohibition or restriction as from October 1st, 1929, in eighteen countries. This is the first collective arrangement in respect of tariffs concluded under the auspices of the League of Nations as yet in force in a considerable number of countries.

An important development in the work of the Economic Committee is shown in the arrangements which it has made, in collaboration with the International Institute of Agriculture in Rome, to associate with its work qualified agricultural experts when dealing with the many agricultural problems which are bound to arise in connection with economic policy. The new system was applied at a first meeting of agricultural experts convened by the Economic Committee, in January 1930, to consider the present agricultural crisis and more particularly the question of cereals. The experts emphasised the necessity of examining all economic problems from the point of view of their influence on agriculture, and pressed for a series of studies and enquiries with a view to concerted economic action to meet the agricultural crisis.

FINANCIAL QUESTIONS.

The Financial Committee has continued to assist a number of Governments to deal with problems peculiar to their countries. It has also dealt with certain questions of a more general character, and has, in particular, begun an important study of problems connected with fluctuations in the purchasing power of gold and has completed for the Committee on Arbitration and Security the text of a Convention on Financial Assistance for States Victims of Aggression.
The work undertaken under the auspices of the League for the Settlement of Refugees in Greece is expected to terminate at the end of the present year, and the Financial Committee has assisted the Refugee Settlement Commission in the work of liquidation. Two thousand complete settlements and a large amount of property are to be handed over by the Settlement Commission to the Greek Government, which will henceforth be responsible for collecting the debts of the refugees. The Settlement Commission had certain obligations to discharge in relation to the bondholders who subscribed to the first refugee loan, and the Financial Committee has satisfied itself that the transfer to the Greek Government of the properties and liabilities of the Commission will not in any way prejudice their interests. The Commission will, in September, submit a full report summarising the work of the past six years. Two hundred thousand families have been settled by the Commission. The production of cereals in Greece has been increased by fifty per cent and the production of tobacco is now threefold.

The Financial Committee has continued to advise and assist in the settlement of the refugees in Bulgaria, and this work will probably be completed in the course of 1931. The unspent balance of the loan is sufficient to cover the work which has still to be done.

The Committee of Control, appointed in 1923 to protect the interests of the reparation creditor States when the scheme for the financial reconstruction of Hungary was first carried into effect, has, with the approval of the Council, been dissolved. The Financial Committee advised the Council that, from the point of view of the responsibility of the League for the financial reconstruction of Hungary, there could be no objection to the dissolution of the Committee.

The Fiscal Committee held its first session in October, and began the study of several important questions relating to double taxation and, in particular, the possibility of concluding multilateral conventions for the avoidance of double taxation on points on which a sufficient number of countries appeared to be in agreement.

TRANSIT QUESTIONS.

The Advisory Committee for Communications and Transit, in addition to its ordinary technical work, has dealt during the year with a number of questions of more general interest.

A European Conference on the Transport of Newspapers and Periodicals met at Geneva in 1929. It was attended by delegations from nineteen countries and from various international bodies and associations. The Conference recognised the importance of encouraging the international circulation of newspapers. It recommended the application of certain measures to secure increased speed in transport and the simplification of the relevant formalities.

The Transit Committee has studied the measures which might be taken in the matter of railway transport in the event of grave occurrences of a general character affecting communications. It has prepared a draft recommendation and a draft additional protocol to supplement the Convention on the International Regime of Railways. These drafts, which provide for interstate assistance with a view to facilitating the easiest possible resumption of international transport, will be considered by the Fourth General Transit Conference. This Conference, which will be held in 1931, will also have, as one of the main points on its agenda, the consideration of the question of calendar reform, on the basis of reports of National Committees constituted or to be constituted in most countries.

The Secretary-General has, in accordance with the instructions of the Assembly last year, concluded an agreement with the Swiss Government and the Société Radio-Suisse for the establishment of a wireless station destined to ensure independent communications for the League in times of emergency, and the Transit Committee has taken the necessary steps to provide him with any technical assistance he may require in carrying out his duties under this agreement.

The Transit Committee has considered proposals submitted by the International Air Navigation Commission on the facilities to be granted to aircraft effecting transport of importance to the League.

The Transit Committee, with the help of experts from the majority of the countries concerned, has made the necessary preparations for a maritime conference to be held at Lisbon, in October 1930, on the buoyage and lighting of coasts. It has made also the necessary preparations for a European conference, to be held at Geneva, in November 1930, for the codification of law in inland navigation.
HEALTH QUESTIONS.

The Health Organisation was invited by the Assembly in 1929 to undertake a considerable amount of new work and special attention was drawn to the extension of its activities in Latin America and the Far East, for which supplementary credits were required. The Fourth Committee noted that this new work would involve increases of expenditure which would necessarily be more or less recurrent, so that the budget of the Organisation could no longer be regarded as stabilised at one million gold francs, and it authorised the additional expenditure on the ground that it would enable the Health Organisation to extend to overseas countries work which for some years past had been carried out on the European continent. The Council, in noting the budget of the Health Organisation for 1931, expressed its conviction that the Assembly and the Supervisory Commission would consider the estimates submitted in the spirit of the decisions taken last year.

The Health Organisation has devoted itself to carrying out the tasks specifically requested by certain delegates to the last Assembly, and has endeavoured to an increasing extent to help the various Governments which have appealed to it for assistance or advice. The National Government of the Republic of China has submitted a detailed programme of health reorganisation in the execution of which the League of Nations is invited to assist. These proposals include a reform of the quarantine services, the creation of a central field station, the establishment of hospitals, the improvement of medical education and the control of cholera and smallpox in the Shanghai area. The Council has asked the Medical Director to ensure the assistance of the Health Organisation in carrying them into effect.

The Government of Bolivia has asked the Health Organisation to assist it in reorganising its health services, and the necessary preliminary studies are in progress. The health reconstruction plan established by the Greek Government is now being carried into effect, and a member of the Health Section has been seconded to assist the Greek authorities in organising new technical services and a school of hygiene.

The Health Organisation is also assisting the Government of Bulgaria in a campaign against syphilis. Enquiries into infant mortality, similar to those carried out in Europe, are being undertaken in the Argentine, Brazil, Chile and Uruguay, and the Health Organisation is ensuring that full advantage shall be taken of the previous experiments made in Europe. The experts responsible for the Latin-American enquiries will meet in conference at Lima in the autumn, and representatives of the health administrations of Bolivia, Colombia, Ecuador, Peru and Venezuela will attend in order to discuss the possibility of extending the investigations to their own countries.

The Health Organisation is also assisting the health authorities in various Latin-American countries in a survey of leprosy, and in the preparation of a conference which is to meet at Montevideo in September 1930 under the auspices of the Uruguayan Institute for the Prevention of Syphilis.

Finally, on the invitation of the Government of India, members of the Malaria Commission of the Health Committee made a study of malaria in many parts of India from September to December 1929, and embodied the results in a remarkable report. More than one hundred and forty villages and towns in malarial regions were visited.

The results of the enquiry into infant mortality in Europe were finally reviewed at a Conference of Experts held at Rome in March 1929. The enquiry has proved the value of infant welfare centres, the medical and social supervision of mother and child, and the benefits of social legislation. These measures, however, even in the best districts, were found to be inadequate. Special training in maternal and infant care is advocated for physicians and midwives, with financial and other assistance to pregnant women. These recommendations are supported by evidence that important causes of infant death are still-birth and prematurity, which, even in districts with a low infant mortality rate, call for more attention than they have hitherto received.

The health authorities in Denmark, Spain, Japan, Roumania, Yugoslavia and Czechoslovakia, impressed by the value of the enquiry, have already intimated their desire to carry out similar investigations.
MANDATES.

The Mandates Commission has held one ordinary session in the period under review from November 6th to November 26th, 1929. It considered during that session a communication from the British Government notifying the intention of the mandatory Power to recommend the admission of Iraq to the League of Nations in 1932. This recommendation implies the termination of the British mandate and the recognition of Iraq as an independent country. The Commission said it would welcome the action which the British Government was proposing to take, provided it had become apparent by the date in question that Iraq was able to stand alone and that effective guarantees were secured that all treaty obligations for the benefit of racial and religious minorities in Iraq were secured. The Council, in considering the observations of the Commission, felt it would be well to determine what general conditions should, as a matter of principle, be fulfilled before the mandatory regime could be brought to an end in respect of a mandated territory, and it requested the Commission to submit any suggestions that might assist it in reaching a conclusion.

The Council, in September 1929, proposed that the Mandates Commission should hold an extraordinary session in order to consider the recent events in Palestine, and it was understood that this extraordinary session would be held as soon as the necessary information could be placed at its disposal by the mandatory Government. On May 15th, 1930, the British representative informed the Council that the Commission of Enquiry appointed by the British Government to investigate these events had submitted its report. The extraordinary session was fixed to begin on June 3rd, 1930, and is now in progress. Meanwhile, as the result of a proposal of the British representative on the Council, a special ad hoc Commission has been appointed, in accordance with Article 13 of the mandate, to study, and finally to settle, the rights and claims of Jews and Moslems at the Wailing Wall. The Commission is composed of three members nominated by the mandatory Power, none of whom is of British nationality. The nominations were approved by the Council.

The Mandates Commission, in examining the annual report of the New Zealand Government on the administration of Western Samoa, found it necessary to compare this report with the report of an enquiry, which had also been forwarded by the New Zealand Government, into various financial and administrative questions affecting the mandated territory. The Commission found it difficult to judge from these reports of the exact situation in the territory, the special report being critical of the whole administration of Western Samoa and its finances. The Commission regretted the state of affairs revealed by the special report, but considered that there was no evidence of policy or action contrary to the mandate. It recognised the good intentions of the Administration and its efforts in the matter of public health, education and economic development, but thought that the measures for recruiting officials and ensuring financial control were for the moment unsatisfactory. The Council, in considering these observations, offered the mandatory Power its profound sympathy and expressed confidence in its ability to restore its full authority.

SLAVERY.

An International Commission of Enquiry is at present examining conditions in Liberia with a view to reporting whether forced labour and slavery exist in that country. The Council of the League, in September 1929, appointed one of the members of this Commission at the request of the Government of Liberia.

MINORITIES.

The Council has considered a number of petitions in connection with minorities. The new procedure instituted by the Council, in June 1929, has been applied throughout the period under review.
QUESTIONS RELATING TO THE SAAR AND THE FREE CITY OF DANZIG.

The League has, as in the past, received from the Governing Commission of the Saar quarterly reports dealing with a number of questions arising in the ordinary course of administration.

The question of a loan to be issued by the Governing Commission of the Saar has been carefully studied by the Financial Committee, which has concluded that the financial position of the territory is sound and quite compatible with the issue of such a loan. The Council, however, for reasons connected with the general situation of the territory, has postponed taking any decision in the matter.

The Council has asked the Permanent Court of International Justice for an advisory opinion on the question whether the legal status of the Free City of Danzig enables it to become a Member of the International Labour Organisation. The conditions under which the High Commissioner of the Free City shall exercise his veto with regard to treaties applying to Danzig have been defined in a body of new rules framed by the Council in September 1929.

HUMANITARIAN QUESTIONS.

The Traffic in Women and Children Committee reviews in a report of its Secretary the progress which has been achieved in the suppression of the traffic during the last ten years. Particular emphasis is laid on the increasing importance assumed by the question of the abolition of licensed houses. The first step in this direction was a proposal to prohibit the employment of foreign women in licensed houses. The Members of the League were asked for information concerning the system of licensed houses and the reasons for which they retained or had abandoned it. An important enquiry conducted by a committee of experts led, in 1927, to the publication of a report to the effect that the licensed-house system was an encouragement to the traffic, both national and international. This enquiry has been extended, by a decision adopted by the Council in May 1930, to the countries of the Orient. The Committee, during its session held in April, reviewing statements made by the delegates from various countries, adopted a resolution to the effect that there was no reason to fear that the abolition of the system would result in any danger to public order or to public health.

The Child Welfare Committee, during its session held in April 1930, continued its discussions on preliminary draft Conventions for the Return of Children and Young People to their Homes and on Assistance for Foreign Minors. Among other questions which it discussed were the recognition and enforcement of maintenance orders abroad, certain aspects of the legal status of illegitimate children and the auxiliary services of juvenile courts.

The Council, in approving the recommendations of the Committee in May, took note of the opinion expressed by the British representative to the effect that the Committee did not perhaps sufficiently realise that its duties were primarily concerned with child welfare and that it should not discuss social questions which more nearly concerned adults. While high appreciation was expressed for the Committee's zeal, some fear was felt lest it should stray beyond its sphere on to ground not strictly within its province.

The work of the League during the current year for the suppression of the traffic in opium and other dangerous drugs has assumed increasing importance as a result of the prominence given to this question during the discussions which took place last year in the Fifth Committee of the Assembly. The Assembly resolved that steps should be taken without delay to limit the manufacture of dangerous drugs to the amount required for medical and scientific purposes, and requested the Advisory Committee to prepare a scheme of limitation to be submitted to the Council for subsequent reference to a Conference of the manufacturing States and principal consuming countries. The session of the Advisory Committee, which sat from January 20th to February 14th, 1930, was the longest that has yet been held. The Committee approved a plan for the direct limitation of the manufacture of narcotics, which deals with three fundamental points:

(1) The fixing of the total amount of drugs to be manufactured annually;
(2) The allocation of this amount between the manufacturing countries;
(3) The distribution of this amount in such a way as to ensure that each consuming country shall receive the drugs required for its medical and scientific needs.
The Council, during its May session, decided to communicate the text of this plan to the Governments, asking for their comments within three months. It fixed the date of the proposed Conference provisionally for December 1st, 1930.

The Advisory Committee noted that the Opium Convention had received thirty-five ratifications or accessions, and that nine States intended to ratify it. Its attention was called, however, to the somewhat slow progress made in respect of its signature and ratification by the countries of Central and South America. Seventeen of these countries are not yet parties to the Geneva Convention. The Council has instructed the Secretary-General to send a letter to the South American Governments emphasising the importance of ratification.

Many cases of illicit traffic have come to light during the year, and some of them are of importance. Considerable sources of supply and centres of distribution cannot as yet be traced. There were important seizures by the Egyptian authorities, during 1929, of supplies obtained from Switzerland and France. The year 1928 was, in France, abnormal. It was known that the import certificate system would be put into force in January 1929, and large quantities of narcotics were exported in order to evade the system of control which was about to be introduced. Three tons of heroin left the country in that year. One-third of this quantity was exported to China on a forged import certificate, and another third was despatched from France into Turkey.

The Permanent Central Opium Board has held three sessions since September last. It has been mainly occupied in studying the statistics received, improving its statistical forms and taking steps to secure from the Governments the necessary figures and information.

REFUGEE QUESTIONS.

The High Commissariat for Refugees was, as a temporary measure and pending a report by the Secretary-General, incorporated with the services of the Secretariat of the League as from January 1st, 1930. The administration of the funds of the Commissariat has been entrusted to the Treasury under the Financial Regulations.

In 1929, 4,293 Armenians have been settled as colonists in Syria and the Lebanon, and 2,643 Russian and Armenian refugees have found employment under agricultural and industrial contracts. The Commissariat has, in all, settled 10,632 refugees out of a total of 174,329 refugees who were unemployed in 1928.

INTELLECTUAL CO-OPERATION.

There have been, during the year, a series of meetings of experts in preparation for the sub-committees and the plenary session of the Committee which will, as usual, be held in July. The plenary Committee will be asked to consider the conclusions of the Committee of Enquiry which, in accordance with the resolution adopted by the Assembly in 1929, has drafted recommendations concerning the future work and organisation of the Committee on Intellectual Co-operation and the International Institute of Intellectual Co-operation.

The Governing Body of the International Educational Cinematograph Institute held a second session in Rome in 1929, when it reviewed the work of the Institute during the previous year and decided as to its future activities. A preliminary draft Convention for the abolition of Customs barriers against the free movement of educational films was prepared by a Committee of Experts in December 1929, and the Council has been asked to obtain the views of the Economic Committee in regard to it and then to forward it to States Members and non-Members of the League.

FINANCES OF THE LEAGUE.

The Treasury, in May, drew the attention of the Supervisory Commission to the effect that only 89 per cent of the contributions of States Members of the League had been received as compared with 93 per cent in 1928, but that steps would be taken to remind States in arrears of their obligation in this respect. The budget estimates for 1931 show a sum of 29,966,436 francs as compared with 28,210,248 francs in 1930, the increase being mainly due to the new credits required for a wireless station and the higher budget for the Permanent Court of International Justice, owing to the revision of the Statute of the Court.
NEW BUILDINGS.

The plans for the Assembly Hall have been revised in consultation with acoustical experts, but further consultations on points of detail are still necessary. The plans for the Library have been revised and approved by the Committee of Five, and the plans for the Secretariat offices have been reconsidered in the light of probable increases of staff which will render inadequate the original accommodation provided. The final plan for all three buildings will be submitted to the Committee of Five by the architects at the end of June and tenders for the first main contract will probably be invited before the Assembly meets.

DR. STRESEMANN AND DR. NANSEN.

Two great figures of the League of Nations have passed away since the last Assembly. On October 3rd, 1929, occurred the death of Dr. Stresemann. This was followed by the death of Dr. Nansen on May 13th, 1930.

Dr. Stresemann brought Germany into the League of Nations. For the last few years of his life he was closely associated with a policy which has led to a better understanding between the nations of Europe. His sincere patriotism and zeal for his country put him above any suspicion of being ready to sacrifice national interests to a vague idealism and enabled him to insist with all the greater force and conviction that the welfare of a particular country was necessarily bound up with the welfare of the community of nations as a whole. His death is a heavy loss for Germany and for the League.

Dr. Nansen, whose name was already famous in the world when the League was founded, came to the first Assembly as one of the delegates of Norway. He was one of the outstanding figures of that and of every subsequent session. It was part of his daily work to lead the nations to forget old feuds and to work together for the good of each and all. During the first four years of the life of the League he directed the immense task of organising the repatriation of prisoners of war. He was later appointed High Commissioner of the League of Nations for Refugees, and during the last eight years of his life devoted himself to the settlement of the refugees under satisfactory conditions. His work for the League has created for him a second fame as universal and enduring as that which he had already won in other fields.
1.

LEGAL QUESTIONS.

I. AMENDMENT OF THE COVENANT OF THE LEAGUE OF NATIONS IN ORDER TO BRING IT INTO HARMONY WITH THE PACT OF PARIS.

On September 24th, 1929, the Assembly adopted the following resolution:

"The Assembly,

"Taking note of the resolution submitted to it on September 6th on behalf of various delegations to the effect that, in view of the large measure of acceptance obtained by the Pact signed at Paris on August 27th, 1928, whereby the parties renounced war as an instrument of national policy in their relations with one another, it is desirable that Articles 12 and 15 of the Covenant of the League of Nations should be re-examined in order to determine whether it is necessary to make any modifications therein;

"Taking note also of the resolution proposed by the Peruvian delegation on September 10th recommending that a report should be obtained as to the alterations which were necessary in the Covenant of the League in order to give effect to the prohibitions contained in the Pact of Paris:

"Declares that it is desirable that the terms of the Covenant of the League should not accord any longer to Members of the League a right to have recourse to war in cases in which that right has been renounced by the provisions of the Pact of Paris referred to above;

"Instructs the Secretary-General to communicate to all the Members of the League a copy of the amendments to the Covenant of the League which have been proposed for this purpose by the British Government, together with such further papers as may be necessary;

"Invites the Council to appoint a Committee of eleven persons to frame a report as to the amendments in the Covenant of the League which are necessary to bring it into harmony with the Pact of Paris. This Committee should meet in the first three months of 1930, and in the course of its work should take into account any replies or observations which have been received from the Members of the League by that date. The report of the Committee will be submitted to the Members of the League in order that such action as may be deemed appropriate may be taken during the meeting of the eleventh ordinary session of the Assembly in 1930."

The amendments proposed by the British Government and referred to in the resolution were amendments to Articles 12, 13 and 15 which had been submitted at the beginning of the discussion in the First Committee of the Assembly. An amendment to Article 18 proposed by the Government of Peru was brought to the notice of the Council by the representative of that country at the Council's meeting of January 14th, 1930; it was also communicated to the Members of the League and referred for consideration to the Committee provided for in the Assembly's resolution.

The Secretary-General, by a circular letter dated October 15th, 1929, in accordance with the Assembly's resolution, invited the Governments of the Members of the League to submit observations for consideration by the Committee which the Council was invited to appoint.

At its session of January 1930, the Council appointed a Committee with the mandate indicated by the resolution of the Assembly. The Committee met at Geneva from February 25th to March 5th, 1930, and was composed of the following members: M. Scialoja (Italy), who was appointed Chairman, M. Antoniade (Roumania), M. von Bulo (Germany), Viscount Cecil of Chelwood (Great Britain), M. Cobian (Spain), M. Cornejo (Peru), M. Cot (France), M. Ito (Japan), M. Sokal (Poland), M. Unden (Sweden) and Dr. Woo Kaising (China).

The Committee had before it the amendments proposed by the British and Peruvian Governments and communications from the Governments of South Africa, Germany, Austria, Belgium, China, Denmark, Estonia, Finland, France, Greece, Hungary, Norway, Panama, the Netherlands and Poland. Communications from Chile and the Irish Free State were unfortunately received too late to be considered by the Committee. In addition to presenting their views on the problem referred to the Committee, many of the Governments proposed specific amendments to the Covenant.

The Committee's report, which must be read in order that the proposals which it made may be fully understood, has been circulated to the Members of the League (document A.8.1930 V.), and has been placed on the agenda of the Assembly. The text of the communications received from the Members of the League is annexed to the report.

1 M. Antoniade and M. Ito took the places of M. Titulesco and M. Adatci, who were unable to attend the meeting of the Committee. M. Pella on various occasions sat in place of M. Antoniade.
The proposals made by the Committee are set out as follows in the first annex to its report:

"The Committee proposes amendments to the preamble of the Covenant and to Articles 12 (paragraph 1), 13 (paragraph 4), 15 (paragraphs 6 and 7). The Committee also proposes the addition of a paragraph 7bis.

"Articles 10 and 11, paragraph 2 of Article 12, paragraphs 8 and 10 of Article 15, Articles 16, 17 and 18 were considered by the Committee, which decided not to propose any modifications in the provisions contained therein."

**PRESENT TEXT. PROPOSED AMENDMENTS.**

**Preamble.**

"In order to promote international co-operation and to achieve international peace and security by the acceptance of obligations not to resort to war."

**Article 12, Paragraph 1.**

"The Members of the League agree that, if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or judicial settlement or to enquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the judicial decision or the report by the Council."

**Article 13, Paragraph 4.**

"The Members of the League agree that they will carry out in full good faith any award or decision that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award or decision, the Council shall propose what steps should be taken to give effect thereto."

**Article 15, Paragraph 6.**

"If a report by the Council is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report."

**Article 15, Paragraph 7.**

"If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice."

**Article 15, Paragraph 7bis.**

(New Paragraph.)

"At any stage of the examination, the Council may, either at the request..."
of one of the parties or on its own initiative, ask the Permanent Court of International Justice for an advisory opinion on points of law relating to the dispute. Such application shall not require a unanimous vote by the Council. 1

At its meeting of May 12th, 1930, the Council decided to thank the Committee for the important work which it had accomplished. It noted that the Committee's proposals would be considered by the Assembly at its next session, when the Governments represented on the Council would have every opportunity to express their views and when the Council, if necessary, would be able to give its opinion on any point affecting its work.

II. PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

A. CONFERENCE FOR THE CODIFICATION OF INTERNATIONAL LAW HELD AT THE HAGUE, MARCH-APRIL, 1930.

The Conference for the Codification of International Law, provided for by the Assembly's resolution of September 27th, 1927, met at The Hague from March 13th to April 12th, 1930, under the presidency of M. Heemskerk, formerly Prime Minister of the Netherlands. The subjects placed on the agenda by the Assembly were nationality, territorial waters (for which term the competent Committee of the Conference decided to substitute the term "territorial sea"), and the responsibility of States for damage done in their territory to the person or property of foreigners. 1

Forty-seven Members of the League and non-Member States sent delegations to the Conference, namely: the Union of South Africa, Germany, the United States of America, Australia, Austria, Belgium, the United States of Brazil, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, Chile, China, Colombia, Cuba, Denmark, the Free City of Danzig, Egypt, Spain, Estonia, Finland, France, Greece, Hungary, India, the Irish Free State, Iceland, Italy, Japan, Latvia, Luxemburg, the United States of Mexico, Monaco, Nicaragua, Norway, the Netherlands, Peru, Persia, Poland, Portugal, Roumania, Salvador, Sweden, Switzerland, Czechoslovakia, Turkey, Uruguay and the Kingdom of Yugoslav Serbien.

The Union of Soviet Socialist Republics appointed observers to follow the work of the Conference.

Nationality.

On the question of nationality, the following Convention and Protocols were drawn up and signed: 2


This Convention was signed by thirty Members of the League and non-Member States, namely:

- Union of South Africa
- Belgium
- Colombia
- Germany
- Great Britain and Northern Ireland
- Cuba
- Austria
- Denmark
- Australia
- Chile
- Free City of Danzig

1 It may be of interest to summarise the various steps leading up to the meeting of the Conference. The first step was taken by the Assembly's resolution of September 22nd, 1924, in pursuance of which a Committee of sixteen experts representing "the main forms of civilisation and the principal legal systems of the world", under the presidency of M. Hammarskjöld (Sweden), was appointed by the Council to draw up a provisional list of the subjects of international law, the regulation of which by international agreement seemed most desirable and realisable at the moment, to consult thereon the most authoritative organisations devoted to the study of international law and the Governments, and to report on the questions which were sufficiently ripe and on the procedure by which conferences might be convened for their solution.

The three subjects referred to the recent Conference were recommended by the Committee in a report adopted at its third session in March-April 1927. The preparation of these subjects for the Conference was entrusted, under the conclusion of conventions, and prepared draft rules of procedure which were submitted to the Conference.

At its session of June 1929, the Council declared the preparatory work for the Conference to be completed. The necessary credit was voted by the Assembly at its session of 1929 and the Conference was formally convened by the Council for March 13th, 1930.

2 After the close of the Conference, the Convention and Protocols were also signed on behalf of Peru.
2. **Protocol relating to Military Obligations in Certain Cases of Double Nationality.**

This Protocol was signed on behalf of twenty Members of the League and non-Member States, namely:

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<th>Germany</th>
<th>Cuba</th>
<th>Irish Free State</th>
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<tr>
<td>Austria</td>
<td>Denmark</td>
<td>Luxemburg</td>
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<td>Belgium</td>
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<td>Mexico</td>
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<td>Great Britain and Northern Ireland</td>
<td>Spain</td>
<td>The Netherlands</td>
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<td>Ireland</td>
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<td>Chile</td>
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<td>Colombia</td>
<td>India</td>
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3. **Protocol relating to a Certain Case of Statelessness.**

This Protocol was signed on behalf of twenty-four Members of the League and non-Member States, namely:

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<tr>
<th>The Union of South Africa</th>
<th>Free City of Danzig</th>
<th>Latvia</th>
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<tr>
<td>Australia</td>
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<td>Belgium</td>
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<td>Mexico</td>
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<tr>
<td>Great Britain and Northern Ireland</td>
<td>Estonia</td>
<td>The Netherlands</td>
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<td>Ireland</td>
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<td>Chile</td>
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<td>Colombia</td>
<td>India</td>
<td>Czechoslovakia</td>
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<td>Cuba</td>
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<td>Denmark</td>
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4. **Special Protocol relating to Statelessness.**

This Special Protocol was signed on behalf of fifteen Members of the League and non-Member States, namely:

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<th>The Union of South Africa</th>
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<td>Austria</td>
<td>Spain</td>
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<td>Great Britain and Northern Ireland</td>
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<td>Colombia</td>
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<td>Cuba</td>
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Certain questions with which the Conference did not find it possible to deal, or with which it could not deal completely, in the instruments which it adopted, were made the object of the following recommendations, which were inserted in the Final Act:

"I."

"The Conference is unanimously of the opinion that it is very desirable

"That States should, in the exercise of their power of regulating questions of nationality, make every effort to reduce so far as possible cases of statelessness,

"And that the League of Nations should continue the work which it has already undertaken for the purpose of arriving at an international settlement of this important matter.

"II."

"The Conference recommends States to examine whether it would be desirable that, in cases where a person loses his nationality without acquiring another nationality, the State whose nationality he last possessed should be bound to admit him to its territory, at the request of the country where he is, under conditions different from those set out in the Special Protocol relating to statelessness, which has been adopted by the Conference.

"III."

"The Conference is unanimously of the opinion that it is very desirable

"That States should, in the exercise of their power of regulating questions of nationality, make every effort to reduce so far as possible cases of dual nationality,

"And that the League of Nations should consider what steps may be taken for arriving at an international settlement of the different conflicts which arise from the possession by an individual of two or more nationalities.

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1 This instrument is described as a Special Protocol to mark the fact that it was not adopted by the two-thirds majority normally necessary under the Rules of Procedure for the adoption of Acts of the Conference, but was adopted by a simple majority and was included in the Acts of the Conference under a special provision of the Rules of Procedure.
IV.

"The Conference recommends that States should adopt legislation designed to facilitate, in the case of persons possessing two or more nationalities at birth, the renunciation of the nationality of the countries in which they are not resident, without subjecting such renunciation to unnecessary conditions.

V.

"It is desirable that States should apply the principle that the acquisition of a foreign nationality through naturalisation involves the loss of the previous nationality. It is also desirable that, pending the complete realisation of the above principle, States before conferring their nationality by naturalisation should endeavour to ascertain that the person concerned has fulfilled, or is in a position to fulfil, the conditions required by the law of his country for the loss of its nationality.

VI.

"The Conference recommends to States the study of the question whether it would not be possible

1. To introduce into their law the principle of the equality of the sexes in matters of nationality, taking particularly into consideration the interests of the children,

2. And especially to decide that in principle the nationality of the wife shall henceforth not be affected without her consent either by the mere fact of marriage or by any change in the nationality of her husband.

VII.

"The Conference recommends that a woman who, in consequence of her marriage, has lost her previous nationality without acquiring that of her husband, should be able to obtain a passport from the State of which her husband is a national.

VIII.

"The Conference draws the attention of States to the advisability of examining at a future conference questions connected with the proof of nationality. It would be highly desirable to determine the legal value of certificates of nationality which have been, or may be, issued by the competent authorities, and to lay down the conditions for their recognition by other States.

Territorial Sea.

The Conference found that there existed in respect of certain fundamental points a divergence of views which for the present rendered the conclusion of a convention on the territorial sea impossible. It, however, drew up thirteen articles relating to the legal status of the territorial sea which were "provisionally approved with a view to their possible incorporation in a general convention on the territorial sea". It adopted a resolution inviting the Council to communicate those articles to the Governments and to take other action with a view to further efforts for codifying the law on the subject. Recommendations were also adopted concerning inland waters and concerning the protection of fisheries.

The text of the resolution was as follows:

"The Conference,

Notes that the discussions have revealed, in respect of certain fundamental points, a divergence of views which for the present renders the conclusion of a convention on the territorial sea impossible but considers that the work of codification on this subject should be continued. It therefore:

1. Requests the Council of the League of Nations to communicate to the Governments the articles, annexed to the present resolution and dealing with the legal status of the territorial sea, which have been drawn up and provisionally approved with a view to their possible incorporation in a general convention on the territorial sea;

2. Requests the Council of the League of Nations to invite the various Governments to continue, in the light of the discussions of this Conference, their study of the question of the breadth of the territorial sea, and questions connected therewith, and to endeavour to discover means of facilitating the work of codification;

3. Requests the Council of the League of Nations to be good enough to consider whether the various maritime States should be asked to transmit to the Secretary-General official information regarding the base lines adopted by them for the determination of their belts of territorial sea;

4. Recommends the Council of the League of Nations to convene, as soon as it deems it opportune, a new conference either for the conclusion of a general convention on all questions connected with the territorial sea, or even—if that course should seem desirable—of a convention limited to the points dealt with in the Annex."

The articles referred to in the resolution are reproduced in the Final Act of the Conference (document C.228.M.115.1930.V.).
The recommendation concerning inland waters was in the following terms:

"The Conference recommends:

"That the Convention on the international régime of maritime ports, signed at Geneva on the 9th December, 1923, should be supplemented by the adoption of provisions regulating the scope of the judicial powers of States with regard to vessels in their inland waters."

The recommendation concerning the protection of fisheries was as follows:

"The Conference,

"Taking into consideration the importance of the fishing industry to certain countries;

"Recognising further that the protection of the various products of the sea must be considered not only in relation to the territorial sea but also the waters beyond it;

"And that it is not competent to deal with these problems or to do anything to prejudge their solution;

"Noting also the steps already initiated on these subjects by certain organs of the League of Nations;

"Desires to affirm the importance of the work already undertaken or to be undertaken regarding these matters, either through scientific research or by practical methods, that is, measures of protection and collaboration which may be recognised as necessary for the safeguarding of riches constituting the common patrimony."

Responsibility of States for Damage caused in their Territory to the Person or Property of Foreigners.

As stated in the Final Act of the Conference, the competent Committee "was unable to complete its study of the question of responsibility of States for damage caused in their territory to the person or property of foreigners, and accordingly was unable to make any report to the Conference". No decisions or recommendations were, therefore, adopted by the Conference on this subject.

General Recommendations regarding Codification of International Law.

The Conference also adopted and inserted in its Final Act certain "general recommendations with a view to the progressive codification of international law", which are set out in the next section of this report.

B. CONSIDERATION OF THE WORK OF THE CONFERENCE BY THE COUNCIL.

The Council, at its meeting of May 15th, 1930, approved a report on the work of the Conference presented by the representative of Italy, which dealt in particular with the various recommendations formulated by the Conference.

Recommendations regarding Nationality.

The Rapporteur, referring to Recommendations I and III (statelessness and conflicts of laws arising from multiple nationality), said:

"The questions to which these recommendations refer are two of the most difficult questions which were submitted to the Conference in connection with nationality. It does not therefore appear to me possible at present to suggest further action by the League. It would be preferable to wait until the Governments have had sufficient time to study these questions in the light of the published Minutes of the competent Committee of the Conference. The work hitherto undertaken by the League in the matter has been merely the work which led up to the convening of the Conference; there does not, at present, exist any League organisation which could appropriately be charged with continued further examination of the subject.

"In these circumstances, I feel only able to propose that the Council, so far as it is concerned, should note the recommendations of the Conference and associate itself with the view that the League should, when the proper moment arrives, endeavour to make what further contribution it can towards the solution of the important and difficult problems of statelessness and of the different conflicts which arise from the possession by an individual of two or more nationalities."

The Council took the following decision:

"The Council notes the recommendations made by the Conference on the subject of nationality. It associates itself with the view expressed in these recommendations, Nos. I and III, that the League of Nations should, when the proper moment arrives, endeavour to make what further contribution it can towards the solution of the important and difficult problems of statelessness and the different conflicts which arise from the possession by an individual of two or more nationalities."
Resolution regarding the Territorial Sea.

The Rapporteur made the following statement in regard to this resolution:

"There can, I think, be no objection to the Council deciding to give effect to the proposal contained in paragraphs 1 and 2 of this resolution."

"The proposal made in paragraph 3 of the resolution appears to me to be intimately connected with that made in paragraph 4. Collection of the information referred to in paragraph 3 is not an object in itself, but is an important step in the technical preparation for the conclusion of a general convention dealing with the determination of the breadth of the territorial sea. Before any decision is taken by the Council on paragraphs 3 and 4 of the resolution, I feel it would be desirable that the Governments, and more particularly those of the maritime States, should have time to consider the whole subject in the light of the deliberations which took place at the Conference. I suggest also that the Organisation for Communications and Transit may eventually be in a position to furnish the Council with valuable advice."

"I propose, therefore, that the Council should adjourn taking any decision as to its ultimate action on paragraphs 3 and 4 of the resolution, but should (a) decide that the Secretary-General, when making to the Governments the communications contemplated by paragraphs 3 and 4, shall inform them that the Council will be glad to receive and consider any views which they may desire to express as regards the action contemplated by paragraphs 3 and 4, and (b) should invite the Organisation for Communications and Transit to follow in a general manner the development of the problem of codification of the law relating to the territorial sea, with a view to presenting recommendations to the Council on the subject when it finds it possible to do so."

The resolution adopted by the Council was as follows:

"The Council notes the resolution adopted by the Conference on the subject of the territorial sea and decides as follows:

(a) The Secretary-General shall communicate to the Governments of the Members of the League, and of the non-Member States invited to the Conference, the articles dealing with the legal status of the territorial sea which were drawn up by the Conference and provisionally approved with a view to their possible incorporation in a general convention on the territorial sea. The Secretary-General shall at the same time, on behalf of the Council, invite the various Governments to continue, in the light of the discussions of the Conference, their study of the question of the breadth of the territorial sea, and questions connected therewith, and to endeavour to discover means of facilitating the work of codification.

(b) The Council adjourns to a subsequent session its decision as to its ultimate action on paragraphs 3 and 4 of the resolution, but (i) decides that the Secretary-General, when making to the Governments the communication contemplated by paragraph (a) above, shall inform them that the Council will be glad to receive and consider any views which they may desire to express as regards the action contemplated by the said paragraphs 3 and 4, and (ii) invites the Organisation for Communications and Transit of the League of Nations to follow in a general manner the development of the problem of codification of the law relating to the territorial sea, with a view to presenting recommendations to the Council on the subject when it finds it possible to do so."

Recommendation regarding Inland Waters.

On the proposal of the Rapporteur, the Council adopted on May 15th, 1930, the following resolution:

"The Council refers for consideration to the Organisation for Communications and Transit the recommendation formulated by the Conference concerning inland waters."

Recommendation regarding Fisheries.

The Rapporteur’s observations on this recommendation were as follows:

"This recommendation does not call for any action by the Council. The reference to steps already initiated by certain organs of the League of Nations is to the report of the Committee of Experts for the Progressive Codification of International Law on the subject of ‘Exploitation of the Products of the Sea’, and to the decision taken by the Assembly in 1927 to invite the Economic Committee of the League ‘to study in collaboration with the International Council of Copenhagen, and any other organisation specially interested in this matter, the question whether and in what terms, for what species, and in what areas international protection of marine fauna could be established’. An account of the investigations undertaken by the Economic Committee is contained in the Committee’s report to the Council on the work of its twenty-ninth session."

Recommendation regarding the Progressive Codification of International Law.

The decision taken by the Council concerning the future action of the League under this recommendation is set out in the next section of the present report.
On September 24th, 1929, the Assembly adopted the following resolution:

"The Assembly,
Considering that, for the purpose of carrying on the work already begun for the progressive codification of international law, it is advisable that the Committee of Experts should continue its work;
Calling the attention of the Council to the desirability of inviting that Committee to hold further sessions after the first Codification Conference."

The Codification Conference, as noted above, adopted general recommendations regarding the progressive codification of international law, of which one (No. IV) contemplates certain modifications or developments in the procedure hitherto adopted.

The text of these recommendations is as follows:

I.

"The Conference,
With a view to facilitating the progressive codification of international law,
Recommends
That, in the future, States should be guided as far as possible by the provisions of the Acts of the First Conference for the Codification of International Law in any special conventions which they may conclude among themselves.

II.

"The Conference,
Highly appreciating the scientific work which has been done for codification in general and in regard to the subjects on its agenda in particular,
Cordially thanks the authors of such work and considers it desirable that subsequent conferences for the codification of international law should also have fresh scientific work at their disposal and that with this object, international and national Institutions should undertake, at a sufficiently early date, the study of the fundamental questions of international law, particularly the principles and rules and their application, with special reference to the points which are placed on the agenda of such conferences.

III.

"The Conference,
Considering it to be desirable that there should be as wide as possible a co-ordination of all the efforts made for the codification of international law,
Recommends that the work undertaken with this object under the auspices of the League of Nations and that undertaken by the Conferences of American States may be carried on in the most complete harmony with one another.

IV.

"The Conference
Calls the attention of the League of Nations to the necessity of preparing the work of the next conference for the codification of international law a sufficient time in advance to enable the discussion to be carried on with the necessary rapidity and in the light of the information which is essential.
For this purpose the Conference would consider it desirable that the preparatory work should be organised on the following basis:

1. The Committee entrusted with the task of selecting a certain number of subjects suitable for codification by convention might set up a report indicating briefly and clearly the reasons why it appears possible and desirable to conclude international agreements on the subjects selected. This report should be sent to the Governments for their opinion. The Council of the League of Nations might then draw up the list of the subjects to be studied, having regard to the opinions expressed by the Governments.

2. An appropriate body might be given the task of drawing up, in the light of all the data furnished by legal science and actual practice, a draft convention upon each question selected for study.

3. The draft conventions should be communicated to the Governments with a request for their observations upon the essential points. The Council would endeavour to obtain replies from as large a number of Governments as possible.

4. The replies so received should be communicated to all the Governments with a request both for their opinion as to the desirability of placing such draft conventions on the agenda of a conference and also for any fresh observations which might be suggested to them by the replies of the other Governments upon the drafts.

5. The Council might then place on the programme of the Conference such subjects as were formally approved by a very large majority of the Powers which would take part therein."
The Assembly's resolution of September 24th, 1929, and the recommendations of the Codification Conference regarding progressive codification were considered by the Council at its meeting of May 15th, 1930. In his report, which was approved by the Council, the representative of Italy said:

"The initiative taken by the Assembly in 1924, which resulted in the appointment of the Committee of Experts and eventually in the convening of the recent Conference, was, as was pointed out by M. Zaleski in the interesting report which he presented to the Council and which was adopted by it on June 13th, 1927, intended as a contribution towards the development of international law, which was to supplement the progress already being made in this direction through the technical organisations of the League, through the International Labour Office, and as a result of initiatives taken by Governments outside the League of Nations. A special procedure was established for dealing with subjects not falling within the scope of such organisations or initiatives. In this connection, the great importance of the progressive development of international law which results from the jurisprudence of the Permanent Court of International Justice and of arbitral tribunals, to which reference was also made by M. Zaleski, must, of course, not be left out of sight. The holding of the recent Conference marks a definite step in the development of the procedure initiated in 1924. It must, I think, be recognised to be desirable that in determining the future attitude of the League in regard to codification of international law, the experience acquired as a result of the Conference, and the recommendations made by it, should be carefully considered by the Members of the League and by the Assembly and eventually by the Council. It would be premature for the Council at its present session to express an opinion on the recommendations of the Conference, both because the Governments represented on the Council have not yet had sufficient time to examine the subject and also because the question of the policy to be pursued is essentially one which should be discussed in the Assembly. In studying the subject before the session of the Assembly, the Governments will, of course, also be able to take account of the considerations underlying the conclusions of the Committee on Ratifications, whose report has just been approved by the Council.1

"I propose, therefore, that for the moment the Council should confine itself to adjourning action upon the Assembly's resolution of September 24th, 1929, until after the next session of the Assembly. It will then have the opportunity of dealing with the matter in the light of the discussions which take place and of the resolutions which are adopted at the Assembly."

The Council adopted the following resolution:

"The Council, considering that the experience acquired as a result of the Conference, and in particular the recommendations regarding progressive codification of international law formulated by the Conference should be examined by the Assembly at its next session, decides that it will await the results of the discussion at the Assembly before taking the said recommendations into consideration and before deciding as to the action to be taken under the Assembly's resolution of September 24th, 1929, regarding the convening of the Committee of Experts for the Progressive Codification of International Law.

"The Council invites the Assembly to consider at its next session the question of the progressive codification of international law and, in particular, the recommendations on this subject formulated by the Conference, and accordingly places this question on the agenda of the Assembly."

D. CODIFICATION OF CERTAIN CATEGORIES OF CONVENTIONS.

The Assembly, in a resolution adopted on September 24th, 1929, decided that the publication in the form of a Code of the Conventions open to States in general, a question which had been dealt with in proposals made under a previous resolution of September 24th, 1928, could not for the moment be achieved in a satisfactory manner. It expressed the view that it would be necessary "first to proceed to codify the various successive Conventions dealing with certain particular subjects so as to determine what precisely were the texts in force and the States which were parties thereto". It requested the Council "to call the attention of the technical organisations of the League to the possibility that it might be desirable to make an effort in that direction with the assistance of the Secretariat, and in collaboration, where desirable, with the international bureaux, with a view to having the results of their work eventually brought into force by appropriate international conferences".

The Council on January 13th, 1930, adopted the conclusions of a report of the representative of Italy, who expressed himself in the following terms:

"The suggestion made by the Assembly in its resolution is one of which the realisation presents obvious difficulties, but which is of evident interest from the point of view of the harmonious and intelligible development of international law in the form of international conventions. The Council will, I am sure, feel no difficulty in transmitting it to the technical organisations of the League. It will, of course, be understood that both the Assembly, as appears from the actual terms of its resolution, and the Council intend to leave to the appreciation of those organisations themselves the question whether, and at what date, it may be desirable and possible for them to take up the subject."

1 See Section V of the present chapter.
The Council decided to refer the resolution of the Assembly and the report of the representative of Italy to the Economic and Financial Organisation, the Organisation for Communications and Transit, the Health Organisation, the Committees on Traffic in Women and Children and on Child Welfare, the Advisory Committee on Traffic in Opium and other Dangerous Drugs and the Committee on Intellectual Co-operation, for such action, if any, as it might be thought possible and desirable to take.

III. AMENDMENT OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Assembly, during its tenth session, adopted the amendments to the Statute of the Permanent Court, and the draft Protocol relating thereto, established by the special Conference of Government representatives which met at the same time. It expressed the hope that the draft Protocol drawn up by the Conference might receive as many signatures as possible before the close of the session of the Assembly and that all the Governments concerned would use their utmost efforts to secure the entry into force of the amendments to the Statute of the Court before the opening of the next session of the Assembly, in the course of which the Assembly and the Council would be called upon to proceed to a new election of the members of the Court.

At its meeting of May 12th, 1930, the Council considered this resolution of the Assembly and the provisions relating to the entry into force of the Protocol. These provisions are as follows (paragraphs 3, 4 and 7 of the Protocol):

3. The present Protocol shall be ratified. The instruments of ratification shall be deposited, if possible before September 1st, 1930, with the Secretary-General of the League of Nations, who shall inform the Members of the League of Nations and the States mentioned in the Annex to the Covenant.

4. The present Protocol shall enter into force on September 1st, 1930, provided that the Council of the League of Nations has satisfied itself that those Members of the League of Nations and States mentioned in the Annex to the Covenant which have ratified the Protocol of December 16th, 1920, and whose ratification of the present Protocol has not been received by that date, have no objection to the coming into force of the amendments to the Statute of the Court which are annexed to the present Protocol.

7. For the purposes of the present Protocol, the United States of America shall be in the same position as a State which has ratified the Protocol of December 16th, 1920.

At the date of the Council's session, the Protocol had been ratified on behalf of Austria, Belgium, Great Britain and Northern Ireland and all parts of the British Empire not separate Members of the League of Nations, Denmark, India, Norway, Sweden and South Africa.

In view of the provisions of paragraph 4 of the Protocol, the Council instructed the Secretary-General to ascertain from the Governments concerned whether, if unable to ratify the Protocol by the date mentioned, they would nevertheless have no objection to the entry into force of the amendments to the Statute of the Court.

IV. ELECTION OF MEMBERS OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

1. Resignation of the Honourable Charles Evans Hughes.

By a telegram dated February 15th, 1930, the Honourable Charles Evans Hughes informed the Secretary-General and the President of the Permanent Court that he found himself, to his regret, obliged to resign his office of judge of the Court. This resignation was notified to the Members of the League, the Assembly and the Council.

At its meeting of May 12th, 1930, the Council, in accordance with the procedure followed on the occasion of the resignation of Judge Bassett Moore, accepted Mr. Hughes' resignation, subject to the concurrence of the Assembly, and requested the Secretary-General to take the necessary steps to secure the nomination of candidates with a view to the eventual election, during the session of the Assembly, of a successor to Mr. Hughes for the remainder of his term of office, which closes on December 31st, 1930. In accordance with the Council's decision, the Secretary-General has invited the national groups mentioned in Article 4 of the Court's Statute to make the necessary nominations.

2. Election of All the Members of the Permanent Court of International Justice.

Under the provisions of the Statute of the Permanent Court of International Justice, all the members of the Court retire from office on December 31st, 1930, but are eligible for re-election, if duly nominated.

1 i.e., the Protocol of Signature of the Statute of the Permanent Court.
The Secretary-General has accordingly taken the measures prescribed by the Statute of the Court to invite the national groups mentioned in Article 4 of the Statute to nominate candidates with a view to the election of all the members of the Court by the Council and the Assembly. The election will take place during the session of the Assembly.

V. WORK OF THE COMMITTEE APPOINTED TO INVESTIGATE THE QUESTION OF THE RATIFICATION AND SIGNATURE OF CONVENTIONS CONCLUDED UNDER THE AUSPICES OF THE LEAGUE OF NATIONS.

In compliance with the desire expressed by the Assembly in its resolution of September 24th, 1929, the Council decided, by a resolution of January 15th, 1930, to appoint a Committee, consisting of eight members, to investigate, with the assistance of the Secretariat services, the reasons for existing delays in the ratification and signature of Conventions, and the means by which the number of signatures, ratifications or accessions given to Conventions concluded under the auspices of the League might be increased.

The Committee appointed by the Council sat at Geneva from April 28th to May 2nd, 1930, and elected as its Chairman M. Scavenius (Denmark).

In the report adopted by the Committee, it is noted that, thanks to the combined efforts of the Council, the Assembly and the Secretariat, the results obtained up to the present with regard to the ratification of Conventions concluded under the auspices of the League are more satisfactory than those obtained in the case of other general international Conventions negotiated outside the League.

Following certain general considerations on the present position, the report deals, first, with the question of the acceleration of ratifications and, next, with that of the increase in the number of signatures of Conventions still open for this purpose and of acts of accession.

The Committee enumerates the reasons for the delays which often occur in ratification and states that it is difficult to find a remedy for some of them. It mentions, among the methods suggested to expedite the deposit of ratifications, those which are already employed by the organs of the League.

Apart from steps already taken, the Committee recommends that in future other measures should be adopted to obtain information from Governments, to enlighten public opinion, to improve the preparatory work of Conferences, or to insert in Conventions to be concluded clauses intended to facilitate their ratification.

The Committee also considered the possibility of increasing the number of signatures of Conventions open for signature and the number of accessions. It made certain suggestions on this point, such as the convocation, in the case of Conventions which have not secured sufficient signatures and accessions and of those which require a larger number of ratifications, of a fresh conference of the States concerned to examine the possibility of revising the Convention in order to adapt it more closely to the needs of the greatest possible number of countries. Lastly, the Committee has put forward some observations relating to ratifications, signatures or accessions to certain Conventions.

After having noted the Italian representative’s report, the Council, on May 13th, 1929, adopted a resolution thanking the Committee for the work done and deciding to include the question in the agenda of the Assembly’s next session.

In accordance with the last paragraph of the Assembly resolution of September 24th, 1929, the Secretariat has drawn up tables, diagrams and graphs indicating the position as regards signature and ratification of, or accession to, Agreements and Conventions concluded under the auspices of the League of Nations. These tables were submitted for examination to the Committee appointed by the Council, and in accordance with that Committee’s suggestion references to the situation as regards colonies, protectorates, overseas dominions and mandated territories will in future also be inserted.

The tables, diagrams and graphs which were submitted to the Council at the fifty-ninth session will be circulated to Members of the League of Nations and to delegates at the Assembly.

The data contained in these tables will appear in greater detail in the list annexed to the Council’s Supplementary Report to the Assembly.

VI. WORK OF THE INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW AT ROME.

Among recent signs of the growing interest in the Institute’s work should be mentioned the special contributions made by the Roumanian Government (5,000 lire) and by the Polish Government (15,000 lire). The German Government has also presented to the Institute the "Reichsgericht" collection of works of jurisprudence in civil matters, while the Brazilian...
Government has given a very important collection of the principal scientific works and commentaries on the Brazilian Civil and Commercial Codes.

The Institute receives very frequent requests for information and documents relating to its work and aims.

**BUDGETARY POSITION.**

The total expenditure (ordinary and extraordinary) for the year 1929 was 615,206.05 lire, the total revenue being 1,472,294.80 lire; after deducting 100,000 lire earmarked for the creation of a working capital fund, the surplus assets amount to 757,718.75 lire, the greater part of which will be absorbed by the cost of completing the third storey of the building and the installation of the library.

**PROGRESS OF WORK.**

Owing to the many difficulties encountered, it was not possible for the Institute's work to progress as rapidly as was hoped. It is to be expected, however, that the assistance of the two Deputy-Secretaries-General, M. David and M. Ficker, whose services have been temporarily secured, will enable the work to proceed more rapidly in future.

**SUBJECTS OF ENQUIRY.**

The subjects of enquiry selected by the Governing Body in February 1929 were as follows:

1. Unification of Contracts of Sale;
2. Unification of the Law on Debts in respect of Maintenance;

1. **Unification of Contracts of Sale.**

The study of the rules governing the sale of goods, with a view to facilitating the unification of international sales, was proposed to the Institute by M. Rabel, a member of the Governing Body, who submitted a report on the matter.

After the Governing Body had approved the general principles contained in that report, M. Rabel undertook to supplement it and submit it again to the Governing Body. The second report, drawn up under the direction of M. Rabel by the “Institut für Ausländisches und Internationales Privatrecht” of Berlin, was submitted to the members of the Governing Body.

In accordance with the decision of the Governing Body, M. Rabel drew up a survey based on the study of comparative law in regard to sales, and two questionnaires, one specially intended for countries employing the Anglo-Saxon legal system and the other for Continental countries. The former was submitted direct to Mr. Gutteridge and was also sent by the Institute to Sir Cecil Hurst with a view to an inquiry in the circles concerned. Several copies of the latter were sent to each member of the Governing Body, with the request that they should consult jurists and experts on these problems. The Secretariat also transmitted the documents to important Italian organisations, including the General Confederations of Industry, Commerce and Agriculture, for their opinion.

As soon as the replies come to hand, they will be systematically classified according to the various questions, so that they can be analysed and the points ascertained on which they differ and those on which they are in agreement. These findings will be borne in mind when the final questionnaire is drawn up.

2. **Unification of the Law on Debts in respect of Maintenance.**

The Institute has prepared and communicated to the members of the Governing Body a brief initial survey of the present state of legislation concerning debts in respect of maintenance, together with observations on the problems of private international law raised by this question. These preliminary enquiries appear to show that an attempt to unify legislation on this matter might have some chance of success.

3. **Unification of Arbitral Procedure in Private Matters.**

The examination of the problem of arbitral procedure in private matters was based on the report submitted by M. Rundstein, a member of the Governing Body.

The Institute then proceeded to examine draft conventions for the execution of arbitral awards, so as to ascertain the difficulties and obstacles which have hitherto impeded progress. It also studied the various laws on the matter. The results of these enquiries, together with observations as to the possibility of unifying the relevant legislation, were summarised in a report submitted to the Governing Body. The latter decided to continue the enquiries, which for the present must be of a purely theoretical nature.

**RELATIONS WITH THE INSTITUTE OF INTELLECTUAL CO-OPERATION.**

The Institute also took up certain problems which it had been requested to examine by the Institute of Intellectual Co-operation.
Authors' Rights.

The Institute was happy to assist the International Institute of Intellectual Co-operation in investigating the possibility of unifying the Berne and Havana Conventions. Taking as its point of departure the introductory note drawn up by the Institute of Intellectual Co-operation, the Secretariat at Rome has begun an analytical study of these two Conventions and is drawing up a report.

Model Publisher's Contract.

Thanks to the documentation already collected by the Institute of Intellectual Co-operation, to the existence of a collection of model contracts and to the strenuous efforts made by the professional associations, the enquiry into publishers' contracts has progressed fairly rapidly. The bibliography on the subject is, however, very large; there are many different laws or special provisions dealing with authors' rights, while usage differs considerably and case-law is varied and uncertain. In order to arrive at practical results, all these factors must be borne in mind; otherwise, there would be a risk of proposing a model contract to which exceptions would at once be made by the parties concerned. At an early session the Secretariat at Rome will probably submit a report on this matter to the Governing Body.

Legal Personality of International Associations not established for Purposes of Gain.

The study of this problem has just been begun on the basis of the documentation furnished by the Institute of Intellectual Co-operation; the observations of the national committees on intellectual co-operation concerning the draft of the International Chamber of Commerce already indicate, however, that numerous and serious difficulties — not merely of a legal nature — will have to be overcome. In this case, also, the Institute hopes to submit a few simple and practical proposals in the near future.

Relations with Other Organisations.

The Secretary-General of the Institute has visited the League Secretariat and made arrangements for future co-operation with the Social Section, the Communications and Transit Organisation and the Economic Committee.

The Social Section, which is at present dealing with the execution of judgments relating to maintenance payable by parents on behalf of children, expressed a desire to be informed of the conclusions reached by the Institute as the result of its preliminary enquiry into the principal laws in the matter. The Institute has already furnished the Social Section with all the information requested.

The Institute also accepted an invitation to send a representative to the Interparliamentary Commercial Conference, held at Berlin in September 1929. This Conference dealt with the unification of the law on obligations in general and the unification of the law relating to bills of exchange and cheques in particular. The two representatives of the Institute, M. Cesare Tumedei and M. Mario Matteucci, were able to inform the Conference of what had been done by the Institute in regard to bills of exchange. The fundamental principles on which its work is based were approved by the Conference in a resolution.

The Conference recommended that the various countries should set up national committees to pursue the investigation of the problem of the unification of the law relating to obligations.

Negotiations are in progress with the Hague Academy of Comparative Law with a view to the establishment of useful and practical relations with that body.

Library.

The work of cataloguing books and publications has advanced with great rapidity. This work, which will in future be directed by Professor del Vecchio, has revealed certain gaps; these will be filled by degrees.

It is hoped that the organisation of the library will be completed very shortly, and this will make it easier for the Institute to carry out its investigations and enquiries.
2.

FINANCES OF THE LEAGUE.

I. GENERAL FINANCIAL POSITION.

During the year 1929, 89 per cent of the amount of the contributions due for that year was received from the States Members, as against 93 per cent of the budget for 1928 received during that year. The percentage of payments during 1929 is, however, still higher than in the previous three years, 1927, 1926 and 1925.

The total amount received on account of arrears during 1929 was 634,981.53 francs as compared with 1,729,560.35 francs in 1928.

The cash position of the three autonomous organisations of the League on December 31st, 1929, was as follows:

<table>
<thead>
<tr>
<th>Surplus</th>
<th>Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secretariat</td>
<td>Swiss Francs</td>
</tr>
<tr>
<td>1,135,535.27</td>
<td>497,393.95</td>
</tr>
<tr>
<td>International Labour Office</td>
<td>Swiss Francs</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Permanent Court of International Justice</td>
<td>Swiss Francs</td>
</tr>
<tr>
<td>357,680.01</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>1,493,215.28</td>
<td>497,393.95</td>
</tr>
</tbody>
</table>

A general view of the questions relating to League finances which have been dealt with since the last session of the Assembly will be obtained by referring to the reports of the Supervisory Commission, which has met on two occasions since last September.

II. ACCOUNTS FOR 1929.

The Supervisory Commission has examined the Auditor's report. It recommends the Assembly to approve the accounts for 1929 in the form in which they are shown in the document submitted to the Assembly (document A.3.1930.X).

III. DISPOSAL OF THE SURPLUS FOR 1929 AND REIMBURSEMENT TO STATES OUT OF THE BUILDING FUND.

The Commission considered that the reimbursement of the advances, amounting to 497,393.95 francs, made out of the Working Capital Fund to the International Labour Office during 1929, should be considered as a first charge on the surplus in respect of the eleventh financial period.

The Commission, having ascertained that the mortgage of 200,000 francs, which remained on the Secretary-General's official residence after its purchase in accordance with the decision of the last Assembly, could be redeemed, recommends that the amount required for this operation should also be taken from the surplus. The net sum to be returned to the Members of the League during 1931, in accordance with Article 38 of the Financial Regulations, will therefore amount to 795,821.33 francs.

As regards the reimbursement to be made during 1931 to the States out of the Building Fund, the Commission advised the maintenance of the arrangement made during the last two years, whereby the amount actually repaid to the States was fixed at 700,000 francs. As the sum included every year in the budget as a terminable annuity payable on account of the building operations of the League amounts to 1,375,000 francs, the Building Fund will thus be increased in 1931 by an additional sum of 675,000 francs.

IV. BUDGET FOR 1931.

The budget for 1931, as forwarded to the Members of the League for consideration by the Assembly, amounts to 29,966,436 francs — if the higher of the two budgets for the Court is taken into account — as compared with 28,210,248 francs for 1930.

The greater part of the increase is due to the higher total of the budget for the Permanent Court of International Justice consequential upon the rapidly increasing work of the Court, and to the new credits — in respect of which full explanations are given in the following Section — for the Wireless Station.
V. LEAGUE WIRELESS STATION.

The Commission noted that a solution satisfactory to the League had been found for the various difficulties that existed at the time of the last Assembly. It is anticipated that the construction and installation of the Station, the cost of which may now roughly be estimated at 1,600,000 francs, will be completed in 1931. Believing it undesirable to provide in a single year’s estimates for reproductive capital expenditure of this magnitude, the Commission considered that the budget for 1931 should include provision for the same sum as will be returned to the States Members from the cash surplus in respect of 1929, i.e., 795,822 francs, the balance of capital expenditure actually required being temporarily taken from the Working Capital Fund and reimbursed hereafter by budgetary provisions or such other appropriations from other sources as may seem justifiable.

As regards the maintenance and operating expenses of the Station, the Commission recommended that the credit of 200,000 francs entered in Item 30 (a) of the budget should be considered as the nucleus for a trading account, distinct from the budgetary accounts, but controlled and audited in the same manner as those accounts. It considered, however, that in view of the special character of this account, the unspent balances should be carried over to the succeeding year; in due course, the disposal of any surpluses could be decided upon.

VI. AMENDMENTS TO THE FINANCIAL REGULATIONS.

The Commission agreed upon certain amendments to the Financial Regulations to remedy the difficulties which arose at the last Assembly in connection with the discussion of Supplementary Credits.

VII. WORK ON BEHALF OF REFUGEES.

The Commission was informed that the credits entered in the budget for the work on behalf of refugees were dealt with and controlled in exactly the same way as the other budgetary appropriations. Further, the Secretariat was doing its utmost to administer the other funds which were previously under the High Commissioner’s control, in conformity with the Financial Regulations and the various principles adopted by the Supervisory Commission.

3. REDUCTION OF ARMAMENTS.

I. PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

The report of the League to the tenth session of the Assembly gave detailed information on the work of the last session of the Commission (April 15th to May 6th, 1929). The Commission, after examining at a second reading the texts drafted in the Spring of 1927, decided to adjourn in order to enable the principal naval Powers to discuss between themselves the problem of the reduction and limitation of naval war material.

The Assembly during its tenth session referred to its Third Committee the work of the Preparatory Commission and adopted on September 24th, 1929, the following resolution:

“‘The Assembly:
‘Having taken cognisance with interest of the work of the last session of the Preparatory Commission for the Disarmament Conference;
‘Cordially welcoming the prospect of an early agreement between the naval Powers with a view to the reduction and limitation of naval armaments, which agreement may enable the Preparatory Commission to secure general agreement on the methods to be adopted for the reduction and limitation of naval armaments;
‘Taking note of the statements made in the Third Committee with regard to the principles on which, in the opinion of various delegations, the final work of the Preparatory Commission should be based;
‘Noting that the solution of the disarmament problem can be attained only through mutual concessions by Governments in regard to the proposals they prefer;
‘Urging, in accordance with its resolution of 1928, ‘the necessity of accomplishing the first step towards the reduction and limitation of armaments with as little delay as possible’;”
Confidently hopes that the Preparatory Commission will shortly be able to resume the work interrupted at its last session, with a view to framing a preliminary draft Convention as soon as possible for the reduction and limitation of land, naval and air armaments;

And decides that the Minutes of the plenary meetings of the Assembly and of the Third Committee shall be communicated to the Preparatory Commission for any necessary action.

The Council, on September 25th, 1929, noted the resolution of the Assembly and asked the Secretary-General to forward it to the members of the Preparatory Commission.

The principal naval Powers, at the invitation of the British Government, met at a conference in London on January 21st, 1930. The Director of the Disarmament Section of the Secretariat of the League of Nations was invited to be present at the Conference as an observer and without taking part in the discussions. The Naval Conference concluded its work on April 22nd, 1930, and the Powers represented at the Conference signed a Treaty on that date.

The text of the Treaty, together with the records of the plenary meetings of the Conference and the reports of the Commissions submitted to the Conference, were communicated to the Secretary-General of the League of Nations. These reports were accompanied by the following letter dated April 21st, 1930, from the President of the Conference:

In its resolution voted on September 24th last, the Assembly of the League of Nations cordially welcomed 'the prospect of an early agreement between the naval Powers with a view to the reduction and limitation of naval armaments, which agreement may enable the Preparatory Commission to secure general agreement on the methods to be adopted for the reduction and limitation of naval armaments'.

As regards those armaments, the work of the Preparatory Commission was checked by the difference of opinion on the methods of limitation which arose between various delegations, two opposing proposals being incorporated in draft conventions submitted by the French and United Kingdom delegations respectively. The attempts to reach a compromise between the two drafts at the session of the Preparatory Commission in April 1927, and at subsequent negotiations, remained in the end without result.

I am glad to inform you that at the Conference which has just ended the British and French delegations had the satisfaction of reaching agreement to adopt a common method of limitation, and I invite your attention to the first report of the First Committee which contains full particulars, together with the suggested method of indicating naval strengths in tabular form.

On account of the reservations which certain delegations attached to their acceptance of the report, and which are shown in the report of the First Committee, the London Conference considered that it should limit itself to taking note of that paper, without actually accepting it. You will observe that the Italian delegation entered a general reservation, which is on record.

As far as three of the High Contracting Parties to the London Naval Treaty are concerned, the agreement which they have arrived at on the question of tonnage has been so drawn up as to make it consistent with the scheme of limitation referred to in the First Committee's report.

Part II of the London Naval Treaty records, on the other hand, the agreement arrived at by all the High Contracting Parties represented at the Conference on the question of the limitation of the displacement of submarines and the calibre of the guns mounted, the definition of the vessels to which the rules for limitation do not apply, rules for replacement and scrapping and, finally, a list of vessels which, while not conforming to the characteristics of exempt vessels, should not be included when determining total tonnage.

Thus the London Naval Conference represents an advance made on the results heretofore achieved in this particular field. It is our earnest hope that the Preparatory Commission will find in the results of our work a contribution which will have the effects of facilitating its future labours.

In expressing this hope, I beg to forward to you, together with the text of the London Treaty, the Minutes of the plenary sittings and the reports of the Conference Committees, and I would ask you kindly to communicate them to the Chairman and to the Members of the Preparatory Commission.

(Signed) J. Ramsay Macdonald.
Moreover, the President of the Preparatory Commission distributed to its members on May 7th, 1930, the following note:

"The President of the Preparatory Commission for the Disarmament Conference has the honour to inform the members of the Commission that, having considered the letter from the President of the London Naval Conference dated April 21st, 1930, and the annexes thereto, and having informally sounded the various members of the Commission with regard to the date at which the latter could profitably resume its proceedings, he considers that a meeting of the Commission during this summer would encounter serious material difficulties which might be detrimental to the Commission's work. He has ascertained that the majority of delegates hold the same opinion, and has accordingly decided to convene the Commission to a meeting to open at Geneva on Monday, November 3rd next."

II. PRIVATE MANUFACTURE OF AND PUBLICITY IN REGARD TO THE MANUFACTURE OF ARMS AND AMMUNITION AND OF IMPLEMENTS OF WAR.

The Assembly on September 24th, 1929, adopted the following resolution:

"The Assembly has taken cognisance of the documents forwarded to it by the Council on the work of the Special Commission responsible for framing a draft Convention on the supervision of the private manufacture and publicity of the manufacture of arms and ammunition and of implements of war.

"It recognises the importance of the task entrusted by the Council to the Special Commission.

"The Assembly considers that the organisation of the supervision of private manufacture — the only manufacture referred to in Article 8 of the Covenant — in conjunction with the publicity, to be defined later, of State manufactures, which would place non-producing countries and producing countries on the same footing, would facilitate the entry into force of the Convention on the International Trade in Arms and Ammunition and in Implements of War dated June 17th, 1925, Geneva.

"It notes, however, that certain reservations have been made in respect of the draft Convention and that several Governments have said that they are unable to express a final opinion on the methods of securing publicity for State manufactures until they know the conclusions reached by the Preparatory Disarmament Commission on the question of publicity of war material.

"The Assembly therefore requests the Council to consider the desirability, as soon as the Preparatory Commission has concluded its work in connection with the publicity of implements of war, of convening a further meeting of the Special Commission to complete the text of a preliminary draft Convention."

The Council on September 25th, 1929, noted this resolution, and asked the Secretary General to communicate it to the Special Commission.

The Council has invited Chile and Roumania, retiring Members of the Council, to remain members of the Special Commission.

III. SUPERVISION OF THE INTERNATIONAL TRADE IN ARMS AND AMMUNITION AND IN IMPLEMENTS OF WAR.

The Convention signed at Geneva on June 17th, 1925, for the control of the international trade in arms and ammunition and in implements of war has, since the tenth ordinary session of the Assembly, been ratified by Spain.

Hitherto the following States have ratified the Convention:

<table>
<thead>
<tr>
<th>Country</th>
<th>Ratified States</th>
</tr>
</thead>
<tbody>
<tr>
<td>China</td>
<td>The Netherlands (including the Dutch East Indies, Surinam and Curacao)</td>
</tr>
<tr>
<td>Egypt</td>
<td>Poland</td>
</tr>
<tr>
<td>France</td>
<td>Spain</td>
</tr>
<tr>
<td></td>
<td>Venezuela</td>
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</tbody>
</table>

Liberia has acceded to the Convention.

The British Government on March 1st, 1930, informed the Secretary-General of its intention to recommend that the Council should convene a Conference of the States which signed the Convention of 1925 to examine the means whereby its putting into force might be ensured at the earliest possible moment.

This proposal was communicated to the Members of the Council and of the League. The Government of Sweden thereupon informed the Secretary-General that it was ready to proceed to the ratification of the Convention simultaneously with the other manufacturing States. The Danish Government also informed the Secretary-General that instructions had been given to the Danish Legation in Paris to deposit the instrument of ratification, on the understanding that the putting into force of the Convention would be subject to its entry into force in Sweden and in Switzerland.
During the Council meeting, held on May 15th 1930, the representative of Great Britain said that his Government had ratified the Convention, but that the coming into force of this ratification was dependent on the simultaneous coming into force of the ratifications of a number of other Governments; he thought that, if the representatives of the signatory Powers were to meet, it might perhaps be possible to reach an agreement regarding the date on which effect might be given to the Convention. He declared, however, after having heard a declaration by the Italian representative that, if the majority of the Council preferred to wait until the questions still under consideration were settled at the future meetings which would consider the control of private manufacture and publicity in regard to State manufacture, the British Government was willing to postpone the matter, at least until the next session of the Preparatory Commission for the Disarmament Conference.

The Council, after hearing also a statement from the Persian representative, decided to adjourn the question.

IV. STATISTICAL INFORMATION ON THE TRADE IN ARMS, AMMUNITION AND IMPLEMENTS OF WAR. MILITARY YEAR-BOOK.

The last editions of these publications have been distributed as documents C.490.M.155.1929.IX and C.341.M.120.1929.IX.

4.

ARBITRATION AND SECURITY.

I. PRELIMINARY DRAFT GENERAL CONVENTION TO STRENGTHEN THE MEANS OF PREVENTING WAR.

On September 24th, 1929, the Assembly adopted, on the initiative of the British delegation, the following resolution:

"The Assembly,
"Recognising the importance of the model treaty to strengthen the means of preventing war, approved by the Assembly at its ninth session;
"Convinced that the maintenance of peace would be facilitated by the acceptance by as many States as possible of obligations of the kind contained in that treaty;
"Invites the Council to request the Committee on Arbitration and Security to consider the possibility of establishing a draft General Convention on the general lines of the treaty which could be referred to the Governments in time to enable the latter to indicate at the eleventh ordinary session of the Assembly whether they are prepared to accept it."

On September 25th, 1929, the Council approved the report submitted by the Spanish representative on the Assembly resolution and asked the President of the Committee on Arbitration and Security to summon that Committee in due course in order to examine the question. The Council further authorised the Secretary-General to address a letter to all States Members of the League, communicating to them the Council resolution and asking them to forward as soon as possible any suggestions or observations they might wish to make.

In reply to the Secretary-General's letter of October 23rd, 1929, a number of Governments submitted observations and suggestions to the Committee on Arbitration and Security. At its fourth session, the Committee examined at considerable length the way in which it could best carry out the task entrusted to it by the Assembly. This examination was based on the model treaty itself and on the observations and proposals transmitted to it by a number of Governments both before the opening of the session and during the discussion. The exchange of views which took place in the Committee revealed the fact that the transformation of the model treaty into a general Convention raised a certain number of problems of great importance and of an extremely delicate nature. Certain delegations even doubted the desirability of converting the model into a general Convention.

As regards some of the problems raised, the Committee succeeded in reconciling the various points of view; but in the case of others, and, in particular, the problem of the more or less compulsory character of the military measures to be recommended by the Council and that of supervision and sanctions, it was unable to make uniform proposals.

1 Document A.II.1930.VII.
Owing to these difficulties, the Committee could only prepare a preliminary draft Convention, setting out the texts representing the two main tendencies in regard to Articles 2, 3 and 3 bis (military measures, supervision and sanctions). Each of these two texts was supported by a number of delegations; other delegations made intermediate proposals or abstained or made reservations.

The Committee suggested that the preliminary draft Convention, the Committee's report and Minutes should be communicated to the Members of the League for their information.

On May 15th, 1930, the Council, on the basis of the Spanish representative's report, noted the work accomplished by the Committee on Arbitration and Security at its fourth session and requested the Secretary-General to forward to the Assembly the report and the preliminary draft Convention to Strengthen the Means of Preventing War, as well as the Committee's Minutes. It also requested the Secretary-General to forward these documents as soon as possible, for information, to the Governments of the States Members of the League and to the non-Member States represented on the Preparatory Commission for the Disarmament Conference.

II. DRAFT CONVENTION ON FINANCIAL ASSISTANCE.

The Assembly during its tenth session examined the preliminary draft Convention on Financial Assistance drawn up by the Financial Committee, and on September 24th, 1929, adopted the following resolution:

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

The Council, in conformity with the decision of the Assembly, in a resolution dated September 25th, 1929, asked the Committee on Arbitration and Security to establish, with the assistance of the Financial Committee, a complete text of the Convention.

The Financial Committee, in accordance with its instructions, re-considered the preliminary draft Convention at its thirty-seventh session in the light of the observations made in the Third Committee of the Assembly. It presented its conclusions and report, which were addressed to the Council and communicated to the Committee on Arbitration and Security.

The Committee on Arbitration and Security during its fourth session, with the assistance of four members of the Financial Committee, established a final draft text, having regard to the conclusions of the Financial Committee and the observations of the Governments. The members of the Financial Committee approved the report of the Arbitration Committee together with its annexes (draft Convention and introductory note), which was forwarded to the Council.

The Council, in a resolution adopted on May 15th, asked the Secretary-General to forward the report with its annexes to the Assembly for consideration during its eleventh session. It drew the attention of the Governments to the desirability of giving their delegates to the Assembly the necessary powers to sign the proposed Convention.

The report and its annexes have also been submitted for information to the Governments States Members of the League and to the non-Member States represented on the Preparatory Commission for the Disarmament Conference.

The draft Convention established by the Committee on Arbitration and Security follows, as regards technical and financial questions, the lines of the preliminary draft and the report of the Financial Committee submitted to the tenth Assembly.

The Committee on Arbitration and Security has thought it desirable to deal with certain questions of a political nature which were raised during the tenth session of the Assembly. It has, for example, decided to distinguish between the case of war and that of a threat of war, and to deal separately with each.

The Committee, moreover, thought it desirable to accede to the wishes expressed by certain delegations that the State receiving assistance should be obliged to assume certain engagements.

The principal question arising in connection with the case of war was to decide whether it was the duty of the Council to grant financial assistance or whether it might grant such assistance in its discretion according to circumstances. The different views expressed are embodied in the draft which was adopted. The principle was recognised that, in the case of

1 Document A.11.1930.VII.
war entered upon in violation of international obligations, the State attacked had the right to financial assistance, but that the Council retained a discretionary power to take a different decision.

The draft Convention provides that the Council may grant financial assistance, even before war has broken out, but only on condition that one of the parties to the dispute has refused or neglected to conform with the measures taken by the Council to safeguard peace. It should be noted that certain delegations on the Committee on Arbitration and Security were of opinion that the Council should not authorise a loan before war had broken out. They admitted, however, that the Council might give a preliminary opinion and take preparatory measures in order that the financial assistance might be promptly granted as soon as war had broken out.

The text of the draft makes it quite clear that the Council may attach conditions to the use of the products of the loan and as to the control to be exercised.

The draft provides not only that the guarantor States should facilitate on their financial markets the issue of the loans authorised by the Council, but that they should also abstain from any measure which would compromise the effectiveness of the financial assistance. The Committee on Arbitration and Security was of opinion that a clause of this kind completed and strengthened in a positive manner the guarantees of the loan.

Any dispute concerning the interpretation or method of application of the Convention is, according to the draft, to be settled in the last resort by a decision of the Council. The Committee on Arbitration and Security and the Financial Committee considered that certain suggestions made at the last session of the Assembly, to the effect that such decisions should be entrusted to the Permanent Court of International Justice, would involve a risk of compromising the extremely delicate financial machinery of the Convention by opening up a possibility that the decisions on the basis of which certain financial engagements had been assumed might be subject to further consideration.

The entry into force of the Convention on Financial Assistance is not only subordinated to the entry into force of a plan of disarmament under Article 8 of the Covenant, but to the continuous application of this plan. Various opinions were expressed on this subject in the Committee on Arbitration and Security. It was urged that, according to Article 8 of the Covenant it should not be regarded as possible that the plan for the limitation and reduction of armaments once adopted could cease to remain in force, subject to the revisions contemplated in that article. This view, however, was opposed by certain delegations, which considered that, even within the framework of Article 8 of the Covenant, it was possible that the contemplated plan might cease to be applied.

The question arose whether it was not desirable to provide for the possibility of States non-Members of the League adhering to the Convention. It seemed to the Committee, however, that the admission of non-Member States would give rise to technical and constitutional difficulties. The draft Convention, therefore, contemplates the participation of Members of the League only as guarantors of any loans that may be authorised.

III. COMMUNICATIONS AFFECTING THE WORKING OF THE LEAGUE OF NATIONS IN TIMES OF EMERGENCY: FACILITIES TO BE GRANTED TO AIRCRAFT.

The Assembly at its meeting on September 23rd, 1929, adopted the following resolution:

"The Assembly has noted the work undertaken by the International Air Navigation Commission with regard to the juridical status of aircraft utilised to ensure air communications of importance to the working of the League of Nations and the facilities to be granted to these aircraft."

"It trusts that this work will be completed as soon as possible, in order that the results may be submitted for the examination of Governments."

"The Assembly accordingly requests the Council, as soon as the work of the Air Navigation Commission is finished, to have a study made, possibly by the Committee on Arbitration and Security, of the requisite measures to ensure that aircraft engaged in transport of importance to the working of the League of Nations may be free in times of emergency to fly in such a way and over such territory as may be necessary for the carrying out of their mission, the Secretariat and the Governments having come to an agreement beforehand as to the rules to be observed and the normal routes to be followed, and as to any departures therefrom."

In order to give effect to this resolution, the Council at its meeting on September 25th, 1929, adopted the following resolution:

"The Council:

"Instructs the Secretary-General to communicate the resolution adopted by the Assembly on the facilities to be granted to aircraft utilised to ensure air communications of importance to the working of the League to the Chairman of the Advisory and Technical Committee on Communications and Transit, in order that he may forward it without delay to the International Commission for Air Navigation."

"The Secretary-General is instructed, as soon as the work of the Air Navigation Commission is finished, to forward the conclusions of that Commission to the Committee on Arbitration and Security before its next meeting."
"The Secretary-General is also instructed to forward immediately to the Committee on Arbitration and Security the resolution adopted by the Assembly.

"The Council instructs the Chairman of the Committee on Arbitration and Security to convey that Committee in due course to consider this question."

The proposals of the International Commission for Air Navigation were consequently forwarded to the Committee on Arbitration and Security by the Chairman of the Advisory and Technical Committee for Communications and Transit, together with the observations formulated by the latter.

The Advisory and Technical Committee for Communications and Transit drew the attention of the Committee on Arbitration and Security to the fact that the International Air Navigation Commission, set up under the International Convention of 1919, had very naturally drafted its proposals in the form of amendments to that Convention. It represented that this procedure, if it were the only one contemplated, had the serious inconvenience of discriminating between States which were, and States which were not, parties to the 1919 Convention. It would also delay the application of the provisions and the opening of the necessary negotiations between the Secretary-General and the Governments until the suggested amendments to the 1919 Convention had been put into force. The Committee believed that it would save time and be more satisfactory if the Assembly adopted a resolution laying down the general rules to be applied by Members of the League with due regard to their obligations, defining the aircraft to be used for air communications of importance to the working of the League, and stating the principles on which negotiations could be opened immediately between the Secretary-General and the Governments.

For the above reasons, the Advisory and Technical Committee thought that it would best assist the Committee on Arbitration and Security by re-drafting, in the form of a draft resolution to be adopted by the Assembly, the proposals of the International Air Navigation Commission.

The Committee on Arbitration and Security concurred in the view of the Advisory and Technical Committee for Communications and Transit and proposed the adoption by the Assembly of the following draft resolution:

"The Assembly:

"Recalling that the Members of the League of Nations are under the obligation to facilitate by all means in their power the working of the League;

"Considering that the use of air transport may be necessary in times of emergency to enable the League to take rapid action to safeguard the peace;

"Adopts the following resolution:

"1. It is necessary that the Members of the League, in order to discharge this obligation, should grant to aircraft used for air communications of importance for the working of the League all facilities for navigation and passage to enable them to discharge their missions. Such aircraft should enjoy all the rights granted by existing international conventions to Government aircraft other than military, Customs or police aircraft, and should at no time be subject to any exceptional and temporary restrictions that might be imposed on air navigation.

"2. The conditions on which the various Governments will grant the facilities mentioned in the previous paragraph shall be laid down in advance by each of the Governments concerned after consulting the Secretary-General of the League. In particular, the rules and routes to be normally followed by aircraft and the procedure contemplated for notifying the Secretary-General without delay of any changes in such rules and routes should be fixed in advance.

"3. Aircraft used for communications of importance to the working of the League shall enjoy all facilities in regard both to supervision and to the routes to be followed.

"4. Aircraft used for communications of importance to the working of the League within the meaning of the present resolution are aircraft permanently or temporarily engaged in conveying League correspondence, League officials or persons entrusted by the League with a special mission, or in conveying delegations accredited to the League or their correspondence.

"5. The Secretary-General shall keep a list of the aircraft referred to in the foregoing article; he shall communicate this list to all the States Members of the League of Nations, with any modifications which may occur in this list.

"In urgent cases these communications would be telegraphed to the States concerned.

"6. All detailed regulations regarding conditions of registration, communication of entries and cancellation of entries, identification marks on aircraft showing that they are on the service of the League, certificates and licences for the crew and other documents generally laid down by international conventions shall be laid down by the Council of the League of Nations after consulting the competent bodies. The same shall apply, in cases in which the Council recognises this to be necessary, in
regard to all provisions relating to aircraft assigned to the exclusive service of the League and not registered in any State.

“7. Should aircraft used for communications of importance to the working of the League be required to fly over a State, the Secretary-General of the League will give that State due notice by suitable means of the identification marks of the aircraft, of the route to be taken and of the composition of the crew, and, whenever possible, will communicate in advance the names of the persons on board — the crew and the passengers to be provided with documents certifying their status and mission.

“8. In the event of the aircraft mentioned above being in difficulties, the States whose territory is crossed will assist the crew and persons on board, if possible, to complete the journey by air, and in any case to carry out their mission as quickly as possible.

“9. Each State shall retain the right to prohibit the whole or part of its territory being crossed by aircraft registered in another State or manned by a crew of foreign nationality, when such prohibition appears necessary for reasons of national safety. In such case the State in question should do everything to ensure the transfer of the passengers as quickly as possible to an aerodrome or frontier point and the continuation of air transport under conditions to be determined by the negotiations referred to below.

“10. With a view to the application of the foregoing provisions, the Secretary-General of the League of Nations will immediately undertake the negotiations which may be necessary with the Governments of the States Members of the League, and will report to the next Assembly on the steps taken to ensure the execution of this resolution.

“11. The present resolution should not be regarded as in any way prejudging the question of the advisability of the League of Nations having aircraft of its own at its disposal.”

The Committee on Arbitration and Security pointed out that this draft resolution, which takes due account of all the preparatory work done, is compatible both with the principles of the International Convention of 1919 and with those of the Conventions existing between States parties to the 1919 Convention and the States which are not parties to this Convention. In the Committee’s opinion, the adoption by the Assembly of the proposed draft resolution would not preclude States from subsequently codifying the provisions adopted to facilitate air transport of importance to the League of Nations by inserting any stipulations they considered advisable in the international Conventions dealing with questions of air transport.

The Council, at its meeting on May 15th, instructed the Secretary-General to submit the draft resolution to the Assembly.

IV. PERUVIAN PROPOSAL FOR THE AMENDMENT OF ARTICLE 18 OF THE COVENANT OF THE LEAGUE OF NATIONS.

The Committee on Arbitration and Security during its fourth session examined a proposal submitted by the representative of Peru to the Council and to the Committee on Arbitration and Security for the amendment of Article 18 of the Covenant of the League of Nations.

The representative of Peru, in a letter dated March 7th, 1930, had asked the Secretary-General to submit for examination to the Committee on Arbitration and Security an addition to Article 18 of the Covenant in the following terms:

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

The Committee on Arbitration and Security, at its meeting on May 9th, 1930, considered this proposal and decided that it was related to its work as a whole. It further noted that, in order to examine the questions raised by the proposal, it would be necessary to consider more thoroughly and to settle the questions raised by the examination of other articles of the Covenant. The Committee desired its work to form an organic whole. At the moment of its fourth session, its discussions turned mainly upon Article 11 and it had hardly touched upon Article 16.

The Committee on Arbitration and Security therefore decided to hold in reserve the question of the amendment of Article 18, which might be studied later as its work on the questions to be eventually referred to it by the Preparatory Commission for the Disarmament Conference and under the decisions of the Council and the Assembly was further developed.

The Council noted the report on the results of the work of the Committee on Arbitration and Security in a resolution adopted on May 15th, 1930. It decided to forward to the Assembly the Minutes of the fourth session of the Committee embodying the various opinions expressed upon the three questions studied by the Committee and its point of view in regard to the Peruvian proposal.
POLITICAL QUESTIONS.


It may be useful to recall briefly the nature of the extremely complex question known as that of the Hungarian optants. There has been a difference of opinion between Hungary and Roumania on this problem for several years, but it has now been liquidated as part of the general settlement of Eastern reparations under the agreements concluded at The Hague and signed at Paris on April 28th, 1930.

The Hungarian Government on August 16th, 1922, applied to the Conference of Ambassadors concerning the expropriation of immovable property effected by Roumania in the course of her agrarian reforms in respect of persons who, while possessing rights of citizenship in the territories transferred to the Kingdom of Roumania by the Treaty of Trianon, had opted for Hungarian nationality under Articles 63 and 64 of the Treaty of Trianon and Article 3 of the Roumanian Minorities Treaty. The Conference of Ambassadors on 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.

The Hungarian Government on March 15th, 1923, addressed to the Council of the League a request concerning the immovable property of the Hungarian optants who had been expropriated.

This gave rise to a long procedure before the Council, whose successive stages have been summarised in previous annual reports to the Assembly.

The last stage of the procedure, with which we are particularly concerned in the present report, may be summarised as follows:

At its meeting on September 21st, 1928, the Council, with the agreement of the Hungarian and Roumanian Governments, adopted the following resolution:

"The Council:

"Recommends that the two Governments, while reserving their points of view in regard to the principle involved and the legal situation — which points of view have already been stated before the Council — should take steps to enable their plenipotentiaries to meet as soon as possible, and to be furnished with the necessary powers to come to a practical settlement of the question:

"Trusts that the negotiations which it recommends will lead to a satisfactory and final settlement; and

"Decides to adjourn the question, in the stage it has now reached before the Council, to its next session."

In accordance with this resolution, the parties opened direct negotiations and, at their request, the question on the Council agenda was thrice adjourned, in December 1928 and in March and June 1929.

On August 26th, 1929, the Hungarian Minister Resident accredited to the League as permanent representative informed the Secretary-General that these negotiations, which had been continued for six months, had shown that no agreement between the two States could be reached by these means. He submitted at the same time for the information of Members of the Council the report of the Hungarian plenipotentiary on the course of the negotiations.

The Japanese representative proposed the appointment of a Rapporteur, and asked the President to request the representative of Great Britain to undertake this task.

The Roumanian representative proposed the appointment of a Rapporteur, and asked the President to request the representative of Great Britain to undertake this task.

The Rapporteur having got into touch with the representatives of the two parties, and having examined the papers submitted to him, said at the meeting on September 19th, 1929, that he could not do better than ask the representatives of both countries to renew at an early date, under his guidance, the direct negotiations which had been carried almost to a successful conclusion. He added that he might require a little help from financial experts and would obtain this, if it were necessary, from the League or elsewhere. He hoped that the Council would support him in his efforts to obtain the resumption of direct negotiations between the parties at the earliest possible date.

At the next Council session, on January 14th, 1930, the Rapporteur stated that, after the fifty-seventh session of the Council, the question had been treated in connection with other negotiations then taking place in Paris. These negotiations, not having yet produced a final

result, he had on November 29th requested the representatives of the two parties to define the attitude of their respective Governments so as to enable him to appreciate the situation as it then existed. The Hungarian and Roumanian representatives had then informed him of the points of view maintained by their Governments.

He had, further, received from them similar communications to the effect that they were willing that the question should be adjourned to the next session of the Council, as it formed part of the problems which were in course of liquidation in Paris and at The Hague in connection with the settlement of Eastern reparations.

After several months of negotiations, conducted at The Hague and in Paris, agreements were signed in Paris on April 28th, 1930, under which the so-called question of the Hungarian optants was, among other matters, finally settled.

The Council met a few days after the signing of these agreements, and the representative of Hungary asked it on May 12th, 1930, on behalf of his Government, to withdraw the question of the "Hungarian optants" from the agenda of the Council, subject to the entry into force of the agreements.

The Roumanian Government's representative, supporting this request, said that he was glad to have the opportunity of paying a tribute to the Council for the efforts it had made to reach a solution of this question and to note the spirit of good understanding and mutual confidence in which the agreements had been concluded. On behalf of his Government, he thanked all the Powers which had assisted in this work, more particularly the Governments of France, Great Britain and Italy which, by their spirit of conciliation and by the sacrifices to which they had agreed, had made it possible to reach agreement.

The Rapporteur expressed his satisfaction at the settlement arrived at, and the President, on behalf of the Council, associated himself with the Rapporteur's observations.

II. DISPUTE BETWEEN BOLIVIA AND PARAGUAY.

On the instructions of his Government, the Paraguayan Minister in Paris, delegate to the League of Nations, informed the Secretary-General in a letter of January 21st, 1930, that a Bolivian patrol had, on January 16th, attacked a Paraguayan detachment at Isla-Poi in the Chaco Boreal and killed a Paraguayan soldier. It was added that since that date further patrols had constantly shown signs of unusual activity in that part of the Chaco, which justified the assumption that Bolivia entertained aggressive designs. Paraguay was forced to believe that the Bolivian Government was seeking, by sanguinary incidents, to occasion a new dispute that would enable it not to accept the good offices of the American nations for a pacific settlement of the dispute relating to the frontiers between Bolivia and Paraguay. In these circumstances, the Paraguayan Government desired once more to show its sincere attachment to a policy of international peace and agreement.

This letter from the Paraguayan delegate was forthwith communicated to the permanent delegate of Bolivia accredited to the League of Nations for his information.

The following day, January 22nd, the Paraguayan Minister in Paris telegraphed to the Secretary-General that the Paraguayan wireless station had intercepted and been able to decipher a telegram from the Chief of the Bolivian General Staff, dated La Paz, January 20th, addressed to the Fourth Division of the Bolivian Army at Fort Muñoz, to the following effect:

"Fourth Division will take Forts Ayala, Rojas Silva, Cacique Ramon and should immediately proceed to the re-groupment of its forces. The right wing will remain for the moment on the defensive; the opposite wing will march on Fort Ballivian; flight squadron will leave La Paz 22nd. Let me know on what date Fourth Division will be ready to take offensive. Fifth Division should concentrate on Fort Vanguardia. Government has decreed state of campaign for these two divisions. You can call in reserve volunteers; send me daily communiques on the situation."

The Paraguayan Government added that, by denouncing this imminent aggression on the whole Paraguayan Chaco front, it disclaimed responsibility for the eventual results and formally protested against this attack which had been secretly prepared by the Bolivian Government.

The Secretary-General immediately telegraphed this communication from the Paraguayan Government to the Members of the Council and to the Bolivian Government.

On January 23rd, M. Zaleski, the Polish representative, President of the Council, telegraphed to the Secretary-General asking him to remind the two Governments that after the December 1928 session of the Council at Lugano M. Aristide Briand, and in September 1929 the League Assembly, had congratulated Bolivia and Paraguay on having adopted a pacific procedure for the settlement of their dispute, in conformity with the undertakings of the Covenant. The Acting President of the Council added:

"I believe I am interpreting to-day the feelings of the Council and of the whole League of Nations in requesting you to express to both Governments our confidence that no serious incident will compromise success of pacific procedure in course."

On January 24th a letter dated 22nd and a telegram dated 24th reached Geneva from the Bolivian delegate to the League of Nations. The telegram contained a formal protest from the La Paz Government against the false information which attempted to attribute to
Bolivia the responsibility for the last incident provoked by a Paraguayan patrol which had attacked a Bolivian observation post. The Bolivian Government stated further that, faithful to the conciliation agreement for the settlement of the incidents of December 1928 to which it had subscribed at Washington in September 1929, it had not for a moment departed from the line of conduct traced for it by its duties as a Member of the League, and awaited the peaceful execution of the formula proposed by the Uruguayan Government 1 which it had accepted immediately.

On January 25th the Paraguayan Minister in Paris communicated a further telegram from his Government, dated January 23rd, informing the Secretary-General that it had just picked up a further radio telegram from the Chief of the Bolivian General Staff to the Fourth Division at Fort Muñoz containing, *inter alia*, an order to prepare for a general offensive.

The Secretary-General immediately forwarded this message for information to the Members of the Council and the Bolivian Government.

On the same day, January 25th, the Bolivian Government sent the Secretary-General two telegrams. In the first, it protested against the reports forwarded by the Asunción Government, which were not a correct version of what had taken place in the Chaco, and added that the peace of America would never be disturbed by the fault of Bolivia. In the second telegram, the La Paz Government asked the Secretary-General to make the following declaration to the Acting President of the Council:

"First, as in 1928, Bolivia did not provoke the Chaco incident. We signed the Washington Conciliation Agreement and were calmly awaiting the execution of the formula proposed by Uruguay and accepted by ourselves when the incident of the 16th instant occurred.

"Secondly, although it was the Paraguayan troops who attacked, Bolivia contended herself with taking the military measures necessary for the safety of her positions.

"Thirdly, the facts show that Bolivia has not exceeded the limits prescribed in such cases by the rights and obligations inherent in her position as a sovereign State."

In reply dated January 27th to the Paraguayan Minister’s communication of 25th regarding a second wireless message from the Chief of the Bolivian General Staff, the La Paz Government stated that it was contradicted by the actual events, for which it was not responsible.

Next day the Bolivian delegate to the League also telegraphed that the denunciation by Paraguay concerning the wireless message contained the same inexactitude as the Paraguayan version of the latest events. Bolivia had merely taken the military steps required as measures of precaution and in order to defend her rights and sovereignty and to prevent or repulse fresh attacks.

Further, in a letter dated January 27th also, the Bolivian delegate communicated the text of a telegram from his Government of January 20th which, owing to the fact that it was wrongly addressed, he had only just received after considerable delay. This telegram, regarding the incidents of January 16th, stated that sixty Paraguayan soldiers armed with machine-guns had on that day attacked a Bolivian observation post occupied by fifteen conscripts, one of whom had been killed.

On the same day, January 27th, acknowledging the La Paz Government’s reply to his communication, the Acting President of the Council said he was certain that the Members of the Council had been glad to note this reply and the other telegrams from the Bolivian Government stating that the peace of America would not be disturbed by Bolivia, which only desired the peaceful execution of the Washington Conciliation Agreement.

As the Paraguayan Government on its part had replied on the 29th to the President of the Council that it had never departed from peaceful procedure, M. Zaleski telegraphed again to the Secretary-General, asking him first to thank the Paraguayan Government for its statement and adding:

"Since a similar statement has been made by Bolivia, I believe I can express to both Governments the Council’s earnest desire that the two nations, which accepted its suggestions, and, thanks to the good offices of friendly nations, adopted a formula for the settlement of the 1928 incidents, may also succeed in finding a method for the settlement of all questions relating to the Chaco and thus avoid the occurrence of similar regrettable incidents."

The President also suggested that the Secretary-General should have all the correspondence exchanged printed in a single document and circulate it for the information of the Council and Members of the League of Nations. 2

On the following May 12th, when the Council was adopting the agenda for its fifty-ninth ordinary session, the Polish representative reminded his colleagues that the dispute had been settled, and it was therefore useless to retain this question on the agenda. His successor in the office of Acting President, the Yugoslav representative, said that he felt he was interpreting the views of his colleagues in conveying to M. Zaleski the Council’s thanks for the way in which

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1 In a resolution adopted on September 12th, 1929, by the Commission of Enquiry and Conciliation, the Uruguayan Government was asked to take certain steps for the execution of measures designed to restore the status quo prevailing in the Chaco prior to December 5th, 1928.