LEAGUE OF NATIONS

REPORT ON THE
WORK OF THE LEAGUE
1936/37

Part I.

NOTE BY THE SECRETARY-GENERAL.

The Annual Report on the Work of the League will, as in previous years, be issued in two parts.

Part I gives an account of the work of the League from the ordinary session of the Assembly held in September 1936 up to the end of June 1937.

Part II, to be issued in September 1937, will contain an account of the work of the League from the end of June 1937 up to the eighteenth session of the Assembly.
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1. POLITICAL QUESTIONS.

I. APPLICATION OF THE PRINCIPLES OF THE COVENANT OF THE LEAGUE OF NATIONS.

By its resolution of October 10th, 1936, the Assembly set up a Committee of twenty-eight members to study the proposals made by the Governments concerning the application of the principles of the Covenant and the problems connected therewith.

This Committee met from December 14th to 16th, 1936, under the chairmanship of M. Bourquin (Belgium).

At this session, the Committee drew up a list of the principal questions raised in the communications and statements made by the Governments. On the basis of the documentation which the Secretariat has been instructed to collect, a certain number of Rapporteurs are to undertake, before the next session, an impartial survey of the problems to be examined.

These problems are as follows: question of universality (participation of all States in the League; co-operation with non-member States; co-ordination of the Covenant of the League of Nations with the Pact of Paris and the Saavedra Lamas Pact; regional or continental organisation of the League); question of the methods to be employed in applying the principles of the Covenant (amendment of the Covenant, supplementary agreements, interpretative resolutions, etc.); questions relating to the internal organisation of the League (Articles 1, 3, 4 and 7 of the Covenant); Article 10; Article 11; questions relating to the pacific settlement of disputes (Articles 12, 13, 14 and 15.

1 See Official Journal, Special Supplement No. 155, page 141.
of the Covenant); Article 16 (general obligations; regional pacts of mutual assistance); Article 19; problem of the separation of the League Covenant from the Peace Treaties.

At an informal meeting held on May 31st, the Rapporteurs, under the chairmanship of M. Bourquin, considered the position both as regards the documentation furnished by the Secretariat and the progress made with the preparation of their reports. As a result of this discussion, the President is contemplating convening a second session of the Committee for September 10th, 1937, with a view to its taking cognisance of the work that had been done and continuing its task after the Assembly. By that date, most if not all of the reports will probably be ready for the Committee.

II. Dispute between Bolivia and Paraguay.¹

In a communication dated January 28th, 1937,² the representative of Bolivia, M. Costa du Rels, pointed out that, on the occasion of his election as President of the last ordinary session of the Assembly, the President of the Chaco Conference at Buenos Aires had stated in his speech of September 21st, 1936, that "the Chaco dispute lay within the jurisdiction of the League, as both the belligerent States were signatories of the Covenant. Taking a practical view of the situation, however, you suspended your own direct action in the matter and delegated your functions to a group of neighbouring nations whose action was supported by the United States of America."

The delegate of Bolivia added that, "in pursuance of this delegation of powers, the League of Nations has been kept informed of the progress of the negotiations through the Advisory Committee appointed by the Assembly ".

For some time, the mediating nations at Buenos Aires had attempted to work out a settlement of the substance of the dispute, and "new grounds for hope" were discovered in recent speeches by the Minister for Foreign Affairs of Paraguay.

The representative of Bolivia thought this fact worthy of particular note, as the two-year period at the end of which Paraguay’s withdrawal from the League would become effective would expire shortly. "As the circumstances which led to the notification of this withdrawal", he added, "have since changed, it may be hoped that Paraguay will take this opportunity of giving renewed proof of the firm will to peace so eloquently expressed by her Minister for Foreign Affairs by remaining a Member of the League of Nations. Being actuated by the same spirit, Bolivia sincerely hopes that such will be the case, knowing as she does that, in this, as in the contrary event, the last paragraph of Article 1 of the Covenant, to which she wishes to take this opportunity of drawing attention, will retain its full force."

The representative of Bolivia asked that this note should be brought to the attention of the Chaco Advisory Committee and the Members of the League of Nations.¹

### III. Treaty of Mutual Guarantee between Germany, Belgium, France, Great Britain and Italy, Concluded at Locarno on October 16th, 1925.

At the end of its special session in London, on March 24th, 1936, the Council suspended the examination of this question.² It was again postponed at each of the ensuing ordinary sessions, but appeared again on the agenda of the session beginning on May 24th, 1937.

In letters dated May 8th and 11th, 1937, respectively, the Governments of France and the United Kingdom communicated for registration under Article 18 of the Covenant copies of the joint note which they had sent on April 24th to the Belgian Government. In this note, the two signatory Governments declared that they considered Belgium released from all obligations towards them resulting from the Treaty of Locarno and the London Arrangements of March 19th, 1936, and that they had

taken note of certain views expressed by the Belgian Government relating to its fidelity to the Covenant of the League of Nations and its determination efficiently to organise the defence of Belgium against any aggression or invasion.

In a note dated May 20th, the Belgian Government also sent in for registration copy of the letter in which, on the same date, April 24th, it "noted with great satisfaction" the Franco-British declaration.

On May 26th, in a further communication to the Secretary-General, the United Kingdom and French Governments stated that the preparatory exchange of views which had recently been taking place between the signatories of the Treaty of Locarno, with a view to the negotiation of a new Western European Security Pact to replace that instrument, had shown, on the one hand, that in any new treaty Belgium would wish to give no guarantees to other States and, on the other hand, that the other four Governments concerned in the negotiations would be prepared to agree that Belgium should not undertake to guarantee other States in the new treaty. In view of the delay experienced in negotiating the new treaty, it had been decided to give effect to the Belgian Government's wish immediately.

The Franco-British communication added that the exchange of notes of April 24th in no way affected the obligations of any other country but Belgium, and that it was, indeed, expressly stated therein that neither the undertakings of France and the United Kingdom towards Belgium nor the existing undertakings between the United Kingdom and France were affected.

The United Kingdom and French Governments regarded the arrangement thus concluded as a means of facilitating, with the collaboration of the other interested Powers, the settlement of those problems the solution of which was essential to the peace of Europe.

On May 27th in the Council, the French representative, M. Delbos, said that, in laying the Franco-British declaration of April 24th officially before it, the French Government's purpose had been partly to inform the Council of the new character henceforth attaching to the legal relations between France and Belgium, there having been no change in the friendship between the two countries. Its purpose had
been further to make before the Council two affirmations of its intent: whatever the obstacles which for the last fifteen months had stood in the way of the negotiation of the Western Pact to replace the Treaty of Locarno, the French Government's determination to succeed had been in no wise affected and it did not by any means despair of reaching a satisfactory solution. But in so doing the French Government never forgot the connection between security in Western Europe and the security of Europe as a whole. The former could not be secured at the cost of the latter, and the French Government conceived the proposed settlement as a contribution to the consolidation of peace as a whole.

The United Kingdom representative, Mr. Eden, expressed the hope that the negotiations with the Belgian Government, which had been so happily concluded, might prove to be a step towards negotiations of a wider scope, and might make possible the establishment of a closer co-operation between all the interested countries. His Majesty's Government in the United Kingdom would continue to persevere in its efforts to bring about a settlement which it earnestly desired to see realised, and which it was convinced would be a good augury for the future of Europe.

The representative of Belgium, M. Spaak, expressed his entire agreement with the declarations made by M. Delbos and Mr. Eden in interpretation of the Franco-British note of April 24th. That note had relieved Belgium of the obligations contracted at Locarno and in London. The Franco-British guarantee of Belgium was, on the contrary, maintained. That guarantee was based on a definition of Belgian foreign policy which embodied two fundamental assertions: (1) the determination of Belgium to defend her frontiers with all her forces against any aggression or invasion, to prevent her territory being used for aggression against another State, for the passage of armed forces, or as the base of operations by land, by sea or in the air, and to organise effectively her defence to that end; (2) the assurance of Belgium's loyalty to the Covenant of the League of Nations and to the obligations which the Covenant entailed.

The Belgian Government believed, in common with the Governments of France and of the United Kingdom, that the declaration of April 24th should be regarded as a step towards
the elaboration of a new Western Pact, the conclusion of which could not fail to facilitate a solution of other problems arising in the world.

The Council noted the communication from the French and United Kingdom Governments and the observations which had been made before it, and decided to adjourn the question until its next ordinary session. ¹

IV. SETTLEMENT OF THE ASSYRIANS OF IRAQ. ²

On September 25th, 1936, the Council took note of its Committee’s report describing the transitional state of the question of the settlement of the Assyrians of Iraq as a result of the abandonment of the Ghab plan. It expressed the hope that the United Kingdom and Iraqi Governments would give a favourable reception to the suggestions made in the report with regard to their contributions towards a new scheme to be adopted by the Council for the settlement of the Assyrians. It decided at the same time to transmit the Committee’s report to the Assembly, in order that the competent Committee of the Assembly might consider it when examining the annual budget of the League of Nations, which provided for a grant from the League for the settlement plan.

In the discussion preceding the adoption of the Committee’s report, the representative of Turkey drew the attention of the Committee and the Council to the importance of providing for the settlement of the Assyrians provisionally installed in the frontier zone in Syria.

The representative of the United Kingdom stated that, when a new permanent scheme was approved by the Council, his Government would be prepared to recommend Parliament to agree that the balance of the contribution offered by the United Kingdom Government in September 1935 should be made available for the new scheme under the same conditions as had been originally attached to its offer.

¹ See Minutes of the Ninety-seventh Session of the Council, fourth meeting, Official Journal, May-June 1937, pages 310 and 311.
The representative of France assured the Council that the French Government would study the problem of the settlement of the Assyrians very closely.

The representative of Iraq informed the Council that, while he was unable to bind his Government, he would recommend it to make funds available pari passu with the United Kingdom Government for the continuance of the Committee’s work, and also for the execution of any plan that might be agreed upon as a final solution of the problem.

The Assembly took note of the Committee’s report which the Council had transmitted to it. It decided to regard the League grant as allotted in principle to the new settlement plan which the Council Committee had been asked by the Council to prepare. The 1935 Assembly fixed this grant at 1,300,000 francs, and it was on no account to be increased. The League’s share in the reduced expenditure at present being incurred in connection with the work of settlement was to be restricted to 14.78 %, that is to say, the same percentage as the grant promised by the 1935 Ordinary Assembly bore to the total contributions promised in 1935 for the settlement of the Assyrians.

The Council Committee is continuing its investigations and studies in the hope of arriving at a final solution of the problem of the settlement of the Assyrians. It is also dealing with several questions arising out of the abandonment of the Ghab plan and the effects of the Council’s decision on the present provisional settlement on the Khabur. In particular, the Committee has taken suitable steps for disposing of the material acquired for the settlement in the Ghab plain. It has also had to deal with certain financial questions arising out of the stoppage of the preparatory work in the plain.

At its session in September 1936, the Committee approved a smaller budget for 1937, in accordance with the situation created by the abandonment of the Ghab plan. This budget had to be modified in January 1937 owing to the devaluation of the Lebanese-Syrian currency following upon that of the French franc.

Other aspects of the Committee’s work which should be mentioned include the preparation and entry into force as from April 1st, 1937, of the new financial regulations for the control
of the funds for the settlement of the Assyrians of Iraq in the Levant States under French mandate. The Committee devoted considerable attention to measures of retrenchment in connection with the administration of the work of settlement, the administration having to be on a more limited scale in future. It instructed a sub-committee of two to make such proposals for economy and adaptation as might appear feasible. The sub-committee went to Syria towards the end of May to study the position on the spot, and will place administrative and other proposals before the Committee on its return.

The Committee has also devoted special attention to the question of supplies for the Assyrians, in view of the increase in the price of wheat in Iraq and Syria.

The number of Assyrians settled in sixteen villages on the Khabur amounted at the end of 1936 to 8,819. They have at present 11,080 head of livestock.

V. REQUEST OF THE IRAQI GOVERNMENT
UNDER ARTICLE 11, PARAGRAPH 2, OF THE COVENANT
OF THE LEAGUE OF NATIONS.¹

On the proposal of the Iraqi Government, supported by the Iranian Government, the Iraqi Government’s request was withdrawn from the agenda of the Council’s ordinary sessions of September 1936 and January and May 1937, and was postponed to the following ordinary session of the Council.

VI. SITUATION IN ETHIOPIA.

Since the Assembly’s last ordinary session, a certain number of communications have been received from H.M. Haile Selassie I.

These communications were in each case circulated to all the Members of the League of Nations.²

VII. SITUATION IN SPAIN AND COGNATE QUESTIONS.

1. Appeal by the Spanish Government and Extraordinary Session of the Council (December 1936).

On November 27th, 1936, the Spanish Government, in a telegram addressed from Valencia to the Secretary-General, recalled that it had denounced, particularly in the speech made by its representative at the last session of the Assembly,¹ "the armed intervention of Germany and Italy in favour of the rebels in the Spanish civil war". The Spanish Government drew attention to certain facts which, "through their very simultaneity", constituted in its eyes, and in accordance with Article 11 of the Covenant, a "circumstance affecting international relations which threatens to disturb international peace and good understanding between nations upon which peace depends". It also referred to "the declared intention of the rebels of forcibly preventing free commerce with the ports controlled by the Government" and to the fact "that the rebels had been recognised by Germany and Italy, which — and particularly one of them, as is proved by information in the possession of the Government of the Republic — were preparing to co-operate with them, in the naval sphere as they had done in the air and on land".

The Spanish Government, "in the supreme interests of peace and in virtue of Article 11 of the Covenant", requested the Council to proceed at the earliest possible moment to an examination of the situation.

After consulting his colleagues, the President of the Council, M. Edwards, representative of Chile, fixed December 10th as the opening date of the extraordinary session of the Council. He had previously intimated that his Government was "of opinion that the meeting of the Council at the present moment would not be favourable to the objects which Article 11 of the Covenant has in view . . . , that such a meeting would be liable to diminish the prestige of the League of Nations, and would not have a pacifying effect without the attendance and support of all the parties concerned ".

On December 10th, after the Council had adopted its agenda, the President, speaking as the representative of Chile, “expressed the hope that the Spanish Government’s request would enable him in the course of the discussion, as occasion might arise, to raise certain cognate questions of a humanitarian character”.\(^1\)

On December 11th, the Council first of all listened to the speech made by the representative of Spain, M. Alvarez del Vayo, who referred to the various circumstances which led his Government to fear that, as “an international war existed in fact” on Spanish territory, this war might, “if it was still ignored, when least expected, produce a situation which could no longer be controlled”. Moreover, two days previously the United Kingdom and French Governments had drawn attention to the gravity of the present state of affairs in a communiqué relating to their most recent démarches and mentioning “the situation created by the prolongation of the civil war in Spain and the resulting dangers for the peace of Europe”. Referring to “the non-intervention policy and its executive organ, the London Committee”, the representative of Spain stated that “no one could have any doubts as to the complete ineffectiveness of the system, as it had been conceived and applied hitherto”. The Non-intervention Agreement “did not prevent a cynical intervention on behalf of the rebels — an intervention which was responsible for the prolongation of the civil war”.

Now that it was proposed to set up a system of control to render the Non-Intervention Agreement effective, the Spanish Government, “after its bitter experience hitherto and because it believed that it had not the right to expose its people to fresh abuses and to fresh disappointments, was concerned, above all, with making certain that the system of control would be such as to give all the necessary guarantees of effectiveness”. “Spain” M. Alvarez del Vayo observed, “had done everything that could be required of her as a Member of the League in order to serve the cause of peace. But peace could not be attained at the instance of only one nation; it must be the result of the collective endeavour of all who felt equally bound by the obligations of the Covenant.”

Lord Cranborne, the United Kingdom representative, referred to the measures taken by the members of the International

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Non-Intervention Committee. This Committee had, he said, examined the evidence submitted to it, tending to show that arms were being supplied from abroad to both parties to the conflict in Spain. The United Kingdom Government believed that the maintenance in being of the Committee had acted as a deterrent to the indiscriminate supply of arms. The Committee had also had under consideration the possibility of preventing the despatch of aircraft by air to Spain. It had further studied the question of various forms of indirect intervention, such as the recruitment of persons for military service in Spain.

Contrary to the opinion expressed by the representative of Spain, the United Kingdom Government thought that the Non-Intervention Agreement had been of inestimable value in preventing the struggle from extending beyond the frontiers of Spain. As the French Premier had stated in the French Chamber on December 5th, "the policy of non-intervention, in spite of the disappointments, the surprises, the deceptions and the dislocations to which it has given rise, has nevertheless diminished the risks and lessened the dangers".

It had of late, unfortunately, become clear that the Agreement was not being scrupulously observed. To all appearance, it was being violated in favour of both parties to the struggle. Arms were being imported. Moreover, the forces of both parties were now being augmented from foreign sources to a degree which had assumed alarming proportions.

As regarded imports of arms, the London Committee had approved a scheme of supervision which might, if it were accepted by the two parties, help to prevent the entry of arms into Spain by land or sea. The members of the Committee had also agreed to consult their Governments as to the best method of putting a stop to the entry of foreign combatants into Spain. Lord Cranborne expressed the hope that, in any resolution which it might decide to adopt, the Council would show itself favourable to the strict enforcement of the Non-Intervention Agreement.

The United Kingdom representative also hoped that the Council would extend its sympathy to the intention underlying the recent Franco-British project to put a stop to the conflict by an offer of mediation. The proposal was to negotiate an armistice as a first stage. The United Kingdom and French
Governments had approached the Governments of Germany, Italy, the Union of Soviet Socialist Republics and Portugal and had asked them to take part in this initiative. Answers had not yet been received from all these Governments.

Moreover, the League could not and should not remain blind to the humanitarian aspect of the situation. Many of the problems were of great urgency: there was the problem of the evacuation of the civilian population of Madrid, the problem of feeding the population in areas where the sources of supply were being rapidly used up, the problem of medical supplies for the wounded and sick, the problem of the exchange of prisoners. Much had already been done by the International Red Cross, the Save the Children Fund and other organisations, but the need for co-ordinated international effort was becoming greater. Lord Cranborne suggested to the Council that this work might properly be undertaken by the International Relief Union or the International Red Cross, or some other international body strictly humanitarian in character. The Council might consider whether the Secretary-General should not be empowered to afford the technical assistance of the League to whatever organisation undertook this work of pity.

"If", Lord Cranborne added, "the Council can express its approval of the strict maintenance of non-intervention in the conflict while that conflict endures; if it can throw the weight of its prestige in the scales on the side of bringing the conflict to an end; if it can indicate that it is ready to lend its technical services to encourage a humanitarian effort to mitigate the sufferings endured by the civilian population; if, finally, it can show itself willing to afford its advice and assistance in the ultimate work of reconstruction, this meeting of the Council will not have been held in vain."

M. Viénot, representative of France, pointed out that the principle of non-intervention, "which was in consonance with the whole liberal tradition of the nineteenth century, found its fullest embodiment in the Covenant, Article 10 of which imposed on Members of the League an undertaking to respect the political independence of States, and denied each one of them the right to assert that it would only tolerate on the territory of its neighbours the system of which it approved." The French Government, which at the beginning of August 1936 had proposed to
all European States that they should assume a joint undertaking of non-intervention, was still convinced, in spite of the incidents which had occurred, that this initiative had been a powerful contribution to the cause of peace. Nevertheless, the time had come to go farther. As to the organisation of supervision, which should make it possible to detect any arrival of war material in Spanish territory in any quantity, “ the plan evolved by the London Committee had been communicated by the United Kingdom Government to the regularly established Government of Spain, and to the authorities which were at present in de facto control of certain portions of Spanish territory ”. Their replies were awaited.

But that was not all. The arrivals of volunteers were no longer “ individual and intermittent ”. “ Large formations — and, it might be, even organised foreign units — were now appearing in the war area; and there was reason to fear that the territory of Spain might shortly become a meeting-place for soldiers from all over Europe ”. The French Government accordingly “ welcomed the recent proposal of the Government of the Union of Soviet Socialist Republics that the London Committee should take up the question of volunteers, which had already been raised by other Governments, and should press for the acceptance of the same undertakings in this connection as in the case of war material, and their enforcement by means of effective supervision ”. As the French Government saw the position, the way to prevent an aggravation of the international crisis to which developments in Spain had given rise was to implement the full effects of the principle of non-intervention, and to ensure its enforcement by strict supervision. By adopting these principles, the Council would be supporting very materially the efforts made in London.

Similarly, as regarded the latest Franco-British proposal of mediation as a means of putting a stop to the civil war in Spain, the Council “ would not ”, he thought, “ be failing to show that discretion which was still necessary in the present position of the exchanges of views that were proceeding between States, if it were to express its sympathy with the efforts that were being made ”.

Mr. Jordan, representative of New Zealand, said that the Covenant required the Council to consider the situation to
which the Spanish Government had drawn attention. If there was another standpoint than that of the Spanish Government, if there was some justification for the revolt and for foreign intervention, the Council should be informed of them. The Council, the public and the whole world would listen attentively to those who had caused the revolt; the Council would then do its best to bring about a settlement of the question in the interests of humanity, of constitutional Government, and in accordance with the obligations of the Covenant.

M. Potemkine, representative of the Union of Soviet Socialist Republics, observed that certain foreign Powers had openly intervened in the interests of the rebels. "Those who intervened", he said, "have become their accomplices while still maintaining official diplomatic relations with the Government of the Spanish Republic. Only when the rebels, thanks to foreign support, were in a position to extend their military operations were those relations broken off and the leader of the revolt hastily recognised as head of the State. While, hitherto, the rebels have been supplied with war material, aeroplanes and experts, they will now be assisted by whole formations from abroad". Since the matter had been referred to the Council, the latter should, in the opinion of the representative of the Union of Soviet Socialist Republics, leave no stone unturned "to put an end to the aggression and to preserve the commonwealth of nations from a terrible catastrophe".

Referring to the work of the London Committee, M. Potemkine stated that, on December 4th, the delegate of the Union of Soviet Socialist Republics had been instructed to propose to that Committee that non-intervention should be extended to the despatch of volunteers to Spain. It was of course understood "that the Government of the Union of Soviet Socialist Republics would only agree to measures of this kind provided they were strictly executed by all parties who had assumed the same undertakings". That was why it was thought necessary to introduce strict and effective supervision, which might bring nearer the end of the rising in Spain. "When the Spanish Government", M. Potemkine added, "has restored order, it will no longer be possible for foreign Powers to intervene in the internal affairs of Spain and the danger of international complications will be averted. If this hope were disappointed, it
would be for the Council to seek other and more effective means of preventing a general conflagration”.

As to the recent Anglo-French initiative with a view to terminating the hostilities in Spain, the Government of the Union of Soviet Socialist Republics was prepared to agree in principle to such action, and the Council should do its utmost to support this initiative with the full force of its moral authority.

M. Komarnicki, representative of Poland, after referring to the Polish Government’s doubts as to the advisability of convening the Council, pointed out that no precise request was before the Council and that the prolongation of the discussion could not but be prejudicial, not only from the point of view of the internal position in Spain, but also from the point of view of the general international situation. He added that his Government intended to co-operate, as far as it was able, in any steps calculated to circumscribe the conflict and diminish its intensity, if not to put an end to it at the earliest possible moment. Consequently, the Polish Government would give a most favourable reception to any humanitarian proposal, as well as to the proposal for the participation of the technical organs of the League in the attempts to alleviate the unfortunate situation of the civilian population.

As the outcome of this discussion, the Members of the Council drew up on December 12th the following draft resolution:

"The Council,
"After hearing the observations made before it;
"I.

"Noting that it has been requested to examine a situation which, in the terms of Article 11 of the Covenant, is such as to affect international relations and to threaten to disturb international peace or the good understanding between nations upon which peace depends;
"Considering that that good understanding ought to be maintained irrespective of the internal régimes of States;
"Bearing in mind that it is the duty of every State to respect the territorial integrity and political independence of other States — a duty which, for Members of the League of Nations, has been recognised in the Covenant:
"Affirms that every State is under an obligation to refrain from intervening in the internal affairs of another State;
"II.
"Considering that the setting-up of a Committee of non-intervention and the undertakings entered into in that connection arise out of the principles stated above;
"Having been informed that new attempts are being made in the Committee to make its action more effective, in particular by instituting measures of supervision, the necessity for which is becoming increasingly urgent:
"Recommends the Members of the League represented on the London Committee to spare no pains to render the non-intervention undertakings as stringent as possible, and to take appropriate measures to ensure forthwith that the fulfilment of the said undertakings is effectively supervised;

"III.
"Views with sympathy the action which has just been taken on the international plane by the United Kingdom and France with a view to avoiding the dangers which the prolongation of the present state of affairs in Spain is causing to peace and to good understanding between nations;

"IV.
"Notes that there are problems of a humanitarian character in connection with the present situation, in regard to which coordinated action of an international and humanitarian character is desirable as soon as possible;
"Recognises, further, that for the reconstruction which Spain may have to undertake international assistance may also be desirable;
"And authorises the Secretary-General to make available the assistance of the technical services of the League of Nations should a suitable opportunity occur."

This text was subsequently examined at a public meeting of the Council.
The representative of Spain made the following statement:
"This morning I agreed to the present wording of the last paragraph of the resolution. I was the more ready to do so in that the exchange of views between the Members of the Council showed clearly that, in accordance with the Council’s invariable practice in the matter of technical co-operation, international action on Spanish territory could only be undertaken at the request of the Spanish Government."
"In conclusion, I should like to add that, as the step taken by the Council does not exhaust the question that has been raised, the Spanish Government reserves the right, should circumstances render it necessary, to ask the Council to proceed with the examination of the question."

The President, M. Edwards, speaking as the representative of Chile, said that his country was following with the utmost sympathy the Franco-British initiative with a view to mediation, and the policy of non-intervention. He then drew the Council's attention to the situation of the large number of refugees who had found asylum in the various embassies and legations at Madrid. The Chilian Government considered that they should be evacuated from Madrid at the earliest possible moment, and that no organisation seemed to it better qualified to undertake this humanitarian work than the International Red Cross Committee, whose moral authority would be immensely strengthened if it could command for the purpose the technical assistance of the League of Nations.

The very cordial exchange of views he had had at Geneva with the Spanish Minister for Foreign Affairs had given him the assurance that the problem would find a solution satisfactory to all concerned. In his view, the situation could be dealt with under the resolution at present before the Council.

M. Costa du Rels, representative of Bolivia, associated himself with the Chilian representative's statement, and felt sure that the representative of Spain would be willing to consider means of solving this problem.

M. Alvarez del Vayo stated that his Government had defined its position in regard to the problem which had just been raised in a note which it had addressed to the members of the diplomatic corps in Madrid. In accordance with the attitude adopted in this note, it was prepared to examine the problem direct with each of the Governments concerned, bearing in mind all its aspects.

The draft resolution was then approved by all the Members of the Council.

On December 15th, the representative of Spain, referring to paragraph 4 of the resolution adopted by the Council, proposed that "a competent delegation from the Health Organisation be urgently sent to Spain to study the possibilities of rapid
action, in consultation with the Spanish Minister of Public Health”, with a view to the prevention of epidemics among the civilian population. A mission was constituted and left for Spain.¹

2. Ordinary Session of the Council, January 1937.²

Before the ordinary session of the Council, which was to open on January 21st, 1937, the Chilian Government, recalling the observations made by its representative at the meeting on December 12th, 1936 concerning the question of persons who had taken refuge in the embassies and legations at Madrid, and referring to a communication from its ambassador in that city, sent in conformity with a decision of the diplomatic corps of which he was the doyen, requested that the following item should be placed on the Council agenda: “Situation of Persons who have taken Asylum in the Embassies and Legations at Madrid”.

The Cuban Government associated itself with the Chilian Government’s request.

At the opening of the session, the Council decided, at the request of the Spanish representative, to place on its agenda the examination of the Health Mission’s report. The Spanish representative made reservations concerning the placing on the agenda of the question proposed by the Chilian Government. After an exchange of views, the Council decided to place the following item on its agenda: “Resolution of the Council of December 12th, 1936: Examination of the Report of the Health Mission sent at the Request of the Spanish Government, and Humanitarian Questions connected therewith (Evacuation of Persons who have taken Asylum in the Embassies and Legations at Madrid, etc.)”.³

At the Council meeting on January 25th, M. Alvarez del Vayo, after expressing his Government’s views on the report

¹ For the work of this Mission, see the chapter dealing with the work of the Health Organisation, page 144.
³ By a communication dated January 22nd, the Netherlands Government was gratified to note that “... cognate humanitarian questions such as those mentioned in the Chilian Government’s communication would also be considered.” (See Official Journal, February 1937, page 136.)
of the Health Mission sent to Spain, put “a few general considerations” before the Council.

After stressing the very special value of the impartial findings reached by the members of the Mission in the course of their examination of the health situation, M. Alvarez del Vayo protested “against the legend of an extremist Spain where no sort of control existed”, and added that it was for a democratic and parliamentary Republic that loyalist Spain was fighting. Referring to the carrying-out of the non-intervention obligations and renewing the acceptance he had given in December of the effective supervision recommended by the Council, he said that “the States which were making war on the Spanish Government” had postponed its entry into force for weeks and weeks “in order to be able to continue without hindrance to send the rebels the divisions which they needed to carry on the war”.

M. Edwards, representative of Chile, dealing with the question of persons who had taken refuge in the embassies, said that fourteen embassies or legations in Madrid had given asylum to a large number of persons whose rapid evacuation was essential. In December 1936, at the extraordinary session of the Council, the representative of Spain had stated that the question would be settled by direct negotiations with the various Powers concerned. But, in point of fact, the negotiations between the Spanish Government and the Heads of Missions in Madrid had made no progress. As, in his view, all possible international safeguards should be provided for the evacuation of those who had been given asylum, he had suggested that the Council should appoint an international committee to organise this evacuation in agreement with the Spanish Government, the military authorities and the diplomatic corps at Madrid.

M. Komarnicki, representative of Poland, stated that his Government associated itself with the Chilian proposal.

M. Alvarez del Vayo explained that his Government was still prepared to examine the problem of the evacuation of those who had been given asylum direct with each of the Governments concerned. The negotiations instituted in December with the Argentine Republic and Mexico had led to satisfactory results. But he could not agree to an international decision binding the Spanish Government to do more than it had done, and more than it could do, for those in asylum.
The President, M. Wellington Koo, representative of China, who was appointed Rapporteur, had several conversations with the representatives of Spain and Chile, after which he submitted his report on January 27th.

In this document, after paying a tribute to the work done by the Health Mission and suggesting that the chapters dealing with anti-epidemic measures should be transmitted to the Health Committee, M. Wellington Koo summarised the views of the representatives of Chile and Spain on the question of the evacuation of the refugees in the embassies. He concluded his report as follows:

"Both representatives are actuated by the same humanitarian motives, and I believe that direct negotiations, which I hope will be begun at the earliest possible moment, should make it possible to settle the problem of the evacuation of refugees in the Chilian Embassy to the satisfaction of both Governments."

It appeared from an exchange of views at a private meeting that the representatives of the two countries agreed with the Rapporteur and that M. Alvarez del Vayo, as soon as he returned to Valencia, would give instructions for negotiations to be opened in London between the Chilian representative and the Spanish Ambassador, in accordance with the desire expressed by the former.

* * *

During the discussion of this question, several speakers stressed the fact that the Council would deal only with its humanitarian aspect, leaving out of account the legal problem of the existence or non-existence of a "right of asylum" possessed by embassies and legations. Nevertheless, several references to this problem were made.

In his speech before the Council on December 12th, 1937, M. Edwards said that the Chilian Ambassador at Madrid had exercised powers "which had always been recognised in international law and international practice". At the same meeting, the Bolivian representative, M. Costa du Rels, said that "there existed a right, an American right" perpetuated among the Spanish-American nations by age-long tradition and confirmed by the Conventions of Montevideo and Havana. The right
of asylum in case of civil war proceeded, he said, "from the concept of honour handed on to the Latin-American nations, with so many other virtues, by Spain".

At the meeting of January 25th, 1937, the Chilian representative mentioned that "arguments had been put forward in the Council and outside the League disputing the existence and practice of the right of asylum and contending that it was confined to Latin America". M. Edwards maintained, on the contrary, that "the right of asylum had been exercised by European, American and Asiatic States in Europe, in America and in Asia until the present day". He mentioned "a few striking cases in the nineteenth and twentieth centuries, since it was not disputed that in the eighteenth century the right of asylum was freely exercised in Europe".

In reply to this legal portion of the Chilian representative's speech, the Spanish representative, after recalling that it had been agreed that the problem should be examined solely from the humanitarian standpoint, said that his country had no legal obligations in the matter, but had only extended some tolerance to the practice of the right of asylum at Madrid. He added that, in his opinion, the Chilian representative was confusing the extra-territoriality of a vessel, which was a part of the national territory, with the extra-territoriality of embassies and diplomatic missions.

At the meeting on January 27th, the representative of the Union of Soviet Socialist Republics, M. Litvinoff, referring to the Chilian representative's previous speech, said that there was no recognition in international law or practice of the right of diplomatic missions to grant asylum to persons seeking refuge from the police or from the judiciary. "There had been”, he said, "in the remote past, cases of such a practice in Europe but they did not constitute a right, all the more because they had always aroused protests on the part of the interested State and had even led to calamitous international conflicts". M. Litvinoff could "quote many instances from international experience in the sixteenth, seventeenth and eighteenth centuries”, but "would refer those interested in the question" to certain cases going back to the eighteenth century which experts in international law mentioned as having laid the foundation of the European practice of non-recognition of the right of asylum.
He also referred to the doctrine and practice of the right of asylum in America and Asia, and concluded that it was "quite obvious that to raise in the League of Nations the question of recognising a right of asylum would not, under any circumstances, be justified either by international law or by international practice, and that therefore such a practice could be tolerated only by the goodwill and free consent of the interested Government".

The Chilian representative observed that he had not raised in the League the question of the recognition by the League of the right of asylum. He quite agreed with the representative of the Union of Soviet Socialist Republics on that point, since the question was one to be decided by each Government individually. But the right was being exercised. As regards one of the cases which M. Litvinoff had quoted — the exercise of the right of asylum in Chile in 1891 — the Soviet representative seemed to have been misinformed. There might also be other cases in which the Soviet representative had been misinformed, and, although M. Litvinoff had quoted a great number of authors who considered that the right of asylum did not exist, it was well known that authors of international law usually disagreed among themselves.

M. Litvinoff observed that the Chilian representative had quoted examples of the practice of the right of asylum, but "not everything which was being done was legal".

Moreover, the Chilian representative having alluded in his speech of January 25th to the practice of the right of asylum in Iran, the delegation of that country stated in a communication "that the right of asylum had not for a long time past existed in Iran".


On March 29th, the Mexican Government, in a letter to the Secretary-General, defined its attitude towards the international problem raised by the Spanish conflict.

The Non-Intervention Sub-Committee in London had issued a communiqué to the Press stating that at its last meeting it had

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considered "the possibility of extending the Non-Intervention Agreement in such a way as to secure the co-operation of non-European countries". The Mexican Government expressed its surprise at the attitude of certain European Governments, and stated that it considered it its duty to employ "all the means in its power to promote world peace and more especially to bring to an end the armed conflict" in Spain. In its view, owing to the form they had taken and the time at which they were made, the sole effect of the attempts "to apply the so-called non-intervention policy had been to deprive Spain of assistance which, under international law, the legitimate Government of that country was logically entitled to expect from States with which it had normal diplomatic relations". In the eyes of the Mexican Government, "this lack of co-operation with the constitutional authorities of Spain is cruelly prolonging a fratricidal struggle and, owing to the participation of foreign elements, the possibility that the conflict may lead to serious international complications is growing more imminent every day. Mexico cannot admit that, while she is being asked to lend her assistance in solving world problems, an attempt should be made to reduce the scope of her peacemaking action". Mexico considered that the distinction made by the Covenant between "a Government victim of aggression, to whom every material and moral assistance should be afforded, and aggressor groups, who should certainly not be granted facilities enabling them to continue the struggle, should be extended to cases of military rebellion such as that which has occurred in Spain".

4. The Spanish Government's Request to the Council to proceed with the Examination of the Question which was begun in December: Ordinary Session of the Council, May 1937.1

On March 13th, 1937, a further communication was received from the Spanish Government on the question of foreign intervention in Spain.2

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1 See Official Journal, May-June 1937.
2 Ibid., March-April 1937, page 263. This communication refers to "the statements of the Italian officers and men taken prisoner in the Guadalajara sector" which "confirm the presence of regular military units of the Italian army sent to fight on Spanish soil".
In a telegram dated May 19th, the Spanish Government referred to the extension of this intervention and pointed out that, prior to the adoption of the resolution of December 12th, 1936, the Spanish representative had stated that this resolution did not exhaust the question raised and that his Government reserved the right, should circumstances render it necessary, to ask the Council to proceed with the examination of the question. He therefore requested that it should be placed on the agenda of the next ordinary session of the Council.

On May 28th, before the Council, M. Alvarez del Vayo, representative of Spain, remarked that, since December, the evolution of the situation had gone through four main phases, during which periods of aggravation of the conflict had alternated with attempts to mitigate its evils. During the first phase, which "culminated in the open aggression of Italy and in the battle of Guadalajara", Italo-German intervention had been intensified. The second phase was represented by the bringing into effect of the system of control of the non-intervention obligations which was worked out so painfully and with much delay by the London Committee. The third phase consisted in the ruthless application of the theory of a "totalitarian war", which was exemplified notably in the destruction of Guernica. The attempts of the London Committee to bring about the withdrawal of foreign combatants from Spanish territory constituted the last phase.

The representative of Spain, after estimating at from 70,000 to 80,000 the number of Italians who had entered Spain to fight against the Republican forces, laid on the Council table a "White Book" containing documents taken by these forces in the Guadalajara battle. Those texts, he went on to say, "proved irrefutably": "(1) the presence on Spanish territory of complete units of the Italian army; (2) the fact that these units were behaving in the sectors assigned to them as a veritable army of occupation; (3) the existence of services organised for them by the Italian Government as if Spain was a conquered country; (4) the fact that the most eminent personalities in the Italian Government had addressed messages of encouragement to those troops."

1 See Official Journal, Special Supplement No. 165.
The Spanish representative considered that this invasion of a State Member of the League by another State also bound by the obligations of the Covenant had hitherto had only one reply: that was the reply given by the soldiers of the Republican army. He could not help asking whether the Council had not also a reply to make.

M. Alvarez del Vayo added that at Guernica, “razed to the ground by German aeroplanes”, the tactics of frightfulness and destruction and of the extermination of the civilian population had reached their culminating-point. Malaga had represented “a foreshadowing of Guernica”. Madrid, which was being daily bombarded by artillery, was a “continuation of Guernica”. The uprising of world opinion over “the crime of Guernica” was, he thought, a warning which the Council could not ignore.

Turning to the question of control, M. Alvarez del Vayo observed that, after rejecting the non-intervention policy as unjust, his Government, as soon as that policy existed, had accepted in principle the international control system which was to give effect to it. The original control scheme could not be carried out; it had been replaced by another plan to which effect could be given without the assent of the Spanish Government. After weeks of delay “during which the rebels received supplies on a vast scale”, control had come into force. In the opinion of the Spanish representative, the control system had so far proved no more successful than the non-intervention policy.

With reference to the proposal that foreign combatants in Spain should be withdrawn—a proposal which came “closer than any other to a strict interpretation of non-intervention” — his Government had “declared its agreement with this idea”.

Rejecting the “chimera of mediation”, M. Alvarez del Vayo said that the only possible solution of the Spanish problem was by “the full restoration of the national sovereignty of the power that expressed the will of the people, as manifested in the elections of February 1936”. The best means of humanising the war, he added, was to end it, and “the war in Spain would end as soon as the rest of the world ceased to allow the totalitarian States to continue to intervene as they had done hitherto”.

As a loyal Member of the League, the Spanish Government believed that the Council would commit a grave error if it refused to take the measures required by the situation.

For some time, the League had taken a road that might become fatal to it. Often it had been more concerned with its enemies than with its friends. Those who were present should never be sacrificed to those who were absent. No doubt everything should be done to enlist the co-operation, in the collective work of peace, of the maximum number of States, but always on condition that the Covenant was not sacrificed. In bringing the problem of Spain once more before the Council, the Spanish Government had no intention of making more difficult the parallel efforts of another international organ, but, for it, the League continued to be the supreme international institution. If the League was to have a future, the struggle in Spain could not end without the Council adopting a clear and firm position. Spaniards had shown that they knew how to do their duty “as men who were fighting, not only for their independence, but also for the independence of the peoples who do not wish to become victims of a totalitarian mysticism”. Their Government “awaited serenely the decisions of the Council”.

M. Delbos, representative of France, felt sure that everyone would understand the legitimate grounds on which the Spanish Government had been led to raise this issue in the Council. Little by little the civil war had assumed an international character. The Spanish people were no longer the sole masters of their own destiny, and foreign intervention constituted a grave danger to the general peace. From the first moment, the French Government had urged the Powers to enter into engagements not to intervene. While the efforts made had not been as effective as had been hoped, they had nevertheless had results which it would be unfair not to recognise. Moreover, the work of the London Committee admitted of improvement and ought to be completed. There were two immediate duties to be performed: the first was to prevent the atrocity of war reaching innocent victims; the second was to recall the foreign combatants whose presence served to feed the flames of civil war and threatened to extend the conflict.

The London Committee had issued a solemn appeal that cruel and inexcusable methods of war should cease. It was the
duty of the Council to point to the elementary rules of humanity and international law, which prohibited all acts — for example, the bombardment of open towns — which inflicted the horrors of war on non-combatant populations. The Council would, he was sure, desire to exert its authority to the full in support of the rapid execution of the plan for the withdrawal of non-Spanish combatants drawn up by the London Committee. The French Government knew how anxious the Spanish Government was to preserve the peace of Europe. That was a difficult task which called for the collaboration of all countries. By a unanimous expression of opinion the Council would hasten the success of the efforts that were being made by the London Committee. The Spanish people would then become once more the sole masters of their own destiny and the hour would be hastened when, with reconquered liberty, bloodshed would finally cease.

M. Litvinoff, representative of the Union of Soviet Socialist Republics, stressed the fact that the Council had before it a perfectly clear case of the violent entry of foreign armed forces into the territory of a Member of the League of Nations.

If the events in Spain had been confined to internal troubles, to a struggle between the Government and the rebels, the affair would not have assumed an international character which concerned the League, and not only would order have long ago been restored in Spain by the defeat of the rebels, but international public order would not have been disturbed. The documents which had been published proved that the rebellion itself had been prepared with foreign incitement and foreign aid. From the very first day, the rebels began to be supplied with war material, instructors and pilots from abroad. Tens of thousands of well armed and trained foreigners subsequently came to their assistance. Under the command of their own generals, large units consisting entirely of these foreigners had waged important battles with the Republican army. Spanish cities had been destroyed by foreign aeroplanes. For the first time since the League came into existence, foreign armed forces had intervened in the internal affairs of a European State for the purpose of imposing upon it a régime and a political orientation which were foreign to it. If that attempt were to succeed and to be tolerated, there was no guarantee that it might not be repeated elsewhere in the immediate future.
The Government of the Union of Soviet Socialist Republics also had its own ideology, but it had never attempted and would never attempt by any means whatsoever, least of all by violent means, to impose its ideology upon other peoples. When the rebellion broke out, it had not even diplomatic or consular relations with Spain and no Soviet citizens were living there. All that the Union of Soviet Socialist Republics wanted was that after the present events, just as it had before the rebellion, Spain should have the Government which it desired itself and which it voluntarily elected in accordance with the Constitution it had itself established.

The Soviet Government had accordingly declared from the very outset that it would support any action with a view to the withdrawal of non-Spanish combatants.

The Spanish Government rightly considered that the League would be doomed to a moral, if not a physical, death if it stood aside when events were taking place like those in the Iberian Peninsula. Spain had always loyally performed its obligations as a Member of the League. Its Government had shown great moderation in not addressing appeal after appeal to the League, as it had every right, both formal and moral, to do. It had appealed to the League that day with the same moderation, "knowing the limited nature of the help which the League could give it and without referring to any articles of the League Covenant appropriate to the occasion". M. Litvinoff was confident that the Council, not only in the interests of Spain, but also in the interests of international justice and of the League itself, would afford the maximum assistance possible to the Spanish people.

Dealing first of all with the humanitarian aspect of the question, Mr. Eden, United Kingdom representative, said that, since the outbreak of the civil war, British warships had transported more than 20,000 Spaniards or foreigners who had been evacuated. Recently the action taken in facilitating the evacuation of women and children from Bilbao had resulted in the United Kingdom Government being charged with partiality. He desired to make it quite clear that the United Kingdom Government was just as ready to take action of this kind on behalf of the civilian population in whatever part of Spain they might be found. Similarly, when rumours reached it of
the possible use of poison gas, the United Kingdom Government had approached the Spanish Government and the insurgent authorities and had received assurances that the use of gas was not contemplated.

Mr. Eden next referred to the progress made since December 1936 in applying the non-intervention policy. At the beginning of 1937, the proposal was made that each of the European Governments should by agreement prohibit the departure from and transit through its territory of non-Spanish nationals for the purpose of taking part in the war. In February, the Non-Intervention Committee passed a resolution in favour of this step with effect as from February 20th. For some weeks past, a system of observation around the land and sea frontiers of Spain was enabling the London Committee to ascertain whether or not the obligations assumed were being observed, and the Committee had reported that this system was working satisfactorily.

The United Kingdom Government, which was only one of the twenty-seven European Governments represented on the London Committee, had no special responsibility for the work done by that Committee. While they were entitled to register the measure of progress which had been made, the objectives of the Non-Intervention Committee would not, in his view, be realised until the last foreigner had been withdrawn from Spain and until that country had been allowed to settle her own destinies in her own way. Foreigners engaged in hostilities, whether on one side or the other, had no business on Spanish soil. Moreover, it was impossible to believe that intervention in Spain would benefit any nation. When the conflict was over, the Spanish people would not readily forget the part foreign nations had played — actively in some instances — in the destruction of Spanish life and property.

The London Committee had recently referred to European Governments, for their consideration, a report drawn up by its Technical Sub-Committee embodying a scheme for the withdrawal of foreign nationals. Some ten days ago, the United Kingdom Government, on the assumption that this scheme would be approved by the Non-Intervention Committee and because it felt that only with the greatest difficulty could the scheme be carried out in the midst of active hostilities, had
made confidential enquiries of the other principal Governments concerned to ascertain whether those Governments would join with it in asking the contending parties to agree to a temporary cessation of hostilities on all Spanish fronts for a period sufficient to enable the withdrawal of foreigners to be arranged.

The premature disclosure of the United Kingdom Government's démarche had given rise to misunderstandings which complicated the question still further. Up to the present, the United Kingdom Government had received a number of replies, which, though they varied in temper and in the cordiality of the co-operation which they offered, in his opinion by no means precluded the possibility of agreement.

The United Kingdom representative added in conclusion that, ever since the conflict began, his Government had had before it two main objectives from which it had not departed and would not depart. First, to do the utmost that lay in its power to ensure that the Spanish conflict should not spread and involve all Europe in its consequences; secondly, to ensure that, whatever the final outcome of the civil war, the territorial integrity of Spain should be preserved. In so far as the first objective was concerned, the danger of the conflict spreading was less than it was in the late summer of 1936, but it had not yet finally disappeared. Could not the Governments of Europe yet strive to make of the Spanish tragedy an occasion for peaceful co-operation rather than conflict? Could not the first steps to secure the European settlement desired by all be taken in connection with the Spanish conflict? The preservation of the territorial integrity of Spain was, he repeated, a matter of great moment to his Government. The Council, whose duty it was to serve the cause of peace, would, he thought, be carrying out its mission by supporting the work of the Non-Intervention Committee, especially in regard to the withdrawal of foreign volunteers.

Mr. Jordan, representative of New Zealand, said that one of the functions of the League was to maintain peace and to uphold lawful and constitutional Governments against invasion and the violence of outside Powers. In spite of the progress that had been made since December 1936, thousands of persons, not only combatants, but also civilians — men, women and children — had lost their lives. The Spanish Government's "White Book" contained one hundred documents alleging
that at least one outside Power had a fully equipped army in Spain committing acts of aggression, not only against the people of Spain, but also against the political independence of the country. Other independent reports showed that what was going on in Spain to-day was a flagrant challenge to the authority of the League.

The opponents of the Spanish Government established as the outcome of the last election had charged it with being the supporter of anarchy and crime. Whatever the political views of that Government might be, was there any justification for the invasion of Spain by an outside Power?

The Council should, of course, do all in its power to facilitate the success of the Non-Intervention Committee in the tasks it had undertaken, and particularly in the matter of the withdrawal of foreign combatants. But could not the Council also ask that Committee to endeavour to restore peace and good order by means of a democratic expression of opinion by the Spanish people, once the cessation of hostilities had been achieved?

M. Sandler, representative of Sweden, recalling the terms of the Council resolution of December 12th, 1936, felt it necessary "to emphasise, in the presence of internal disturbances with complications of an international character, that the fact that civil war is raging in a particular country cannot diminish the effect of Article 10 of the Covenant".

In the present case, the Swedish Government was of opinion that now, as in December 1936, the appropriate means of effectively safeguarding the peace of nations was "not to embark on action parallel to that of the Non-Intervention Committee set up in London, but rather to assist the work of that Committee by lending it the support of the League's authority".

The Swedish Government was also prepared to vote in the Council for any humanitarian effort which the circumstances might be found to indicate.

On May 29th, the Council unanimously adopted the following resolution:

"The Council,
"After hearing the observations made before it;
"I.
"Confirming the principles and recommendations set forth in its resolution of December 12th, 1936, and, in particular, the
duty of every State to respect the territorial integrity and political independence of other States — a duty which, for Members of the League of Nations, has been recognised in the Covenant:

“ 1. Observes with regret that the development of the situation in Spain does not seem to suggest that the steps taken by Governments on the recommendations of the Council have as yet had the full effect desired;

“ 2. Notes that an international scheme of supervision of the non-intervention undertakings assumed by the European Governments is now in force;

“ 3. Notes with very great satisfaction the action taken by the London Non-Intervention Committee with a view to the withdrawal of all non-Spanish combatants taking part in the struggle in Spain;

“ 4. Expresses the firm hope that such action will be taken in consequence of this initiative as may ensure with the utmost speed the withdrawal from the struggle of all the non-Spanish combatants participating therein. This measure is at present, in the Council’s opinion, the most effective remedy for a situation the great gravity of which, from the standpoint of the general peace, it feels bound to emphasise and the most certain means of ensuring the full application of the policy of non-intervention.

“ 5. Urges Members of the League, represented on that Committee, to spare no effort in this direction;

“ 6. Expresses the hope that the early success of these efforts will lead without delay to the cessation of the struggle and give the Spanish people the possibility of deciding its own destiny;

“ II.

“ 1. Profoundly moved by the horrors resulting from the use of certain methods of warfare, condemns the employment, in the Spanish struggle, of methods contrary to international law and the bombing of open towns;

“ 2. Desires to emphasise its high appreciation of the efforts of unofficial institutions and certain Governments to save civilians, especially women and children, from these terrible dangers.”

M. Alvarez del Vayo, representative of Spain, after thanking the Council for the consideration given to the appeal of the Spanish Government, particularly in the matter of the withdrawal of non-Spanish combatants, pointed out that reference had been made, during the discussion, to the progress of the non-intervention policy since December 1936, but that this progress had not prevented Italian and German intervention from