On that point also—the most liberal possible application of the procedure—I do not think that there will be any opposition here. It would obviously be desirable to exhaust all the possibilities inherent in the present procedure. We of the German delegation, however, think that provision ought also to be made for the possibility of amending the present procedure in case of need. None the less, it has not been our intention to propose, at this juncture, any change whatever in the procedure as fixed at Madrid.

Has the League the right to alter that procedure without the consent of the States which have concluded minority treaties? The German delegation thinks it has; that, in virtue of the principles that govern all the activities of our League, the League has authority to do so because the right of guarantee is specially provided in the interests of the protection of minorities, and that means that any suitable procedure may be employed for the exercise of that guarantee.

When I consider Article 12, paragraph 2, of the minority treaty concluded by Poland, I find that it is merely a practical provision, and not the statement of a principle; but I attach much less importance to the necessity or otherwise of the consent of the States which have concluded minority treaties, and on this point I agree with M. Motta that all the States bound by minority treaties have a guarantee that nothing can be done against their interests, because a unanimous vote of the Council is necessary for any operative decision on the matter. Consequently those States will always be in a position to defend their own interests.

M. Motta is quite right in saying that the question whether the consent of the States in question is necessary for any change in the procedure or not is primarily a theoretical question, and that the important thing in practice is that all the States interested should co-operate loyally in a spirit of conciliation. For our part, we continue to hope that there will be such co-operation.

In the third part of our draft we asked the Secretariat to give us in its annual report as many details as possible about minorities. That would in any case be in accordance with the practice followed in the past, as for instance in 1925, and in 1920, when the Rapporteur on the question to the Assembly stated that the League must constantly bear in mind the question of guaranteeing the protection of minorities.

This matter of preparing a more detailed report seems very important to all who are anxious for peace and conciliation in international relations and to all who desire to enlighten the public on this problem, and they all have it closely at heart.

I am not saying anything against the Secretariat when I say that the Members of the Council who decided at Madrid that the annual report should include statistics probably did not imagine that those statistics would be so meagre, and would convey so little information about the League's work in connection with minorities.

When we compare this decision with what we find in the report we can quite understand the disappointment of the minorities at finding only figures that convey very little. In fact, it is fair to say that this year's report as a whole contains very little information about the minority question. In any case, it is not enough for those who regard it as a sacred duty to concern themselves with the interests of minorities, and it is not enough to give the minorities themselves confidence in the League.

For that reason we have expressed the desire that the Secretariat's report on this question should be fuller and more detailed, within the limits of the present procedure—that it should not merely mention typical cases, but should also outline the principles to be observed in connection with the minority question.

These are the ideas that we have expressed in our draft resolution. As to the formula to be employed, I still hope that we shall be able to agree on a text acceptable to everybody.

I should like now to make a few remarks on the two speeches we have heard this morning.

I was greatly surprised to hear the Greek delegate take up the theory of assimilation, which I thought had been finally discarded. During this discussion he revived a theory to the effect that what we are doing for minorities is not permanent, but forms merely a temporary system. I am particularly surprised at that, because throughout the centuries his country has always fought in defence of its nationality, its race and its peculiar genius.

I need not say how painful it would be for the minorities to hear that their protection was only temporary and would not prevent their ultimate assimilation. Nor need I go in detail into the comparisons that have been made between the position in America and that in Europe. At the same time, I feel bound to say that there are fundamental differences between those two positions. You cannot compare emigrants, who are often unfortunates endeavouring to make a new life in a new country, with the compact masses of population which form the European minorities and have fought for centuries to preserve their language, their character and their national culture.

That being so, I must protest most strongly against the theory of assimilation, which has already been definitely discarded, but has now reappeared in our discussions. The protection of minorities must be, in our eyes, not a temporary but a permanent thing. Moreover, the Council itself has considered this matter on several occasions. In March 1929 the British delegate, Sir Austen Chamberlain, explicitly disavowed the theory of assimilation when he said: "I did not mean for one moment to suggest that it was intended that the
I quite realise that the minority question is a particularly difficult one. The German delegation is perfectly convinced that members of minorities must faithfully discharge their duties as citizens to the states to which they belong. It is in no sense our intention to advocate exaggerated ideas, as the Greek delegate seemed to think. We do not wish to use the protection of minorities as a lever to disrupt certain states which contain minorities. On this point I can only repeat what Dr. Stresemann said about Germany’s position:

“It is quite a mistake to say, in supporting the rights and the educational liberties of minorities, use is being made of a weapon with which to break up states. The peace between nations will be all the more stable in proportion as the appeal of minorities threatened in their cultural life is less widely reflected in the public opinion of the world. Anyone who works in defence of the rights of a man to his mother tongue, and of the maintenance of his race and religion, without prejudice to nations or frontiers, is working at the same time for the maintenance of peace, and not with a view to provoking excitement and violence.”

I have still to answer the question asked me by the Polish delegate. M. Zaleski said that he did not quite see why the German delegation had proposed to refer minority questions to the Sixth Committee. My answer is that, in the first place, this is in harmony with an old tradition of the League, to which reference has already been made. Secondly, it is in conformity with a wish expressed by Dr. Stresemann, which I, as his successor, am anxious to carry out.

The German delegation also considers that we are not merely confronted by a series of important actual cases, but that we must once more examine the general principles governing the protection of minorities.

The general aim of our proposal has been achieved because we have had a very frank discussion on the question of minorities, which has helped to enlighten the public and fixed its attention on these problems, and has also called the League’s attention to its duties. It is not wise to allow any tension that may develop to increase; indeed, it is important to relieve such tension in order to avoid encountering serious difficulties. It is also desirable to create in the minorities the feeling that the League really does intend to discharge the duty of protection which it owes them, in virtue both of the Covenant and of the minority treaties.

The Polish delegate has also spoken of the past. Regarding this question, I think that the new treaties have helped to create a new spirit, which we must hope will influence all States and all Governments. I do not think we shall get very far by reproaching ourselves for what we have done in the past. The important thing, in my view, is to concentrate our attention on the present—on the task incumbent upon us, which consists mainly in removing causes of tension and preventing the accumulation of difficulties.

With regard to the specific question that the delegate of Poland has put to me; it is, if I understood him rightly, whether the German delegation would be prepared to consider an extension of the present system of minority protection beyond its existing limits. I must remind you that this regime was imposed, at the end of the World War, on the States in question as a species of servitude, constituting the counterpart for the cession of territories. In the light of this consideration, I would add that I do not know whether such an extension would be possible in overseas countries, in view of the position in those countries. So far as Europe is concerned, however, I think it is perfectly possible to contemplate an extension of the system of minority protection. Accordingly, I shall not reply in the negative to the Polish delegate’s question. Indeed, I will say to him that the German delegation is prepared to discuss this question seriously. Moreover, if I understood him rightly, he himself recognises that Germany is animated by the new spirit in regard to the treatment of minorities. Seeing that we have already adjusted ourselves to the new spirit, we shall obviously be prepared to agree to an examination of the question from the point of view to which he referred.

M. MARINKOVITCH (Yugoslavia) [Translation].—In the earlier part of the discussion the representatives of the States who have signed minority treaties explained, as cautiously as they could, their attitude and the reasons for it. I said that I would speak again if the discussion spread beyond those limits. The German delegation’s second speech has carried it beyond those limits.

It seems to me that our point of view—probably because we did not make it clear enough—has not been very well understood, and I shall take the liberty of referring once more to the subject as briefly, but also as lucidly, as possible.

From the legal standpoint, we said that, under the conventions and treaties in force, neither the Committee nor the Assembly is concerned with the protection of minorities. They can only concern themselves with the question in virtue of Article 14 of the Covenant, and in that case their action would affect all minorities in any country which is a Member of the League.

1 This passage did not appear in the translation of the speech into French furnished by the German delegation and has been added at the request made by that delegation on the ground that it occurred in the original German speech of Dr. Curtius.
We then said that neither the Committee nor the Assembly, nor even the Council, is entitled to alter the procedure now followed without the consent of the Powers that signed the minority treaties. That procedure is laid down in the treaties, and in Article 11 of the convention that we signed. In that convention, where provision is made for the League's guarantee, provision is also made for the manner in which that guarantee is to operate, and no change can be made in that without the consent of the Parties.

Having some experience in the matter of the protection of minorities—for in the vicinity of our country Christian minorities received protection from the great Powers before there were any minority treaties—we hesitated to sign the Treaty of September 10th, 1919, and did not do so until December 5th of that year, after we had received a letter from the President of the Supreme Council explicitly assuring us that reference was intended only to legal questions and not to political questions, and laying emphasis on the guarantee represented by the procedure.

I will read you a passage from this letter from the President of the Supreme Council, and you will see that, clear as the Treaty is, the letter is still clearer:

"It is obvious from Article 11 that the Council of the League of Nations can only take action at the request of the States represented on the Council, and not at the request of individual members of minorities."

"With regard to the legal and non-political character of the disputes, the Supreme Council has pleasure in confirming it in writing.

"It is in any case clearly established by the fact that disputes are referred to the Permanent Court of International Justice, which is a court of law and not a political body."

It is clear that no change can be made in the procedure without our consent.

The Council and the Secretariat, whose zeal for the protection of minorities there is at present a certain affectation to depreciate, have succeeded in inducing us to accept a series of changes of procedure which have had the practical effect of increasing our obligations. We accepted those changes because we were sincerely anxious to respect the rights of minorities as established by the treaties, and to observe the provisions of the latter. That does not mean, however, that we have abandoned our right to veto any changes that we regard as detrimental to our interests.

I stated at the same time why my Government could not for the present accept any change in the procedure even if it were thought desirable and even if the Council proposed it. We object because we consider that any change would have a political character. We are forced to pay attention to public opinion in our country, which would willingly accept an increase in the guarantees for minorities if that increase applied to all the States Members of the League; but as long as we remain in an exceptional position we do not wish this dangerous inequality between the States Members to be further accentuated. For us also it is a matter of conscience to see that public opinion is not deceived by the continual discussions on cases which affect minorities already enjoying certain guarantees and which tend to push into the background those minorities that have none.

A distinguished Genevese journalist has pointed out to us that it would be very difficult for us to maintain our legal standpoint in the face of an antagonistic public opinion. I would say that a public opinion that discriminates between States which have minority conventions and those that have none does not carry sufficient moral authority to make us change our attitude. Public opinion can, perhaps, to some extent influence the Sixth Committee, the Assembly and the Council, but we do not forget that there are judges at The Hague, and that public opinion can have no hold upon them. We therefore stand on our legal position.

It seems to be thought in some quarters that something can be gained by pressing the matter, by ignoring our declarations, clear as they are, and by treating our point of view as negligible, as M. Koch-Weser put it. I should like to say categorically that we shall not agree to any change, and that both in the Committee and in the Assembly we shall vote against any report that proposes one.

Nor can we agree to the second part of the German delegation's suggestion, and I will tell you why. The Secretariat and the Council are asked to use the Madrid arrangements to the best possible advantage, and to interpret them more liberally than has hitherto been done. This suggestion amounts to a criticism of the work of the Secretariat and the Council and a criticism which, in my view, neither of those bodies deserves.

The Secretariat is asked to be more liberal, and not to attach any weight to such ill-considered expressions as ignorant people may sometimes leave in their petitions. In point of fact, such expressions have nothing to do with the matter. The petitions that the Secretariat has declared to be non-receivable and has sent on to us are of such a kind that I cannot help wondering what there must be in the petitions that the Secretariat has not sent us. There is no question of ill-considered expressions; what the Secretariat and malicious campaign which finds its expression in these so-called petitions, and, on the excuse that they are not petitions but sources of information, they are sent on to us. As Minister for Foreign Affairs, I have been tempted three times to send them back to the Secretariat and ask what right the Secretariat has to send me such stuff. You would all regard it as an insult if I sent such things to you on the excuse that they had been sent to me. The League of Nations is
a civilised society, and people who apply to it must not be allowed to treat it with contempt or to use it for propaganda purposes.

We are asked to provide more publicity. We cannot agree to writings which are definitely in the nature of malicious and calumnious propaganda against our Government being published and circulated by and at the expense of the League and its Secretariat. The Secretariat must pay heed to the sacred rights of minorities, but it must also respect the dignity of States and Governments.

It is because I hold that it has paid proper attention to both these points that I consider that any suggestion for the future which might bear the appearance of a criticism concerning the past would be unfair.

M. Koch-Weser has said that it is not enough to have good laws; we must see that they are properly applied. The only way of ensuring that laws are properly applied is to entrust their enforcement to authorities which carry a certain weight and are independent, and not to authorities that may allow themselves to be influenced by public opinion.

I think we may repose sufficient confidence in the sense of justice of the Secretariat and the Council not to feel that we need make this recommendation to them, and that is the reason why we are opposed to the second part of the German delegation’s suggestion.

Count APPONYI (Hungary) [Translation].—In view of the lucid survey, or let us say summary, that has been given us by the German Minister for Foreign Affairs, there is no need for me to go into the details of all the questions before us. I will merely dwell upon some of the statements he has made which seem to me particularly important, and with which I am in complete agreement.

In the first place, I entirely agree with him in laying the spectre that was called up to-day by the Greek delegate. I refer to M. de Mello-Franco’s famous declaration to the effect that the minority treaties were intended to preserve the minorities from any violent death, but to prepare the way for a peaceful one. This theory, if M. de Mello-Franco really held it—if there was not merely a misunderstanding—was definitely disavowed by all the leading spirits in the Council. In particular, it was disavowed by Sir Austen Chamberlain, who had originally supported it, probably owing to a misapprehension. It is buried once for all; let us not resurrect it, lest that should lead to the most violent arguments and protests.

As we can all bear witness that is what we have been trying to avoid here.

After what has been said by the delegate for Yugoslavia, I feel bound to lay stress on the legal theory that the Council can always alter its procedure within the limits of the minority treaties. What it cannot do—and I myself have upheld this principle against certain attempts to obscure it—is to introduce amendments to the treaties, to act counter to their provisions, to assume a discretionary power in conflict with their text. But within the limits of the treaties, which can only be amended with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.

All the minorities treaties state—and the countries that signed them of course agreed to the provisions they contain—that they are placed under the guarantee of the League. There is nothing to say that they are placed under the guarantee of the Council of the League.

The Council is the body which has the sole right to put into effect certain measures that may result in this guarantee real and effective. But the Assembly and its Committees have the right to discuss the situation as a whole, and to express their opinion as to whether the guarantee is effective. I repeat that the guarantee was entrusted to the League, and it is not merely our right but our duty to take an interest in its efficacy. Our supervisory action, of course, be bounded by the limits laid down in the treaties, which could only be overstepped with the consent of those who concluded them, the Council must be free to fix upon any procedure it thinks necessary in order to discharge the function entrusted to the League.
all distinctions and disparities in the international system have disappeared. I take my colleagues at their word, and I trust that they will not go back upon sentiments that they have asserted in a matter that affects them.

Apart from this, I have nothing to add to what the German delegate has said.

Mr. Buxton (British Empire).—I do not wish to express an opinion upon any of the very important questions of a general character which have been raised this morning. I want to suggest that, if possible, we should now leave this matter in the hands of our Rapporteur, rather than continue the discussion.

I have noticed that, whenever an important proposal has been made, other speakers who did not agree with it have felt themselves bound to make a speech expressing their disagreement. Perhaps there is a slight difference in this respect between our English ideas of procedure and the ideas which are current at Geneva. I do not wish to emphasise that point: it is our business to conform to international customs and procedure in this matter. In my country, however, if, for example, a speaker happened to refer to some proposal with which I did not agree, I should not feel under any obligation to make a speech declaring that I did not agree with him on this point, fearing that otherwise I should be committed to this proposal.

These great subjects are not before this Committee at the present time for us to take a decision. That is why I myself, in my speech at an earlier stage, tried to make my position clear, that in my view none of us were committed by the mere fact that certain proposals were mentioned with which we did not agree.

Allow me to take examples from the two opposite sides. Reference was made by our colleague representing Greece to a certain theory of assimilation. That is a point regarding which many members of the Committee were strongly in disagreement. On the other side, mention was made of a Permanent Minorities Commission. That is a point regarding which other members of the Committee were strongly in disagreement. So far as I understand the position, however, nobody is committed to any opinion because these subjects happened to be mentioned. If we were to feel obliged to deal with all these important subjects, I do not see how this debate could ever be limited in any respect whatsoever, or indeed how it could ever be brought to an end at all. I venture to suggest therefore that we have reached the stage, or nearly so, when we might leave this matter in the hands of the very able Rapporteur whom we have appointed to deal with it.

M. Michalakopoulos (Greece) [Translation].—I merely wish to explain in a few words one part of my speech which seems to have been misunderstood. I did not say that there are some countries which wish to destroy the treaties by means of propaganda for the protection of minorities; I, as representing a small country, can have no authority whatsoever to make or deny such a statement. What I said was that in the peoples that are bound by special provisions regarding minorities there are two feelings: in the first place, a feeling of bitterness because it seems to them that certain discriminations have been established against them by the minority treaties, and, in the second place, a feeling of sensitiveness and suspicion, because these same peoples have the fear, the idea that the protection of minorities might be utilised for the purpose I mentioned. I said that it was the business of the States concerned to allay these apprehensions and suspicions, as my country has already done in the case of nations which have Greek minorities.

Count Bonin-Longare (Italy) [Translation].—I am entirely in agreement with the very wise remarks made by the British delegate, Mr. Buxton, who has most judiciously observed that the numerous observations and suggestions made by different delegates are in no sense binding on delegations which have not expressed their views regarding them.

Many opinions have been put forward, many suggestions have been outlined, which I should have to receive with the utmost reserve, but I do not think that this is the moment to say so, or to protract a discussion that has already lasted long enough.

In my view one of the most satisfactory results of this debate is that we have chosen as Rapporteur M. Motta, whose conciliatory spirit and keen legal mind offer us every assurance that he will be able to bring together all the threads of opinion, however divergent, and set them out in his report which may be expected to satisfy everybody.

I hope, indeed I am sure, that the result of this discussion, and of the experience we have still to gain of the existing arrangements, will be to show that we have done well not to alter them, but to keep them in their present form.

M. Briand (France) [Translation].—I rise with a certain degree of embarrassment, because I should have liked to please my two colleagues of Great Britain and Italy, who have indirectly and unconsciously asked me to refrain from prolonging the discussion. Moreover, I am one of those who think that discussions which last to long are undesirable. I cannot, however, refrain from speaking, because I have certain things to say to the Committee, not in any controversial spirit, not in any desire to raise objections to certain of the views we have heard, but simply because I am anxious that the debate which has developed here should not close in an atmosphere of obscurity and uncertainty.

I am not sorry that this discussion has been started, although it concerns an extremely intricate and delicate matter. In my view it is better to say clearly what one thinks than to close in an atmosphere of obscurity and uncertainty.
question as we are considering is that our attitude, the attitude of the League, may be wrongly
and unfairly interpreted outside.

Naturally enough, the question of minorities touches sensitive spots in many countries. Many people have their eyes on us for a perfectly justifiable motive, and are awaiting our action (I might almost say spying upon us) with the intention of giving a wrong interpretation to our attitude and using it to create in minorities which have perfectly genuine sentiments a spirit of agitation that might lead them to cut adrift from our institution because they thought it incapable of doing them justice.

It is not unimportant that a few words should be said to make it quite clear outside that in this matter, as in all others, while the League has met with difficulties, it has always done its duty to the best of its conscience.

If I do not leave this entirely to our distinguished colleague, M. Motta, in whom I have every confidence, it is because it is absolutely essential to state what ground can and must be covered by the report. I am sorry for M. Motta—

M. Motta (Rapporteur) [Translation].—So am I!

M. Briand (France) [Translation].—I am sorry for M. Motta—but not so sorry as I should be for anybody else in his position, because I know his resourcefulness—that he should have to extract the essence of this discussion to offer it in an embellished form to the Assembly, which is impatiently awaiting his report.

We have given him a fair amount of material on which to base the report, and if, in the middle of all this discussion, he is capable of extracting some clear and precise idea which will put him in a good position to go before the Assembly, we shall congratulate him with all our hearts, and that will be only one more added to the tributes he has earned. I believe he will do better than anybody else, but I am sure that he is by no means comfortable.

As a general rule, when there is a discussion in a committee, it is on a specific subject—a draft resolution, for example. When that subject has been looked at from every angle, it is delivered into the expert hands of a Rapporteur, such as ours, and we say to him: "Now that the Committee has expressed itself in such and such a sense, you will please tell the Assembly so, with all the eloquence you can bring to bear on such an operation." That is clear enough; either we say yes or we say no, and the Rapporteur explains why we have arrived at that conclusion and not at some other. That is the practice and the custom.

In this case we are offering our Rapporteur a question of sentiment, a very noble and splendid question, but one of which the scope is almost illimitable. I am sure that M. Motta will find a place for pathetic, moving, and eloquent language on this matter.

Next, we find men who have advanced somewhat divergent views on this question. I quite understand that our friends of the German delegation came here with a definite idea, amounting to a draft resolution. I hasten to admit that throughout the discussion there has always been a notable sense of impartiality, moderation, and reason. The spirit of conciliation which inspired the German delegates, and the discussions which took place after the first meeting, influenced them not to introduce their draft resolution. I congratulate them on that; it is evidence of a most praiseworthy spirit of conciliation.

What happened after that? What reflections passed through the minds of our colleagues? They did not abandon their determination; they took their draft resolution and made it into a new type of procedure—this Assembly can at least be said to have created something—which we will call a suggestion.

As a general rule a suggestion is a speech, and our colleague made us a very eloquent speech. A suggestion is a speech, but in this case there is something more—there is in the speech a paper which has changed its name and its nature, and has evolved from the resolution type to the suggestion type.

This procedure seems to me a highly ingenious one, but, as we have before us only a suggestion, and as we havecontented ourselves with diffusing our opinions and sentiments in the atmosphere, we cannot offer our Rapporteur anything so vague as that. In reality, he will be obliged to depend chiefly on a written suggestion which actually amounts to a draft resolution, though the Committee will not have been asked to vote upon it.

What is the suggestion? I am not sure whether our German colleagues have fully judged its scope. For my own part, I am thinking of the effect it will produce. If only we ourselves were concerned, an agreement could be reached. That, however, is not the case; there is the outside world to consider, and we have had an opportunity of seeing that the urbane and courteous character of our discussions has not been satisfactory to everybody. We have had some exhortations from outside. People have said to us: "What! here is a debate that was to be sensational, and yet the people who took part in it have used padded, wrapped-up, calm, almost fraternal language. That is quite wrong. The delegates are not there to commune in an atmosphere of general compromise; they are there to fight, but we have not smelt a whiff of powder." Naturally, it would be preferred that this discussion should end in a somewhat different atmosphere from that which has prevailed so far.

For my own part, I think that we must neglect what may be thought by people outside, with all their heated feelings and lack of responsibility. We are responsible to our own consciences, and if we find it proper to speak in a friendly, courteous, moderate, and reasonable tone, we must not change our attitude just because other people want a different atmosphere.

Personally, I hope that this debate will end (for it has got to end, and that will be the least of our difficulties) in the same conditions as it began. At the same time, we must see that it does not have any unfortunate consequences afterwards—that nobody can say to—
morrow: "Here, what does the German proposal mean?" I am sure that our German colleagues will be as anxious as I am that their suggestion should not be alleged to mean that at last, after eleven years, we are condescending to notice that there are such things as minorities, and that for eleven years the fifty-two countries of the League have systematically neglected a sacred duty like this. I do not think it is desirable to allow such an unfair judgment to take root in the popular mind. Within the limits of its powers and those laid down by the treaties, the League has never neglected this problem, and has always considered it with genuine feeling.

So much for the first point. I am glad that, so far as it is concerned, our Rapporteur is not obliged to sort out different opinions. All of us have said, one after another: "There are the treaties; a treaty must be respected; we have no right to modify a treaty obligation to suit our own convenience; that is the foundation of our institution, and if once it is shaken the institution ceases to exist."

That is something to go on with. Within the limits of its treaty obligations the League has done what it could. Consequently, anything in the nature of a reproach is unfair and cannot be allowed.

This thorny question was put into the hands of the Council. It was the Council that had to handle it, and the Council has done its best. I have been a member of the Council; I know the difficulties it has encountered, and I can say that we have endeavoured, to the best of our conscience and in perfect good faith, to find the best means of arriving at a result which would maintain a peaceful atmosphere and enable us to agree upon what was to be done. After all, it is our duty to maintain and develop the idea of peace, even in the minds of minorities. We have a very difficult matter, and we have adopted a procedure. If the suggestion made by our German colleagues were accepted, it would be said—contrary, of course, to their wish—that the Council also has not done its duty; it would be said also and more particularly that the Secretariat, with whose zeal, energy, conscientiousness, and good faith you are all familiar, has failed in its obligations. You say that three hundred petitions have been sent in, and you ask how many of them have been examined. What is the significance of such a question, seeing that it is the Secretariat that receives the petitions and has the ungrateful duty of passing them on? It would mean that the Secretariat had indulged in some kind of contemptible trickery, by neglecting petitions that deserved consideration, and only allowing the Committees of Three to see those that it could not prevent them from seeing.

Is it really suggested that we should say anything like that? It is you, my dear Rapporteur, who would have the task of saying such a thing to the Assembly with all the resources of your distinguished eloquence. I know you too well to believe you capable of such rashness and such injustice. You will never say that the Secretariat of the League is capable of doing such a thing. What has it done?

For the benefit of those outside agitators who are trying to cause dissension among minorities in order to serve an end of their own which I need not define, I should like some of these petitions that the Secretariat has not thought fit to send on to be published. Anyone who reads the coarse and insulting language used in some of them will agree that no secretariat worthy of its position could have let them go further.

A man who claims a right, a man who complains of an injustice, has no need to resort to coarse insults to make his voice heard. There have even been petitions that did not contain a single fact but were merely pretexts for saying unpleasant things. Obviously there was nothing in such petitions to detain the attention of a Committee of Three, and that was why they were not referred to it.

The Committees of Three themselves constitute another school in which to harden oneself against criticism. I have been there, and I have no ambition to go there again. The Committees of Three have conscientiously examined all petitions. It has been said that with the procedure adopted there is no remedy. That is quite untrue. A petition can always be submitted to the Council by one of its members. If, therefore, a petition has been wrongly rejected, why has there been nobody on the Council to take it up again? How comes it that the Members of the Council also, by neglecting to take up a petition, have all failed in their duty?

Is it not a fact that the rejected petitions did not really merit a better fate? It has also been said that petitions are not investigated; that the Government concerned never receives replies and everything is then finished, that the petition is an answer. But in point of fact any member of the Committee of Three can make his own investigation. He can write, and he can obtain information. The Secretariat itself carries out investigations. Consequently it is quite untrue that petitioners are inevitably the victims of isolation and injustice.

I will remind you, moreover, of what was said on this subject by a man for whose character all of you here have a profound respect, and who was intimately concerned in the establishment of this procedure. I refer to Sir Austen Chamberlain. He said:

"I think that the very fact that no Member of the Council has thought it necessary to bring to the notice of the Council a petition which has not been brought before it by the Committee of Three is the justification for the Council and before the Council of the care, the attention, and the scrupulous fairness and sense of justice with which the Committee of Three, however constituted, has discharged the responsible duties placed upon it."

He went on to say:

"I believe that, in the main, the work has been well done. I believe that, in the main, for which the minority treaties were signed has been
attained. I do not say that satisfaction has always been given. A petitioner whose petition is rejected is seldom satisfied; a Government whose action is criticised is not likely to be wholly content; but I believe that any impartial person having access to our proceedings would be satisfied that they had not merely been conducted with scrupulous fairness and with a great desire to see justice done, but that we have in fact achieved, in large measure, those purposes for which this system was initiated.

That is Sir Austen Chamberlain’s suggestion, and I offer it to our Rapporteur for comparison with the other suggestion, leaving it to him to say which is right.

And now, gentlemen, to conclude. The problem before us is a very difficult and delicate one. We are trying here to solve it as best we can, eliminating anything that may conflict with peace, because our first duty is to seek peace and ensure it. A procedure had been established and was found inadequate, and a demand was made for its amendment and improvement. The nations which, according to the legal interpretation of the treaties, might have vetoed this, agreed to co-operate. What was done was done in common and unanimously.

Moreover, everybody has admitted during this debate that an undoubted improvement has been made. And now that the new procedure has only just been put into operation, and even before it has produced the results expected of it, all of us to allow the minorities to suppose that they must abandon it, though they have scarcely, if at all, made any use of it as yet? And we who forged this instrument with our own hands, are we to say: “Yes, we did that because we had to do something, but it does not really amount to anything, it does not give you any guarantee—in fact it is wholly inadequate”?

Is that the line for us to take? Should we be assisting the cause of peace if we acted in that way?

Be sure of this: in the present state of affairs in Europe and throughout the world, it is not to the interest of anybody, of any public man worthy of the name, to desire internal disturbances in any State, and I am certain that nobody here desires any such thing. Statesmen are passing through a time when they must be haunted and alarmed by a number of possible causes of upheaval. A statesman’s life is ceasing to be a happy one, but do not let us complicate it any more for the future.

This question of minorities is a grave question. I have every respect for the sentiments that Count Apponyi has expressed here. He well knows that I admire keenly his youthful fervour of thought, and that I have a great regard for the sentiments he expresses. But what was the idea of protecting minorities? The idea was that they should not be cruelly wounded in the most intimate and sacred feelings of man by the consequences of an unfortunate position. The idea was that they should not be oppressed and destroyed, and in them everything in a country that forms the private treasure of the individual—its traditions, certain racial ties, and its culture. But the men who framed the treaties did not allow minorities to be formed with the intention that they should constitute small nations inside other nations and always in revolt against them. That was not their intention. No; what was said to minorities was this: “You cannot be re-united to your country, but the habits of your civilisation will be preserved; no violence will be done to your consciences.”

Beyond all that, here is a piece of advice, a really sound piece of advice, which ought to be given by the League itself, because it is entirely in harmony with our aspirations for peace: it is that gradually, through the good treatment they receive and the fact that they can keep their cultural habits, these minorities should begin to furnish good citizens to the new nation of which they form part. Such words as “assimilate” and “merge” have been used; but do not let us use these harsh expressions. Only after centuries is it possible to know exactly what they represent.

When one speaks on behalf of a country like mine, which has been forged in the process of centuries—when we see all the component parts of that nation which have kept their freedom, their culture and their traditions, and when we see that they are nevertheless perfectly united, so that any man would be insulted if you suggested that his local patriotism might ever conflict with his national patriotism—then we know that we must not put our foot down on all that and crush it, that we must give men a chance of developing morally within the nations in which they live, of becoming citizens and even taking part in the direction of the affairs of those nations, with all the liberties that such a possibility involves.

That is what we must say to the minorities; but I see associations prowling around us which are interested in minorities not so much to do them good as to make use of them—which are trying to federate them, addressing them in the most incendiary language, regarding them as possible weapons with which to shake the nations to their roots, and seeking to deprive them of the hope that the reasonable ones among them (and they are the majority) repose in the League of Nations. The League of Nations is represented to them as being powerless and incapable of intervening on their behalf. They are told: “You can send it petitions; it has a Secretariat which will receive your petitions and put them by handfuls into the waste-paper basket. For those that the Secretariat lets through there will be a Committee of Three which will meet in a dark room and will only leave a few wretched petitions in existence—those that cannot be acknowledged. Sentiments of revolt must not be engendered in the minorities. They must know, on the contrary, that we have instituted a reasonable and honest procedure, which has been universally recognised as an advance, and which will enable them, if their rights have been infringed, to find judges. They must feel that there are judges at Geneva, that there is a Secretariat which will welcome their petitions if they are worded as they should be, that there
I have also heard references to the question of "assimilation". I was present at the meeting at which Sir Austen Chamberlain made the speech to which reference has already been made. We must take his words in full, for, as you know, a phrase torn from its context often loses much of its significance. What he said was this:

"The word 'merged' was unhappily chosen. I did not mean for one moment to suggest that it was intended that the cultural characteristics of the minority population should be submerged or abolished. I did intend to indicate, and I hold that this is vital, that the purpose of the treaties was to make conditions in the minority countries such that the minorities could be, and were, loyal members of the nations to which they belonged."

That is the utterance of a wise man, a man of peace, a man who wishes minorities to have all the protection they deserve, but who goes no further than that. Now let us hear the words of the late Dr. Stresemann, to which reference was made:

"I was glad to hear Sir Austen Chamberlain say that the English text of his statement might have given rise to misunderstanding, though he did not wish to maintain that the races and civilisations composing the minorities must be merged in those of the majority with which they have been incorporated, but that he had merely expressed the hope that, although the system of protection would be permanent, a time would come when it would be no longer necessary to apply that system because there would no longer be any grievances. He had, indeed, merely wished to emphasise the fact that the greatest loyalty was necessary on the part of minorities towards their Governments. On this point we are in full agreement."

Such are the sentiments of these two men who, nevertheless, represented somewhat different ideas, both on the central question and on the matter of procedure.

I will now conclude with an apology for having spoken so long and having carried the discussion on to this ground; but I did it out of anxiety to make things clear. I have no guidance to offer to our Rapporteur. In any case it would be presumptuous on my part, for he is above requiring any such advice. His own experience must carry him through. All I wanted to say was that we have forged an instrument which gives guarantees to minorities, and of which the latter can make use without any fear of suffering injustice. Certainly it is the Secretariat's desire that matters should be settled in complete good faith and sincerity, and in a cordial atmosphere.

We must all be prepared to accept the opinion of our Rapporteur, if he informs us that he has been unable to adopt the various views expressed in the course of our discussions, but which we shall none the less be able to adopt.

The CHAIRMAN [Translation].—I will ask the Rapporteur whether he has anything to say. It is certainly an extremely difficult task to reconcile all the opinions expressed here with those of the speakers who do not agree with them. Everybody knows M. Motta's resourcefulness, however; we know his great ability, his tact, and his experience, and we are sure that in a few days he will be able to submit a report which will embody the essence of the various views expressed in the course of our discussions, but which we shall none the less be able to adopt.

M. MOTTA (Switzerland) [Translation].—I feel embarrassed by the confidence that all the speakers, especially M. Briand, have kindly reposed in me. I do not think that at the present juncture it would be possible for me to make a speech endeavouring, if I may so put it, to reconcile all the divergent opinions and shades of opinion that have found expression here during the debate.
I would ask my colleagues, and the Chairman in particular, to give me time to think. For the moment, I observe that there is no draft resolution and that no proposal is before us. No vote has therefore to be taken, and the Rapporteur’s task will consist in defining what the League has already done in this delicate matter; what it is doing now, and what it can do in the future.

Yesterday I talked for an hour with the Director of the Minorities Section. I asked him a series of questions. I was seeking information because I felt, on reading the documents before me, that I was not fully informed, and that only the actual words and the experience of the man who bears the responsibility of that post could really satisfy my conscience. I should like to say that that conversation made me much more comfortable.

I do not mean to say that everything is for the best in the best of all possible worlds, but I have found that the Secretary-General and the staff of the Secretariat dealing with this subject attach to minority questions all the importance they merit and approach them in a spirit of justice and impartiality which has satisfied me on both intellectual and ethical grounds.

In the report I shall try to sum up the opinions that have been expressed, as far as that is possible. I shall note that the most important discussions were those on Saturday and this morning. If the German delegation wished, by its proposal, to call the attention of the world at large and of the League to these questions, it has fully achieved its object, as Dr. Curtius said just now in his excellent, wise and moderate speech. In point of fact, everybody in this Committee speaks wisely and endeavours to find softened forms of expression for necessarily strong and emphatic ideas, so that they may still be capable of discussion in the illustrious and impartial Assembly in which we now are.

I shall try to give a general idea of this calm, lofty and impartial discussion, and I shall endeavour to do justice to the League, because my dearest wish is that the League’s credit with public opinion throughout the world may not only remain where it is, but may increase still further.

Lastly, I shall refer to the idea of co-operation between majorities and minorities, because, just as in marriage you cannot dictate conjugal peace by Act of Parliament, and you need good will on both sides, so also we must have good will on the part both of majorities and minorities.

---

FIFTH MEETING

Held on Tuesday, September 23rd, 1930, at 9.30 a.m.

Chairman : Sir Robert Borden (Canada).


The CHAIRMAN.—The subject which we shall take this morning is that of mandates—the annual reports of the mandatory Powers, the reports of the Permanent Mandates Commission (documents C.355.M.147.1930.V. and C.366.M.154.1930.VI.), and all other documents dealing with the mandates question which have been distributed to the Members of the League since the last session of the Assembly.

M. CASTBERG (Norway) [Translation].—In suggesting that the question of mandates should be placed on the agenda of this year’s Assembly, the Norwegian delegation, which has no proposals to make on the subject nor any criticisms to level against any of the League organisations, merely desired to carry on a tradition. We remembered that in past years it was principally Dr. Nansen who sought to assert the Assembly’s right and obligation to enquire into the League’s work in this field. We felt that this year again the Assembly ought to have an opportunity of discussing the work of the Mandates Commission and the Council in this field.

Mr. BRENNAN (Australia).—I am sure I shall be readily forgiven for speaking for a few moments on the question of mandates, which is regarded in the Commonwealth of Australia as of great importance. Mandates are new instruments of international law. It is only since the war that we have had to consider seriously their scope, and the nature and extent of the legal obligations they involve. Even to-day, the legal implications involved in the system of mandates are a little obscure and lacking in definition.

In the relations of men with men one of the most solemn obligations which can arise is that of trusteeship. The duties of a trustee, under most instruments of law, require a higher standard of moral and legal obligations than men usually apply to their own personal affairs. Trusteeship over a people is more sacred and more far-reaching than trusteeship over individuals.
For these reasons, Australia regards as of great importance its relations with the great territory known as New Guinea, in respect of which Australia has accepted responsibility. The Permanent Mandates Commission is, of course, master of its own proceedings and the best judge, we may assume, of the scope of its duties. For my part, I have pleasure in putting on record the fact that Australia welcomes observations and enquiry by that body for two main reasons. The first is that we think it proper and entirely desirable, in the common interest, that the Commission should carry out its duties thoroughly and conscientiously, as I believe it does. Secondly, we realise that enquiries and suggestions made by and on behalf of the Commission are likely to be very helpful to the Mandatory.

With great respect, I submit, as a suggestion only, that these principles should, nevertheless, be subject to certain qualifications. One of those qualifications is that questions which, from their very nature, reflect adversely on the Mandatory should not as a rule be raised unless the source of the complaint is disclosed, as a guarantee of good faith and responsibility, and in order to permit of the mandatory of the complaint being closely scrutinised. The second qualification we suggest is that, as a general rule, the Commission ought not to concern itself unduly with details of administration, with which the Mandatory must, from the fact of its trusteeship, be considered qualified to deal effectively.

In this regard, it should be borne in mind that the League itself made its selection of nations which the framers of the Covenant were pleased to designate advanced nations, and which by reason of their resources, their experience, or their geographical position, could best undertake those responsibilities. I may add that questions involving the material and moral welfare of only a single individual would not be regarded as coming within the last-mentioned category.

The difficulties of discharging the duties attendant upon the mandate, issued by the League of Nations as far as Australia is concerned in December 1920, are not, in our view, in any circumstances to be taken as an excuse for failure, if failure there be, to discharge those duties. That which the Mandatory has undertaken to do, that, so far as my country is concerned, it will do. But it is well that the difficulties should be appreciated, and it is still more important that there should be some common understanding of the nature and extent of the obligations involved.

In regard to New Guinea, the difficulties referred to may be summarised under three heads. The first is the strained feeling and ill-will which naturally and inevitably arise from the shock of war, its expropriations and appropriations, and the abrupt installation of a new system of government. Time alone can cure, and we trust that time is curing, this evil—time and, of course, honest and tactful administration. The second difficulty is the distance of the territory under mandate from the seat of government, and the third is the primitive condition of the native inhabitants, coupled with the inaccessibility and difficulty, from a topographical point of view, of a great part of the territory.

New Guinea, as my colleagues will remember, is an extensive territory lying to the north of Australia and situated about 2,500 miles from the seat of the Australian Government. The mandate also covers a group of neighbouring islands. Australia interprets the administration of the mandate as falling exclusively within its jurisdiction as a Member of the League of Nations. For a precise definition of rights and duties in this regard it is necessary to turn to the Covenant and to the terms of the mandate itself. The central principle of the mandate, as embodied in Article 22 of the Covenant of the League, is the well-being and development of the people, who, to quote the language of the Covenant, "are not yet able to stand by themselves". That is described as the sacred trust of civilisation.

The mandate conferred upon Australia in respect of New Guinea is what is called a "C" Mandate, that is to say, a mandate of the third class mentioned in the Covenant. Territories placed under such mandates are, in the words of paragraph 6 of Article 22 of the Covenant, "administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards mentioned above, in the interests of the indigenous people". I would call special attention to those words.

The safeguards are referred to in paragraph 5 of Article 22, which declares that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, prohibition of abuses such as the slave trade, the arms and liquor traffic, and the prevention of the establishment of fortifications or military and naval bases, and of military training of the natives for other than police purposes and for the defence of the territory. Subject to the faithful performance of this trust, the responsibility for the political regime rests wholly upon the Mandatory, whose responsibility it is to govern the territory according to the laws of the Mandatory as an integral part of its territory. Such are the terms of the Covenant.

For these reasons, Australia regards as of great importance its relations with the great territory known as New Guinea, in respect of which Australia has accepted responsibility. The Permanent Mandates Commission is, of course, master of its own proceedings and the best judge, we may assume, of the scope of its duties. For my part, I have pleasure in putting on record the fact that Australia welcomes observations and enquiry by that body for two main reasons. The first is that we think it proper and entirely desirable, in the common interest, that the Commission should carry out its duties thoroughly and conscientiously, as I believe it does. Secondly, we realise that enquiries and suggestions made by and on behalf of the Commission are likely to be very helpful to the Mandatory.

With great respect, I submit, as a suggestion only, that these principles should, nevertheless, be subject to certain qualifications. One of those qualifications is that questions which, from their very nature, reflect adversely on the Mandatory should not as a rule be raised unless the source of the complaint is disclosed, as a guarantee of good faith and responsibility, and in order to permit of the mandatory of the complaint being closely scrutinised. The second qualification we suggest is that, as a general rule, the Commission ought not to concern itself unduly with details of administration, with which the Mandatory must, from the fact of its trusteeship, be considered qualified to deal effectively.

In this regard, it should be borne in mind that the League itself made its selection of nations which the framers of the Covenant were pleased to designate advanced nations, and which by reason of their resources, their experience, or their geographical position, could best undertake those responsibilities. I may add that questions involving the material and moral welfare of only a single individual would not be regarded as coming within the last-mentioned category.

The difficulties of discharging the duties attendant upon the mandate, issued by the League of Nations as far as Australia is concerned in December 1920, are not, in our view, in any circumstances to be taken as an excuse for failure, if failure there be, to discharge those duties. That which the Mandatory has undertaken to do, that, so far as my country is concerned, it will do. But it is well that the difficulties should be appreciated, and it is still more important that there should be some common understanding of the nature and extent of the obligations involved.

In regard to New Guinea, the difficulties referred to may be summarised under three heads. The first is the strained feeling and ill-will which naturally and inevitably arise from the shock of war, its expropriations and appropriations, and the abrupt installation of a new system of government. Time alone can cure, and we trust that time is curing, this evil—time and, of course, honest and tactful administration. The second difficulty is the distance of the territory under mandate from the seat of government, and the third is the primitive condition of the native inhabitants, coupled with the inaccessibility and difficulty, from a topographical point of view, of a great part of the territory.

New Guinea, as my colleagues will remember, is an extensive territory lying to the north of Australia and situated about 2,500 miles from the seat of the Australian Government. The mandate also covers a group of neighbouring islands. Australia interprets the administration of the mandate as falling exclusively within its jurisdiction as a Member of the League of Nations. For a precise definition of rights and duties in this regard it is necessary to turn to the Covenant and to the terms of the mandate itself. The central principle of the mandate, as embodied in Article 22 of the Covenant of the League, is the well-being and development of the people, who, to quote the language of the Covenant, "are not yet able to stand by themselves". That is described as the sacred trust of civilisation.

The mandate conferred upon Australia in respect of New Guinea is what is called a "C" Mandate, that is to say, a mandate of the third class mentioned in the Covenant. Territories placed under such mandates are, in the words of paragraph 6 of Article 22 of the Covenant, "administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards mentioned above, in the interests of the indigenous people". I would call special attention to those words.

The safeguards are referred to in paragraph 5 of Article 22, which declares that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, prohibition of abuses such as the slave trade, the arms and liquor traffic, and the prevention of the establishment of fortifications or military and naval bases, and of military training of the natives for other than police purposes and for the defence of the territory. Subject to the faithful performance of this trust, the responsibility for the political regime rests wholly upon the Mandatory, whose responsibility it is to govern the territory according to the laws of the Mandatory as an integral part of its territory. Such are the terms of the Covenant.

Now for the mandate. The terms of the New Guinea mandate are in exact accordance with the principles which I have stated as being laid down in the Covenant. The mandate declares that the Mandatory shall have full power of administration and legislation over the territory subject to the present mandate as an integral portion of the Commonwealth of Australia, and may apply the laws of the Commonwealth of Australia to the territory, subject to such local modifications as circumstances may require.

The mandate then proceeds to define the terms of the trust imposed upon the Mandatory, in respect of the moral and material welfare and the social progress of the inhabitants. In no other way does it fetter the power or responsibility of the Mandatory.
The words that I have used represent the full extent of the "sacred trust of civilisation", to quote the words referred to in precise terms by the Covenant and the mandate read together.

It represents also the degree of authority which is required by the mandate to be "explicitly defined" by the Council of the League of Nations, and is defined accordingly by the Council. It is confidently submitted that this definition cannot be varied, either morally or legally, without the concurrence of the Mandatory. It may be said at once that, on the basis of any fair construction of the relevant documents, the bond, this trust which Australia has accepted, is faithfully observed and carried out by the Commonwealth.

It will be seen, therefore, that neither does the Covenant suggest that any rights should be given, nor does the mandate give any rights to any person or authority outside Australia, to pursue enquires in detail into the administration of the law in the territory, though I may hasten to add that, on general grounds consistent with the objects and ideals of the League of Nations, information will not be arbitrarily withheld. Indeed, proof of this is to be found in the voluminous reports regularly submitted for the information of the Permanent Mandates Commission, and of the League.

The Australian Administration will not countenance the notion of annexation or a claim to sovereignty, and its policy is to remove the last vestiges of unfavourable discrimination inconsistent with its general immigration policy and laws.

I thought it desirable to state the position clearly, as I see it at all events, because I have gathered the impression from observations of individual critics that the situation was not universally appreciated.

My object has been to re-define and to put on record Australia's views of the legal position, and the correct interpretation of the relevant documents, while at the same time giving an assurance that our Administration will proceed as it should, on the basis of a generous recognition of the rights and duties of the League of Nations.

Perhaps it should be added, as a final word, that a further purpose is served by the free statement of our position—namely, to make it clear that whatever information is imparted, and whatever action may be taken from time to time by the Mandatory in excess of its strict obligations, must not be taken as waiving any of its foundational rights and duties, defined as they are in clear terms in the mandate and in the Covenant, as a token of honour to Australia and trust in her faithful administration.

Mr. Buxton (British Empire).—I am very glad that the Norwegian delegation has raised the subject of mandates before this Committee, and has acted in the spirit shown always by their great fellow-countryman, Dr. Nansen, to whose heart this question of the treatment of backward peoples lay very near. I think it is certainly most desirable, if I may say so, that this Committee should at frequent intervals, perhaps every year, pass in review the working of the mandate system.

In that connection, I should like to indicate the attitude of the British Government, and in particular of the party which the present Government especially represents—the Labour Party—in my country, which has always taken a very special interest in the working of the mandate system. It is desirable, I think, that the world should understand that we have a distinctive policy regarding this great question; that it should not be under any illusion, that it should realise that this is no new question to us as a party, but that we have devoted a considerable amount of thought to it.

The workers of Great Britain take a deep and ever-increasing interest in the welfare of the so-called backward races. They are conscious of the heavy responsibility which rests upon us as a nation owing to our control of large areas inhabited by such peoples. They believe that while, on the whole, it is to the advantage of such peoples to be under the tutelage of Powers more advanced, yet in the past, if we go back into history, it is undoubtedly true that their interests have been too often treated with callous indifference, and even to-day—and in some respects more than ever—there is a danger that they may be exploited from an economic point of view by the inhabitants of more advanced countries, or at least by capitalist groups within those various countries. They believe that this danger can only be avoided by a vigilant watch being kept by a well-informed public opinion throughout the world. They recognise that the rivalries between nations which have arisen in the past have frequently been connected with colonial development. There is, therefore, an additional reason for treating this question from an international and general world point of view.

In accordance with these views and policy, our Government has always treated the Mandates Commission with the greatest respect, and has followed its work with general approval. We cordially support the principles on which the mandate system is founded, because we look upon them as representing the first beginning, shall I say the first faint beginning, of the sense of an international responsibility in regard to this great question. Only recently we have had particular examples. It is well known as regards Palestine, for instance—a question which I do not propose to raise on this occasion—that the British representative has clearly indicated that, while he might disagree with particular criticisms, yet he recognised that the Mandates Commission had a right to criticise. He even went farther and said that it was its duty to criticise—a very significant remark, I venture to say.

On another matter, the application of the mandate system to British Tanganyika, the British representative, speaking in the Council on September 6th, 1929, clearly stated that no decision would be taken with regard to any change in the status of Tanganyika before the
action which the Government might propose had been communicated to the Mandates Commission, which would then, before the decision was put into effect, have the opportunity of considering it and making any observations which it wished to make upon the decision.

It is our opinion that the great experience which the Mandates Commission is acquiring through its work—an experience which grows in volume every year—ought to be utilised even more than it is for the benefit of the native races throughout the world. The knowledge of different Governments, all of whom are making important experiments in the administration of various areas, should not be locked up in the pigeon-holes of each separate Colonial Department, but should be made available for the instruction and information of public opinion. The general principles of just native administration, worked out by the Mandates Commission in connection with the mandated areas, should be stated in its reports; and I venture to suggest that they should be stated in such a form that public opinion in the world outside could be informed, that the reports could be easily understood, and that they might thus exercise an influence whereby the whole standard of native administration might be raised.

I would like to take two examples of cases where the experience of separate Powers might be utilised for purposes of general information quite outside the sphere of the Mandates Commission, but nevertheless bearing upon it. Four or five years ago the Belgian Government published a report of a deeply interesting inquiry as to the exact proportion of male labourers that might safely be taken away from a village for labour elsewhere without upsetting or injuring the social life of the people. That is a problem of vital interest, and no other Government, so far as I know—certainly not the British Government—has published such a careful report of scientific enquiry into that particular question.

As my second example, may I quote the memorandum on native policy in East Africa recently issued by my own Government? I have it here in my hand. I think it is a document of great interest. It is a memorandum which attempts to lay down, in terms which are general but at the same time are very much clearer than has usually been the case, the right policy of administration with regard to various matters. First of all there is political development; then there is the economic sphere, the principle of allowing freedom to work as between wage-labour and individual cultivation, and the whole problem of land. The wisest principles of administration are expounded with regard to the land available for native people. The problem of taxation is explained and discussed in full detail, and the problem of the encouragement of native production, and so forth. I venture to say that, while this example may not be a perfect one, it nevertheless is valuable as an example for study in connection with other peoples than our own.

It represents, I consider, one of the most successful efforts to formulate, in very general outline, the most advanced principles of native administration.

With regard to the actual work of the Mandates Commission during the past year, there are certain reflections which, I think, are worthy of the attention of the Committee. Unfortunately, owing to our limited time, we are not able to make a very comprehensive survey; but if we confine ourselves to the main aspects of the work which the Mandates Commission has done with a view to safeguarding the well-being and the development of native populations, it seems that some important conclusions may be drawn.

First of all, as regards the status of the inhabitants of the mandated territories (on which a very valuable memorandum was contributed by M. Van Rees, the Vice-Chairman of the Commission), stress should be laid upon the continued efforts which the Mandates Commission, in concert with the mandatory Powers, is making. It was difficult, owing to the special situation of the territories under mandate, to give a right definition of the national status of their inhabitants; but the fact remains that a suitable wording has been found guaranteeing to the natives of those countries the security of their special status without causing them to lose, while abroad, the protection of the mandatory Powers.

The great question of public health, the process of organising public services, and especially the campaign against epidemic and contagious diseases, has had the constant attention of the Commission. The information on this vital problem contained in the annual reports becomes fuller every year. Interesting discussions take place between the members of the Commission and the accredited representatives of the mandatory Powers with reference to the action taken in the interests of the health of the natives. In this problem of public health we see one of the most striking examples of the collaboration between the experts of the League of Nations and the officials of the mandated territories.

Then there is the question of the liquor traffic in its relation to the moral and physical health of the natives, a question which has been frequently discussed, not only in the Commission but in this Sixth Committee of the Assembly. I think it is fair to say that the Mandates Commission has endeavoured, in the most persevering and methodical manner, to solve this problem, so far as the mandated areas are concerned. It is to be congratulated upon its success in the matter of securing the use of a uniform terminology by the mandatory Powers, and it may be hoped that, as the result of the co-operation established here between the Mandates Commission and the mandatory Powers, we shall have, in the near future,
I do not deal here with the problem, which presents great interest of the Convention dealing with the liquor question—the Convention of St. Germain-en-Laye—because that is a problem which concerns not the Mandates Commission but the Powers which are particularly interested in this question, and is thus limited to a very small number. I may, however, be allowed to express the hope that the liquor question, which is a serious one, may be taken into careful consideration by those Powers, and that any efforts which the Mandates Commission is making to limit the evils of the introduction and sale of liquor may be supported in every possible way.

As regards social matters, we find in the discussions of the Mandates Commission and in the opinion submitted to it by the Council a constant anxiety to guarantee native labour possible way.

The Mandates Commission has dealt from time to time with certain general conditions affecting the very principles of the mandate which it is anxious to safeguard: for instance, the practical application of the principle of economic equality has been very carefully studied. Without laying pedantic stress upon particular forms of words, the Mandates Commission has encouraged the mandatory Powers to put down these abuses and progressively to introduce such labour legislation as will safeguard the rights of native labour without impeding economic development.

Again, there is the special problem of the position of the women and children of the native races. There, again, some progress has been achieved by the work of the Mandates Commission. The women, organised by the "Union internationale de secours aux enfants", are far more than one colonial Government. It is a conference on the welfare of native women and children, and I may, however, be allowed to express the hope that the liquor question, which is a serious one, may be taken into careful consideration by those Powers, and that any efforts which the Mandates Commission is making to limit the evils of the introduction and sale of liquor may be supported in every possible way.

I think I have made it clear that the British Government is interested in the excellent work that is being done by the Mandates Commission. We have always looked upon it favourably. The so-called policy of "trusteeship" which is embodied in Article 22 of the Covenant has always been the principle by which the policy of the British Labour Party has been guided, and that view is shared by many other parties as well. To illustrate this point I would quote some words from a publication issued by the Labour Party. These words were written by one who held a position of authority at the time—the Rt. Hon. J. H. Thomas, who in 1924 was Secretary of State for the Colonies. He wrote:

"The keynote of the policy is that in the opinion of Labour the Empire should be, in the words of the Covenant, a trustee for the wellbeing of the natives. But it should be observed that the policy is in no sense a new discovery since the establishment of the League of Nations. The principle of trusteeship has always been maintained by the Movement as springing immediately from the broad principles and ideals of Labour."

Similarly, in the statement issued by the Labour Party before the last General Election, a statement which covers the whole of its policy on every question, including home policy, we find the remark that the Party will co-operate cordially with the Mandates Commission of the League of Nations.

But, as I said, other parties as well, besides our own, take the same point of view on many matters and I should like to refer to a very well-known despatch issued in the year 1923 by the representative of the Conservative Government of Great Britain at that time, the Duke of Devonshire, who was then Secretary of State for the Colonies. He wrote a despatch with regard to East Africa in which he said this:

"In the administration of Kenya His Majesty's Government regard themselves as exercising a trust on behalf of the African population, and they are unable to delegate or share this trust, the object of which may be defined as the protection and advancement of the native races. As in the Uganda Protectorate, so in the Kenya Colony, the principle of trusteeship for the natives, no less than in the mandated territory of Tanganyika, is unassailable."

I draw especial attention to those words: "no less than in the mandated territory of Tanganyika"; in other words, the writer of the despatch went out of his way to emphasise that this principle was not limited to the mandated territory, but was accepted by his Government as applying to neighbouring territories as well. We find exactly the same principle stated by the Labour Government in the memorandum on native policy in East Africa, to which I have referred already. The Labour Government quotes these very same words written by the Duke of Devonshire in 1923, and continues as follows:

"With the statement in the White Paper of 1923, in all its aspects and with all its implications, as well as with the principle laid down in the Covenant of the League and in the Mandate for Tanganyika, His Majesty's Government express..."
their complete concurrence. They fully accept the principle that the relation of His Majesty's Government to the native populations in East Africa is one of trusteeship, which cannot be devolved, and from which they cannot be relieved. The ultimate responsibility for the exercise of this trusteeship must, accordingly, rest with them alone."

Our position is that this principle of trusteeship for the native races, applied definitely to the territories under mandate, is a principle of general application which should be voluntarily accepted as the guiding principle for all similar territories. It cannot logically be confined to those particular territories alone which are dealt with by the Mandates Commission. I have frequently spoken at meetings and gatherings of my fellow-citizens at home, and have explained the mandates system, and quoted Article 22 of the Covenant, and I have given them the reasons why it is thought necessary to assert this principle of trusteeship, and they have then said to me: "Very good, very wise, very sensible. Now to what countries does this apply?" I have said that it applies to the colonies which were taken from certain Powers during the late war, and they have then asked me: "Why is it limited to these territories? What is there in this principle of trusteeship which does not apply with equal force, with equal sense and with equal convinciveness to all other territories of a similar character?"

The principle of trusteeship is one that we consider of general application. We are not making any proposal that the extension of the principle should be pressed at the present time in any formal manner whatsoever. It can come only through the gradual growth and development of opinion, and an increasing acceptance of the principles laid down in Article 22 of the Covenant and, I may add, in Article 23. This, the last point that I want to lay before the Committee, is a point of really fundamental importance. In these discussions it is very often taken for granted that we have only to consider Article 22, Article 23, as the Committee knows, is the article under which the mandate system is set up, and in which the principle of trusteeship is asserted in definite terms. But after Article 22 follows Article 23, and Article 23 is in no way limited to any special group of Members within the League. It is quite outside the mandate system. If there is anything invidious in the selection of certain Powers as Mandatories, at any rate that does not apply to Article 23. Article 23 is absolutely general in its terms. It applies to every Member of the League, and it pledges every Member of the League.

First of all, under clause (a) it is laid down that Members of the League "will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children". That is not limited to white races, it is not limited to industrial countries, it is not limited to the peoples of one race. It applies to the peoples of all races.

But, as if that were not sufficient, Article 23 goes on in clause (b) to pledge the States Members of the League in these words: that they "undertake to secure just treatment of the native inhabitants of territories under their control". They have undertaken thereby an obligation of a general character which is incumbent not only, as I say, upon the mandatory Powers, but upon every State that is a Member of the League. That, I venture to say, is only an additional support to the argument that I have tried to put before the Committee this morning—that that principle of trusteeship for the native races is one that is bound to be accepted, and to be accepted not by compulsion but voluntarily, by all those who are responsible for the government of those native races over whom and over whose interests it is our duty to watch because they are unable in the strenuous conditions of the modern world to protect themselves adequately against the exploitation which threatens them, and are not able to speak with their own voice in their own defence.

Sir Thomas Wilford (New Zealand).—I shall be brief. The three political parties in my country look upon the mandate which we hold over Western Samoa as a sacred trust, and feel perfectly satisfied that, given time and consideration, we shall be able to bring the territory into as peaceful a condition as New Zealand and the Cook Islands. You, Mr. Chairman, and members of this Committee, will realise that I, as a New Zealander born, have grown up with the Maori people, a section of the Polynesian race; and you will remember that the peoples of Samoa and Cook Island, who are also Polynesians, are practically cousins to the natives of my country.

Since my country took over the Cook Islands, we have had many difficulties. The natives, however, came readily to understand the necessity for education, hygiene and the general improvement of economic conditions. On six occasions I have visited the Cook Islands, and on the last occasion, a few years ago—a number of years after the Cook Islands were incorporated into the territory of the Dominion of New Zealand—the natives and the white traders were firm friends and were living as peacefully and amicably together as the Maoris and the New Zealanders.

If I may for one moment speak of New Zealand, I should like to say that we give, in our Parliament, representation to the Maori race. They have equal rights and privileges when elected to Parliament, and when I told the members of the Committee that a member of the Maori race, Sir Apirana Ngata, is the "Father" of our Parliament to-day, that is to say, he has served continuously longer than any other member of that Parliament, they will realise that in our country, where less than a "hundred years ago British settlement had not taken place, great strides have been made. To-day, in New Zealand, the Maori race is a contented people, and we respect and have affection for them.
In the Cook Islands, the same happy conditions prevail. I wish to thank the Mandates Commission for the passage in its last report, in which it congratulates the Administration of New Zealand on its efforts in matters of public health, education, and the economic development of the territory.

We have had some trouble in Samoa, but the trouble has been caused through passive resistance, and as the Mandates Commission meets on November 6th next, and Mr. Berendsen, the Under-Secretary for Internal Affairs of New Zealand, will arrive in London on the 26th of this month, and will be present before the Mandates Commission on November 6th, I am quite certain that all information which any member of that Commission may require in regard to the details of the administration of Samoa will be readily and cheerfully given.

A passage in the report of the Mandates Commission points out that there has been a difference, which has been rather a shock to some of the members, between the report made by Sir Charles Skerrett and Judge McCormick, and the report made by a Commission consisting of Mr. Park, Mr. Berendsen and Mr. Verschafelt, which was set up by the late Government to investigate the administrative side.

It is true there is a difference between those two reports, but if the members of the Assembly will read the Order of Reference for the Commission over which Sir Charles Skerrett and Judge McCormick presided, it will be found that it was outside the scope of their authority to enquire into any question of administration. If you go farther and care to read the proceedings of that Commission, you will see that when a question of administration arose in that first Commission, the Chief Justice, Sir Charles Skerrett, stated, “that is beyond the scope of our Order of Reference”, or words to that effect with the result that the first Commission made no report on the administrative side, while the second Commission made a report purely on the administrative side.

That report was not as satisfactory as we all would wish. We want the Mandates Commission and the Members of the League to realise, however, that the expense incurred by any failure of efficiency in administration did not fall on the Samoan people, but on the New Zealand taxpayers. In no way have the Samoan people been financially penalised by the fact that, in some cases, administrative officers taken from the Civil Service of our country to look after matters in a tropical country were not really efficient.

I may say I know some of the Samoan people. I know the condition of Samoa, and I also know personally some of the men who were sent over in the first instance on the administrative side. Although some of them did not succeed and have been replaced by men who we believe will be more successful, we think that when the Committee takes into account that we have improved the public health of the people, that we have placed their education upon a sound basis, and that we have improved their economic condition, it will be admitted that we have at least made progress.

The native people in New Zealand live happily with us. In the Cook Islands it is the same. When I last visited the Cook Islands, the head of the white traders took me to the head chief of the natives and we all partook in his home of an afternoon tea of friendliness, while during a previous visit, these same people were glaring at one another from behind ordinances, notices, and letters sometimes not of a friendly nature. All is well there to-day.

On behalf of New Zealand, I wish to ask the Members of the Assembly of the League to realise that New Zealand admits that the League is the source from which the mandate flows. It realises a’so that it has a great responsibility. But we New Zealanders also believe that just as we have succeeded in New Zealand and the Cook Islands, so, given time, we will succeed in Samoa, and some day soon, I hope, Samoa will be the shining jewel of the mandated territories of the League.

Count Bonin-Longare [Italy] [Translation].—I should like to make to-day two statements, or rather two comparisons of dates, which give me such satisfaction that I cannot let slip this opportunity to draw attention to them.

I remember that last year, in the Sixth Committee, we were concerned primarily with two questions. To-day I note with great pleasure that in both those questions the developments during the year have been highly satisfactory.

I refer in the first place to the disturbances that had occurred in the earlier part of last year in Palestine—a country in which much interest is taken, not only on account of its geographical position and economic conditions, but also because of the great memories that are attached to it, which are dear to the whole of Christendom and, I may say, to the whole civilised world.

I am glad to learn that, thanks to the wise and energetic action of the mandatory Power, the disturbed situation of last year has completely changed. A year ago we made allowances for the mandatory Power because of the serious difficulties with which it had to deal. This year we are happy to record what it has achieved, and it is our hope and conviction that such painful incidents as we deplored last year will not recur.

The other question is that of a closer union between the mandated territory of Tanganyika and the British colonies of Kenya and Uganda. We took the keenest interest in this question last year, because it is a particularly delicate one, inasmuch as it affects, or at all events impinges upon, the fundamental character of the institution of the mandate. We still regard it with the same attention, but we are glad to learn that it is at present in suspense. The British Government, through its Foreign Secretary himself, in the Council, and through its
representative on this Committee, has given us once again an assurance that no decision reached will be put into effect without the Mandates Commission having formulated its observations thereon.

We accordingly look upon this question as in suspense, seeing that we have formal assurances to this effect. Apart from that, we must repose the fullest confidence in the Mandates Commission, which, in interpreting and exercising its powers, has always displayed a tact, wisdom and discretion to which it is my pleasure to pay a tribute.

M. François-Poncet (France) [Translation].— I should like very briefly to say with what sympathy we have listened to the statements made by our colleagues from Australia, Great Britain, New Zealand and Italy, and to call attention to the lofty spirit and the conscientious sense of duty which showed throughout those speeches. In particular, I should like to associate myself with the congratulations which Mr. Buxton offered to the Mandates Commission. It is thanks to the Commission's firm support that we have been able to endow Syria with a Constitution, and I would avail myself of this opportunity to express the hope that the peoples of Syria thoroughly understand the value of this reform, which has been granted to them in the full application of the principles set forth in Article 22 of the Covenant. We have been anxious to discharge in full what is described in that article as a sacred trust of civilisation.

I therefore hope that the peoples of Syria will endeavour to extract from this Constitution all the advantages which they can derive from it by loyal co-operation, if they reject extreme counsels and realise that in this matter the Mandates Commission, the mandatory Power and the League of Nations have no aim but to develop their liberties and their material prosperity and to ensure their moral and intellectual progress.

I also fully subscribe to what Mr. Buxton has said regarding the generalisation of the principles of Article 22, which must not be hastened by artificial assimilation, but must develop through the contagion of example and the tendency of good ideas to spread.

Lastly, I would say that I share the satisfaction expressed by the delegate for Italy. We also were delighted by the subsidence of the Palestine disturbances. We were glad both as neighbours, since it was not to our interest that our friends next door should be in difficulties, and also on account of the historical memories that have never ceased to link France to the Holy Places.

M. Koch-Weser (Germany) [Translation].— I heartily join with those of my colleagues who have expressed their satisfaction with the Mandates Commission's work. I also feel that the League and its Members must express their recognition of the responsible and devoted work of the distinguished authorities who make up the Commission.

Of all the problems dealt with since the last Assembly, I would only mention one or two points which seem to me of special interest.

I think it is a very important point that the Mandates Commission has concerned itself with the economic activities of nationals of the States Members of the League in the territories under mandate. The Mandates Commission has had occasion to enquire whether and in what way the principle has been observed that there must be no discrimination in mandated territories between nationals of the States Members of the League as regards their economic activities. It is, I think, necessary that the Commission should continue to pay attention to this problem and see that no differential treatment is established, either by laws or decrees or even in practice by administrative authorities.

In this connection, I welcome the Australian delegate's statement that certain lingering traces of discrimination in connection with immigration into New Guinea have been removed. Furthermore, I am of opinion that, in the interests of the mandated territories themselves, they should, as the Mandates Commission has quite rightly urged, enjoy most-favoured-nation treatment in matters of trade, in the countries to which they are required to grant that treatment under the mandate.

I hope that the countries concerned will recognise these principles, which have been formulated by the Mandates Commission and approved by the Council, in the event of any negotiations with the mandatory Powers. That would be in conformity with the spirit of justice and the equality of rights which, in my view, are at the root of any prosperous economic future.

I am glad to learn that during the Council's recent discussions a satisfactory settlement has been found for the problem of the Palestine disturbances. I feel that every friend of the League must thank the British Secretary of State for Foreign Affairs for making this settlement possible by his statement to the Council.

The fact that the Mandates Commission has gone exhaustively into the delicate problems relating to Palestine must be regarded as highly important, and I hope that the outcome of the discussions in the Mandates Commission and the Council will be to bring about a fair and proper compromise between the interests of the two sections of the Palestine population, and to advance the country towards a more prosperous future.

May I conclude by emphasising one more point? I refer to the closer union between the mandated territory of Tanganyika and the neighbouring British possessions of Kenya and Uganda. This problem has already been considered by last year's Assembly, and the Council has discussed it more than once. I need only refer to the statements made by the late German Minister for Foreign Affairs, Dr. Stresemann, on this question. He pointed out that the mandated territory of Tanganyika must in any event, according to the Covenant of the
League and the mandate, preserve its independent unity. That is what I regard as the decisive principle, and I feel that in any future discussions on the question that principle must be observed in all its aspects.

Mr. TE WATER (South Africa).—I trust that the Committee will allow me to take a very brief part in this discussion. I am not a member of this Committee, and I came here this morning with the intention of taking part in the discussion only if it became necessary. As the representatives of other mandatory Powers have found it necessary, however, to make statements, it would be discourteous, perhaps, on my part if I did not make a short one.

We must ask the members of this Committee not to forget the extreme difficulty of our task as the mandatory Power for German South West Africa. Of all territories under mandate, none, I think, is as difficult to administer as the territory in question, and I have no doubt that the delegate for Germany will support me in that statement. Consider the vastness of this territory. I would liken the distance from north to south to the distance from the Hook of Holland to the place where we are now sitting. Consider the extreme diversity of the native population, for in South West Africa, the indigenous native population consists of Ovambos, Herreros, Hottentots, Bushmen and bastard tribes; native peoples shading from the highest type of native to the lowest. Consider also that the country is periodically subjected to the most intense droughts. At the present moment, South West Africa has suffered from a drought of two years' duration.

If all those factors are considered, and if the further factor of the very small white population which has to bear the burden of taxation is taken into account as well, the members of the Committee will realise, as the members of the Mandates Commission have always realised, the extreme difficulty of our task.

Finally, let me just say this: in spite of the difficulties my Government is determined to fulfil the mandate both in the letter and in the spirit. I would like to say, in conclusion, from my own personal knowledge of the relationship between my Government and the Mandates Commission, that the very happiest understanding now obtains between these two institutions.


The Chairman.—I am sure we have every reason to congratulate ourselves upon the lofty ideals which have been set forth in this debate, and upon the frank and friendly character of the expressions of opinion of the various speakers.

It becomes my duty now to suggest to you a Rapporteur, and I have much pleasure in proposing that M. Hugo Valvanne, delegate of Finland, should undertake the duties of that office. I am convinced that he will give sympathetic and earnest consideration to the views that have been advanced, and that he will suggest to us wise conclusions to be set forth in our report to the Assembly.

11. Slavery.

The Chairman.—We come now to the question of slavery. The discussion is open. (Documents A.17.1930.VI, A.17(a), A.17(b).)
M. SOTTILE (Liberia) [Translation].—I am happy to announce to the Committee something which it may know already—namely, that the Liberian Government ratified the Slavery Convention last year.

I wish again to draw attention to the question I raised last year in connection with a certain section of the Press which is continually attacking my country. Recently, for example, a book was published in London which made a considerable stir. Part of it is devoted to Liberia.

It begins by referring to Madame Roland’s famous remark: “O Liberty, how many crimes are committed in thy name!” The author then proceeds to criticise the statement I made last year, that if there were a few cases of slavery in my country they were due to the fact that there were no railways and few roads.

The author then proceeds to argue as follows: since there are two hundred thousand slaves in Sierra Leone, a British colony, it is obvious that in Liberia, a much more densely-populated country, with two and a half million inhabitants, there must be at least five hundred thousand slaves. That is the style of argument he employs, and I most strongly protest against such assertions.

In the same book it is urged that the Liberian Government ought to back up its statements with an enquiry. As a matter of fact, that is precisely what we did last year; for, as you know, our Government, of its own accord, asked for an international commission to be set up. We were not satisfied with sending documents and letters to the League, because we had heard it suggested that all such papers were open to suspicion.

After all, the authors of such notes and documents are the Governments themselves; I have heard it suggested that in that case they are both judges and parties in the case. My Government, however, was not satisfied with sending documents and reports on the position in Liberia. It did much more than that. In a spirit of absolute loyalty it laid the matter of its own accord before an International Commission of Enquiry. It would doubtless be superfluous to repeat here what most of you will already have learnt from the Secretariat documents, but as some of you may not yet have been able to read them, I may perhaps be allowed to recapitulate briefly the circumstances in connection with the enquiry.

Last year, under instructions from my Government, I myself asked the Council to appoint one member of the International Commission of Enquiry. As Rapporteur the Council appointed Mr. Dalton, the British delegate. At the same time it was kind enough to appoint a member of the Commission, and to vote an allowance for his expenses.

My Government also asked the United States Government to appoint a member of the Commission, and it appointed Professor Johnson. The Liberian Government itself was represented by an ex-President, Sir Arthur Barclay.

The Commission’s proceedings began on April 8th last, and just recently, on September 9th, it concluded its work after five months. Unfortunately, I have to mention here a somewhat peculiar situation. The presidential election campaign is going on in Liberia just now. As Dr. Christy, the member of the Commission appointed by the Council, has observed, the minds of the public are over-excited by this electoral campaign, and that has made the enquiry rather difficult. Certain political parties are trying to use it as a plank in their election platforms. Such a situation clearly makes it much more difficult to arrive at the truth. I must, however, admit that the Commission, with Dr. Christy as its driving force, has done excellent work.

Unfortunately, I have not yet received a copy of the report. My Government has just telegraphed that it received the report from the Chairman of the Commission on September 9th. It is a long report, and it will take some time to type a number of copies; and as the posts from Liberia are very slow, I have not yet seen the report myself, but I hope to be in possession of it before the end of this Assembly.

Certainly, neither the Liberian Government nor myself would dream of relying upon this report to maintain that not a single case of slavery can be found in our country. Indeed, I am sure that the report will establish the existence of cases of slavery or forced labour. But let us, I beg you, be absolutely frank about the matter. Is it only in Liberia that such a position exists? Is it really possible to say that there are no cases of slavery in any other part of Africa? Every day we read statements to the contrary in newspapers and in books which are familiar to all.

Slavery is obviously very much on the decline. There is no doubt that much progress has been made, upon which we may congratulate ourselves; but it would be more than an exaggeration to maintain that the only cases still to be found in Africa are in Liberia. Again I do not propose to quote figures or name any countries; I will simply refer to documents which you can all consult.

With regard to my Government’s action. It has not been limited to uttering formula to the effect that it has taken the necessary steps, that the position has appreciably improved, and so forth. We have gone much farther than that. It is our desire that international public opinion may be informed of what is going on in Liberia, and we do not hesitate to say that we are prepared to follow the advice and recommendations made by us to the Commission in its report, which I personally am most impatiently awaiting.

I should not like to conclude these few remarks without paying a well-deserved tribute and expressing my gratitude to the delegate appointed by the Council of the League. My Government has already telegraphed me instructions to express these sentiments.
I am particularly glad to do so because, when the Council appointed Dr. Christy, I am bound to admit, if you will excuse my frankness, that I felt a little dubious. In the statement I made last year and in my request to the Council I suggested that it was desirable that the delegate appointed should not belong to any Power which has territories in Africa. I admit that the appointment of Dr. Christy, who is of British nationality, caused me some apprehension; but in view of the assurances I received from the Secretary-General himself of Dr. Christy's complete impartiality, and relying upon the great wisdom of the British Government to ensure that its representative would be completely impartial, I myself, overcoming my misgivings, urged my Government, on my own responsibility, to repose entire confidence in the League's delegate. I am glad to-day that I did so, for my Government has instructed me to thank the Council for making this appointment.

I now come to another question. A few days ago I received the memorandum which the British delegation has had circulated to us (Annex 2). It touches upon a question which is not new to us, for we have been familiar with it for several years; the British Government proposes the establishment of a permanent slavery commission and an international slavery office.

I am glad to find the British Government proposing the establishment of these bodies, because that shows the interest it takes in a question most closely affecting the development of civilization. I am the first to associate myself with its views, and to announce my approval of any measures that may offer some hope of the complete eradication of slavery. At the same time, while I am glad that this step has been taken, I feel bound to offer a few observations. I would ask Mr. Buxton whether this commission which it is proposed to set up is to be a supervisory commission or merely a commission to collect information. If it is to be a supervisory commission, I regret that I shall have to object. I could not agree to the establishment of such a commission, and my Government could not accept it. Moreover, I know that I am not alone in this view, which is shared by several delegations represented on this Committee.

If, on the other hand, this proposed commission were to be nothing more than a sort of enquiry office, then its object would be the same as that of the international slavery office which it is also proposed to set up.

I need not dwell upon the reasons for which I object to the establishment of a supervisory commission. If I were the representative of a great Power like Great Britain, whose sovereignty extends over almost a quarter of the globe, I should doubtless feel differently; but I represent a small State which is naturally concerned to maintain its sovereignty and independence.

There is also another reason for my attitude. Hitherto, all questions connected with slavery have been considered by the Mandates Commission, which has dealt with them satisfactorily—I might even say most satisfactorily. Why not leave things as they are? There are many reasons for doing so, and particularly a financial reason. The financial burden of any measures that may offer some hope of the complete eradication of slavery. At the same time, while I am glad that this step has been taken, I feel bound to offer a few observations. If, on the other hand, this proposed commission were to be nothing more than a sort of enquiry office, then its object would be the same as that of the international slavery office which it is also proposed to set up.

If we wish to set up a permanent slavery commission or an international office, it will obviously cost money, and the budget will be still higher. From its present level of thirty-two millions, including supplementary estimates, it will rise next year to thirty-six millions, in two years to forty-eight, in a few more to forty, and so on. Every year the Fourth Committee makes a formal protest against this, in which I join, but in the end it sanctions the new figures submitted. Notwithstanding all the protests and all the fine speeches, the budget is constantly increasing, and with it, little by little, the financial burden shouldered by each State. I am laying stress on this financial question because, although I am glad to say that my Government has paid its contributions up to date, including that for 1930, I do not know whether I shall be able to say as much next year.

There is much more that I should have liked to say, but in view of the lateness of the hour I will confine myself to these few remarks, and I hope that the Chairman will permit me to speak again, if necessary, later in the discussion.

Mr. Buxton (British Empire).—I have listened with great respect to the speech of the delegate for Liberia. I recognise that he has a perfect right at this stage to put forward his views, and that it is important that the Committee should consider them.

I gather that he was not quite sure what the British proposal was; he was not quite sure whether the proposed commission was to be of a supervisory nature or whether it was merely to collect information. On that point I should like to make the position perfectly clear to him. It would not be the duty of the proposed permanent commission to control the territories of any State. The duty of the permanent commission would be to examine communications received on the subject of slavery to make a report to the Council; in other words, it would be a body with absolutely no independent power. It would be, as it were, the servant of the Council, and it would, of course, advise the Council and would act upon the instructions of the Council.

The principal business of the commission would be the collection of information. It would have under it some office or bureau where this information would be collected. This
information, however, would be collected in a confidential manner; it would not be published to the world but carefully examined by the commission. I think that this explanation will probably remove any difficulty that may exist in the mind of the delegate for Liberia. It is not suggested that a commission should be set up with power to control any State whatsoever, whether large or small.

The proposal which the British Government has made has been circulated to the members of this Committee and I think that will enable me to deal very briefly with the subject. I simply wish to record that last year a proposal was made by Lord Cecil on the part of the British Government to appoint or rather to reappoint the Temporary Slavery Commission. This proposal was not found acceptable by this Committee at the time and Lord Cecil, in a spirit of compromise, withdrew his proposal; as an alternative a kind of experiment was suggested whereby the matter should be left in the hands of the Secretariat. The Secretariat was to invite Governments to send information, to keep a watch over the proceedings, and to invite other Governments to adhere to the Convention.

In the opinion of the British Government this experiment has not been altogether successful. In saying that it does not mean to impute any blame whatever to the Secretariat. The Secretariat has done its best under difficult circumstances; but it is not equipped for this particular kind of enquiry; it has not the machinery necessary for dealing with it, in view of the fact that a large and complicated mass of information would be required if it were to be sufficient to be of value, and a specially adapted organ would be necessary to deal with it.

I will not enlarge upon that point, although I am prepared to do so at greater length if the Committee feels that more proof is needed. The amount of information that has been collected is relatively small. The British Government possesses a considerable amount of information but it has not submitted that information because it does not feel that, under the present conditions, it would be of any use to do so. Such information, if submitted, ought to be referred to some body really competent to examine it in an expert manner and with the thoroughness it demands. That is the reason why the British Government has not submitted the material which it has at its disposal, although the Governments of India and of the Sudan have submitted some.

Moreover, apart from the material in the possession of the British Government, and no doubt other Governments, a great deal of material has appeared in the public Press from time to time, and other material also is known to exist, but has not been transmitted for the same reason, I imagine, that the British Government has not transmitted its information—namely, that there is not in existence a body really competent to examine it and to make the best use of it.

The delegate for Liberia referred to the report which has been handed in with regard to conditions in Liberia. May I congratulate the Liberian Government on welcoming the proposal for a Commission and inviting the League itself to co-operate in the work of that Commission by appointing a representative who actually acted as Chairman of it. We shall receive its report which, in itself, will constitute very important information deserving of the most careful, most judicial and most fair-minded examination. It is only one more of the various elements which require examination in this connection.

I will give one further reason, in favour of the proposal that a permanent bureau or organisation (we are not particular about the name of it) should be established. The Committee will remember that there was a Temporary Slavery Commission, that it was presided over very ably by a representative of Belgium, M. Gohr, but that this Commission, owing to the shortness of time and other causes, was unable to present a complete report. The Commission itself stated that it was not in a position to make an accurate report partly because some information had been received too late to consider it and partly for other reasons which are actually stated in its report. As regards some subjects it was suggested that further information was necessary. As regards one subject, that of freed slaves, the creation of a permanent bureau was actually suggested.

It is evident from the report of the Temporary Slavery Commission that it felt that its work was not completed and that there was similar work which was needed to be done by some other body.

That is all I feel I need say at present. The proposal of His Majesty's Government is that a permanent slavery commission should be established; that it should be composed of members serving in an expert and not in a representative capacity and not holding any office which puts them in a position of direct dependence on their Government. In addition, an international office or bureau should be established to collect information and to prepare reports, which reports would be treated as confidential unless and until the commission decided to communicate them to the Government concerned or to give them other publicity. The commission would examine the communications received from Governments in pursuance of Article 7 of the Slavery Convention as well as the confidential reports prepared by the international bureau. The commission would be empowered to invite representatives of Governments to offer explanations, and would report to the Council at regular intervals, or whenever it was requested to do so. It would be a body subordinate to the Council.

The object of this proposed improved machinery is simply to ensure that the terms of the Slavery Convention of 1926 (with the object of which every member of this Committee, I am certain, is in full and complete agreement) may be applied and executed in the very best possible manner.
M. PALACIOS (Spain) [Translation].—Last year I had the honour, as delegate for Spain, to support Lord Cecil's proposal asking the Committee and the Assembly to re-appoint the Temporary Slavery Commission. To-day, I cannot so strongly support the proposal which has just been made by the British delegate.

I must say, nevertheless, that if the Sixth Committee, and subsequently the Assembly, should sanction the establishment of a permanent slavery commission, my Government would agree entirely in principle, subject to the future discussion of the object, powers, composition and nature of the commission.

It seems to me, however, that the proposal for the establishment of such a commission is liable to meet with difficulties here, and we ought perhaps to revert to the tradition of the Sixth Committee, which was as follows.

Last year, I was appointed by the Committee to report to the Assembly on the subject of slavery, and I remember very clearly what happened. Having before it the British Government's proposal, the Sixth Committee adopted a very cautious resolution. It said that it did not for the time being propose to re-appoint the Temporary Slavery Commission, but that other steps would be taken, by the Secretariat, with a view to obtaining some idea of the manner in which the Slavery Convention of 1926 was working.

As the British delegate has just said, the results have hardly been such as the Committee desired. Perhaps, therefore, we might go back to what we said last year. Seeing that we entrusted the Secretariat with a duty which it has performed with its natual diligence and acuity, but without its efforts meeting with success I think we might consider whether the time has not come to hold a third session of the Temporary Slavery Commission.

On the other hand, we are asked to decide as to the establishment of a permanent commission, with an international office, to deal with slavery. If the Sixth Committee agrees with me that for the moment this is impossible, we must consider whether it would be expedient to revert to the British proposal of last year, basing our action on our own report to the Assembly.

In that case, we may perhaps be able to direct the discussion into a channel that would lead either to a third session of the Temporary Slavery Commission or to the taking of other effective measures. The question, in any event, is to find a formula that might bring about a definite result which we all desire—namely, the living reality of the Slavery Convention to which, under the auspices of the League, the principal States have given their adhesion.

M. FRANCOIS-PONCET (France) [Translation].—You will remember that the last Assembly of the League adopted two recommendations. In the first place, it recommended Governments to ratify the Convention of 1926. Secondly, it instructed the Secretary-General to collect all possible information as to the present position in regard to slavery.

Referring to the first of these recommendations, I must inform the Committee that, up to the present time, France has not been able to complete her ratification of the Convention. That does not mean that the Government has failed in its duty of submitting the Convention to Parliament. The position is due to a mere chance. I will explain what the situation is in my country on this matter.

The Convention was submitted to the Chamber of Deputies; it was adopted by the Foreign Affairs Commission of the Chamber, and then by the Chamber itself. It was then referred to the Senate and adopted by the Senate’s Foreign Affairs Commission, and was about to come before the Senate for discussion in plenary session when the French Parliament adjourned a little earlier than was expected.

Thats the reason why the Convention is not yet fully ratified. Three quarters of the path of parliamentary procedure have been covered and I can assure you that immediately on the resumption of business, that is to say, at the beginning of November, the Government of the Republic will take steps to see that the final ratification by the Senate is no longer delayed.

With regard to the second point, we have before us a British proposal for the establishment of a permanent slavery commission. First and foremost, I desire to pay a sincere and unreserved tribute to the intention underlying this British proposal and the aim with which it is made. I regret, however, that I am not in agreement with our British colleague as to the means he recommends for attaining the object we all have in view.

Is this permanent commission indispensable? Would it be useful? I am by no means certain. Reference has been made to the fact that in 1924 and 1925 there was a Temporary Slavery Commission which made an exhaustive enquiry. This yielded a mass of material, which still exists, and is, I imagine, still valid. If, however, a new enquiry is thought necessary, let us revive that Temporary Slavery Commission, as the delegate for Spain has suggested—let us bring it into action again and give it a definite object. What it has achieved in the past is sufficient guarantee that it will be able to do equally valuable work on another subject, if that subject is shown to be urgent.

If not, I fail to see the grounds for the British proposal.

With all due respect to himself and to his country, I would take the liberty of saying to Mr. Buxton that he seems to me to have caught himself up in a contradiction. First of all he says that the system recommended by the Assembly, under which the Secretary-General was to collect information and take action upon it, has proved inefficient—that very little material was sent to the Secretariat, and that it had no machinery for taking action upon it. A few minutes later the British delegate adds that his Government is indeed in possession of a considerable amount of information, but has not sent it to the Secretary-General. That being
so, it is not surprising that the Secretariat has not received much information. The British Government kept its information to itself because it was sure in advance that the Secretariat would not be able to do anything with it.

That, I repeat, is what I would venture to call a contradiction. Either that mass of material ought to have been sent to the Secretariat to see what the latter could do with it, or else the Secretariat cannot be blamed for having received too little information and not having taken action upon it. That would represent a judgment on the Secretariat’s possibilities of action which the Secretariat can hardly be said to deserve, if it has not been given a chance of showing what it can do.

Moreover, it seems to me that if we take the line suggested by the British delegate, we cannot evade a choice between two possibilities. Either, as Mr. Buxton said in reply to the Liberian delegate, the permanent commission also will collect information and communicate it to the Council—confidentially, or at all events without publicity—in which case it will be doing no more than the Secretariat of the League, I will not say already is doing, but could do; or, at all events the commission would be doing what, at present, there is no evidence that the Secretariat is not capable of doing. Or else the commission will go further, and grave fundamental objections and objections of principle will arise, which are by no means new, which have lost none of their force and which are, in fact, those that have caused the establishment of a permanent commission to be regularly vetoed up to now.

In the first place, a permanent slavery commission is not mentioned in the Treaty. The Permanent Mandates Commission was expressly provided for in the Treaty, which is perfectly natural, because the mandatory Powers are not sovereign in the territory entrusted to their mandate. Indeed, it is a matter for the ingenuity of lawyers to decide who is sovereign in the mandated territory.

In any case, it is clear that the mandatory Powers hold their mandates from the League, and it is therefore reasonable that they should render account of the mandates to the source from which they are derived. The Treaty is perfectly logical and can give rise to no objection on this point.

With regard to the abolition of slavery, however, the position is different; how can the powers of this proposed commission be defined? You must remember that the signatories of the Convention of 1926 undertook to furnish special information; you must remind them of that, and you must repeat to them that the more striking and disturbing that information may be, the more it is their duty to send it to the Secretariat. But the signatories of the Treaty did not undertake to appear and reply to an interrogation on the subject of slavery, as they did in the case of mandates, because, as I have already said, the legal position is entirely different.

I am afraid that if the British suggestion were followed, the permanent commission would not do much more than has already been done, or that conflicts would speedily develop with the sovereignty of States which are doing their best to abolish slavery and which will not readily endure any suspicion of being unable to do, or incapable of doing, the whole of their duty.

In short, I do not think that the establishment of a permanent commission is essential, and I do think it is premature, because the experiment recommended by the Assembly has not yielded the results for which we hoped—and we have heard why. I believe that this new arrangement would meet with the same difficulties as the old one.

Many countries will be apprehensive that it may set up a precedent, and that, even in the reassuring and attenuated form in which the British delegation has put it forward, it may be used for improper purposes.

It is indeed easy to anticipate that this institution may be cited as a precedent for the establishment of a permanent minorities commission; and we have lately seen what serious objections and what strong opposition the idea of a permanent minorities commission encounters.

That is one of the reasons why the British proposal will find many opponents, and it is why, to my regret, I cannot support the British delegate’s suggestion. At the same time, I should not like him to conclude from the French delegation’s attitude that we do not want to do anything. I think, however, that there are much more limited and more practical measures that might be of use to us, and that concerted action on the spot by the Powers having interests in regions where slavery still exists—such action being limited to the centres in which slavery is to be stamped out—would be much more effective.

We noticed that while a French guard-ship was stationed off the Somali coast the slave-traders were infinitely more cautious than they used to be, and indeed entirely ceased to operate. Unfortunately, after a time, the guard-ship was transferred elsewhere.

If the Powers concerned would agree upon concerted action for the local supervision of territorial waters, and for the supervision of the coasts by camel troops, results would be obtained much more speedily than through a commission sitting at Geneva, remote from the centres of slavery, and invested with powers which would necessarily be vague, because in defining them the difficulties I have referred to would be encountered.

It is for these reasons, once more, that the French delegation does not see its way to support the British proposal.

The continuation of the discussion was adjourned to a later meeting.
SIXTH MEETING.

Held on Wednesday, September 24th, 1930, at 9.30 a.m.

Chairman: Sir Robert Borden (Canada).


The CHAIRMAN [Translation].—The next item on the agenda is the discussion of the report of the Sub-Committee on the refugee question. M. François-Poncet, Rapporteur, will address the Committee.

M. FRANÇOIS-PONCET (France) (Rapporteur) [Translation].—I must ask the Committee to excuse its Sub-Committee for having taken so long to produce the report we are laying before it to-day. It is not that the Sub-Committee has been lacking in diligence; but we had entered upon conversations and negotiations and asked questions to which, as you will see when I read the report, we did not get replies until yesterday.

The main point that concerned us was to find a distinguished person who would be prepared to take up the legacy, so to speak, of Dr. Nansen, and frame with adequate authority the draft statute of the future International Refugees Office, and who would be willing to become Director of the Office in due course.

We thought of M. Max Huber. There is no need for me to tell you who M. Huber is. You are aware of the prestige and credit which he enjoys and has earned by his exceptional services. M. Huber is one of the most distinguished lawyers in the world, and is President of the International Red Cross. Those were sufficient qualifications for our selection. We had to press him very strongly before he would agree to take on this work. He had resigned his office as judge at The Hague in order to regain his freedom, and we were asking him to give up that freedom again—were asking him to make a sacrifice. M. Huber did not hesitate to do so, and I am sure that the entire Committee will allow me to offer him the thanks we owe him for generously and cordially agreeing to assist us in this work. It is a work of the highest importance, because it means not permitting an effort which does honour to the League and is bound up with the memory of Dr. Nansen to lose its force and efficacy.

It is for these reasons that the Sub-Committee has taken some time to produce its report, which is now before you (Annex 3) and which might be taken as the basis for the Committee's report to the Assembly.

Mlle. FORCHHAMMER (Denmark).—I should like to express what I think is the general opinion of this Committee, that the report which has been drawn up by the Sub-Committee is a most interesting and excellent one. I should especially like to congratulate the Sub-Committee on having succeeded in prevailing upon M. Max Huber to become the Chairman of this new Office. I think that it would be impossible to find anybody whose prestige is of the same high rank as that of M. Huber, and whose name, which is also connected with the International Red Cross, gives especial prestige to the organisation over which he has undertaken to preside. May I suggest that we approve the report of the Sub-Committee, thanking it for the work it has done?

The Committee adopted the Sub-Committee's report and decided that it should become the Committee's report to the Assembly.

The CHAIRMAN [Translation].—I am sure that on behalf of the Committee I may express our thanks to M. François-Poncet for his great service in preparing so excellent a report as the one which has just been adopted with such general consent—and also, of course, to the Sub-Committee which assisted him in this work, which has been so excellently performed.

I feel, in addition, that I may express our most grateful appreciation and thanks—which have already been voiced—to M. Max Huber for his disinterested and unselfish service in undertaking the task which will now devolve upon him. We have supreme confidence that the task will be discharged in a manner which will be acceptable to all, and that the services which he will thus render to the League, and particularly to the cause of the refugees, will be all that can be desired.

I suggest that M. François-Poncet should act as Rapporteur to the Assembly for this subject.

Agreed.

13. Slavery (continuation).

M. SOTTILE (Liberia) [Translation].—I must thank the British delegate for the explanation he gave yesterday in connection with his two proposals regarding slavery. I would remind you that his Government has already twice brought forward proposals regarding this matter which should earn it the gratitude of the whole world.

The first of these related to the Slavery Convention, which was due to Lord Cecil's action in 1926. In 1927, again, the other proposal for the abolition of forced labour proceeded from London.
The International Labour Office was concerned with this latter problem in 1929; it drew up a questionnaire, which we discussed at the International Labour Conference in the same year, and in June 1930 a Convention was concluded for the abolition of forced labour, except, of course, for works of public utility.

These two Conventions were signed with enthusiasm, and indeed most Governments have ratified the Slavery Convention. The British Government observed, however, that the application of the Convention was unsatisfactory and that the information and reports received at Geneva were not wholly reliable. At the same time, we learned that slavery still existed in Africa.

I therefore share the feeling of the British Government; I agree that the situation cannot be allowed to continue, and that we must consider introducing fresh measures to bring the Convention of 1926 effectively into force.

The information we receive is of a unilateral character, because, like the reports on mandates, it comes from the Governments concerned, which are both judges and parties in the cause.

In a burst of generosity and humanitarian feeling, the British Government accordingly proposed last year that a Temporary Slavery Commission should be set up, and Lord Cecil made every effort to induce the Committee to accept the principle of such an institution. The Committee considered his generous proposal but was unable to agree to it.

This year the British delegation is going farther: it is proposing the establishment, not of a Temporary but of a Permanent Slavery Commission, and of an International Slavery Office.

The British delegate explained to us yesterday the aim, the objects, the essential principles of these two organisations, but I am bound to say that he did not convince me. While I share the apprehensions he expressed, I am forced to recognise that in the last resort the two organisations in question will have to exercise an effective control over everything that goes on in Africa. For instance, in a passage in the memorandum that was circulated to us (Annex 2) we see that the proposed Commission will have the right to conduct enquiries on the spot. That involves an intrusion into the domestic policy of the States concerned.

I deeply regret my inability to accept such a proposal, but, quite honestly and frankly, I cannot subscribe to it, and I hope that all the delegates here will agree with me. My Government will never consent to the establishment of a Permanent Slavery Commission or of an International Slavery Office, on whatever grounds they may be advocated.

We are told that it will only be a question of giving information; but in that case we are merely marking time, because we already have all the information we need from the Mandates Section, whose work has been highly satisfactory. I do not see, therefore, why the British proposal should lead to any better results.

I myself, however, will make a proposal, because I share the British Government’s apprehension. Since we cannot, without interfering with the domestic policy and sovereignty of States, agree to the establishment of the two organisations in question—which would in any case involve expenditure that we could not undertake—I will ask the Committee to recommend the various Governments to consider the possibility of referring the matter to an International Commission of Enquiry.

The Liberian Government had the courage to take the initiative in this respect, although it knew that forced labour and slavery still existed in certain parts of its territory.

All I ask of the other Governments is to do the same—to refer the question to an International Commission of Enquiry. I shall accordingly submit to the Committee a draft resolution (Annex 4) which appears to me to safeguard completely the independence and sovereignty of States, and at the same time to bring about what we desire—the eradication of the evil with which we are here concerned. It seems to me that this is a compromise that the Committee can accept.

I should like now to correct a mistake that I made yesterday, when I said that the work of the Mandates Commission in regard to reports and information concerning slavery had been entirely satisfactory. I meant the Mandates Section, and I should like this correction to be shown in the records.

Counl DE PENHA GARCIA (Portugal) [Translation].—We have before us in this discussion three sets of documents—first the Council’s report on slavery, then a memorandum from the British delegation on the same subject, and lastly, the Liberian delegate’s draft resolution, which has just been circulated.

We have already talked a good deal about slavery here; we have talked about the British memorandum, but we have perhaps forgotten the main subject of our meeting, which is the Council’s report. Yet it is deserving of great attention. For all who are interested in this matter of slavery it is pleasant to learn that this year the Council’s report is particularly satisfactory.

Mention is made in the report of two sets of documents which have been distributed under Nos. A.13 and following and A.17 and following. The first of these sets of documents comprises a declaration by the Persian Government that slavery has been completely abolished in Persia—which is something to be going on with. But there is something better than that; we have a declaration by the Government of India to the effect that it has been possible to abolish the slave trade in that country, which shows that the position is improving considerably. Lastly, we have a declaration by the Abyssinian Government stating that 436 slaves have been freed, and, what is much more important, that the Emperor of Abyssinia
has stated that he has at heart the extinction of that slavery which might still exist as the
remains of a still recent social condition.

These three declarations in themselves would be sufficient cause for satisfaction with the
system we have hitherto been applying. I might add that if we had received from the British
Government certain material in its possession we might have found among that material the
statement that slavery was abolished by law in Transjordan last year.

These are genuine successes which must be taken into account and for which thanks are
due to the countries that have made the necessary effort to respond to our appeal.

The second set of documents referred to in the Council's report is also deserving of our
attention. Last year, in order to stimulate the movement in favour of the abolition of slavery
in the happily few areas in which it still exists, we asked the Secretariat to appeal to those
Governments which had not yet ratified the Convention to do so. We also asked the
Secretariat to request all the Governments to send it all relevant information, not only
regarding the laws and regulations enacted, but also concerning any other facts of which they
might have knowledge either through official reports or from private sources for which they
would take the responsibility.

Here again the procedure employed worked admirably, since we note to-day eleven
further ratifications—promised or actually deposited—from States which had not troubled
to ratify the Slavery Convention quickly because it was of no great importance to them, as
there was no slavery in their territories.

As regards the manner in which Governments have responded to the Secretariat's appeal
for information concerning any acts of slavery that may unhappily still occur, I find that
thirty-four replies have been received. Since none of us has the right to assume that any
Government did not reply honestly, we are obliged to admit that the thirty-four replies are
satisfactory. Three of them are particularly worthy of notice for various reasons; I refer
to those from Belgium, India and Liberia. These replies show that the Convention of 1926
is having an effect which justifies us in being hopeful.

It is of course possible—since we unfortunately do not live in a perfect world—that in
certain areas slavery may still exist, though only in very mitigated forms. Indeed, the British
delegation itself tells us so in its memorandum. There can unhappily be no doubt that in
certain regions traces of slavery may still be found, though it is no longer the slavery of former
times and only remotely resembles it.

In connection with this question there are two things to be considered. First of all,
there is slavery in itself, which is of course deplorable, not only as a legal fact but as a social
phenomenon. As a legal fact it may be said to have almost totally disappeared, but as a
social phenomenon this is unluckily not yet the case. There is also something worse than
slavery, and that is the slave trade. This trade has now been stamped out almost everywhere,
but I fully understand the feeling of our English friends, who combine a noble ideal and a keen
sense of realities in their desire to extirpate completely this scourge of humanity.

I share the feelings which inspired the British delegation's memorandum; but I think
that it calls for a few comments on our part.

Last year the British delegation asked us to consider whether it was not necessary to
revive the old Slavery Commission. You will no doubt remember that our Committee
discussed this problem thoroughly and finally came to the conclusion that it was not necessary.
A decisive argument was advanced, and it was this. In everybody's opinion, particularly
that of the British delegates, and more especially of Lord Cecil, the Commission had more or
less completely exhausted the subject. What had been the outcome of its magnificent work?
A Convention. Could it legitimately be supposed that a Convention which had been drawn
up so competently and with such care could have become inoperative after two or three years?
Such a decision would condemn without hope the system of Committees.

We were able, however, to satisfy the British delegation by asking the Governments for
information. This procedure yielded excellent results, as I have shown.

I share the British delegation's anxiety to eradicate slavery as quickly as possible. At
the same time, I am bound to say that its memorandum contains a certain inconsistency,
ot only with what happened last year, but with the actual facts. Just because we see that
the Convention of 1926 has been applied in a remarkably satisfactory way this year, are we
to discourage the countries which have made such efforts by casting a kind of suspicion on
their intentions? And what would be more serious—now that, after asking for ratifications
of the Convention of 1926, we have obtained eleven—are we to make far-reaching changes in
the Convention? It seems to me that these considerations should make us think. I feel
that, if it took this line when there have been no new events to justify a change of attitude,
the Committee would be displaying inconsistency. What would be thought of such a change
of attitude without any valid reason? I am sorry, therefore, that I cannot agree with our
British colleagues on this point.

From the legal point of view, I might also say that the present proposal would not concord
very well with the Convention of 1926, for we should be setting up a quite extraordinary
commission, whose mission would perhaps be a little imprudent, to say no more than that.
There is also a consideration of a different nature that I should like to put before the Committee. We have already too much machinery in the League; are we going to set up some more? It is obvious that our doing so might raise another question which it is always dangerous to touch in the League—that of the sovereignty of States. This is extremely delicate ground, and there might be some difficulty in defining the field of operations of the Commission, seeing that it was hard enough to avoid such difficulties in the case of the old Commission, notwithstanding all the fact that it displayed.

A final question, perhaps of less importance, but still requiring consideration, is the question of finance. The League's budget is growing year by year. Is it really desirable to burden it still more, even by only a few hundred thousand francs, in order to set up a new piece of machinery which does not really seem so very necessary? That is another consideration we must bear in mind.

There is yet one more, which in my view carries a certain weight. We should be unfair to the Secretariat if we allowed it to be supposed that it is not adequate to supervise the enforcement of the Convention of 1926, and even that, if its duties were slightly enlarged, it would not be entirely capable of discharging them. My own view is that it has on every occasion given evidence to the contrary.

I come now to the last document—the Liberian delegate's proposal. I do not feel that this proposal is really absolutely necessary, because it would merely amount to saying to every Government: "You are free to do this; will you do it?"

It seems useless to ask all States this question. In actual fact, slavery only exists in a small number of regions which were clearly indicated in the report of the old Slavery Commission. It represents the remains of social and backward conditions which are to be condemned. The only effective method of causing slavery to disappear—and this the Commission itself said—is to deal with the slave trade. It would be sufficient, and this possibility is provided for in the Convention, for three or four States to come to an agreement for the control of maritime and land transport. In my view, this would be a far better method than the Convention which it has been proposed to set up at Geneva. Such a Commission could not add anything to the conclusions of the report of the Slavery Commission, which marked the close of the life of that Commission and served as a basis of the 1926 Convention. A Commission such as the one proposed would be yet another organ to call forth just criticisms of the methods adopted by the League and, which would be still more serious, would be prejudicial to the procedure set up under the 1926 Convention.

Negadras Makonnen (Abyssinia) [Translation].—The Abyssinian delegation has read with the greatest care and interest the memorandum communicated to it by the British Government. It entirely shares the general sentiments by which that memorandum is inspired. At the same time, the proposed new arrangement does not seem likely to make it easier to enforce the Slavery Conventions.

The Imperial Government has strictly enforced the edicts it has proclaimed in pursuance of its international obligations. It has also sent numerous documents to the Secretariat. Our revered Emperor will continue to pursue this great work of civilisation with the utmost firmness, but he can only do so in the exercise of his full sovereignty, and without any interference within his frontiers.

From this point of view, moreover, the French delegation's excellent suggestion that Governments on friendly and neighbourly terms should institute in concert measures of supervision in order to put down smuggling cannot but produce the best possible results.

Accordingly, the Abyssinian delegation regrets that it cannot accept the arrangements for permanent enquiry and control to which reference is made in the memorandum, but is entirely ready to agree to the French suggestion, which in practice answers completely to the generous ideas of the British delegation.


The Chairman [Translation].—In order to expedite our work, I propose that we should temporarily interrupt the discussion on slavery to examine M. Motta's report (Annex B) on the question of minorities, which, for reasons known to you all, should be dealt with as soon as possible.

This proposal was adopted.

M. Motta (Switzerland) [Rapporteur] [Translation].—I must ask the Committee's indulgence. In drawing up my report I have been guided by the desire to be as impartial as possible, and to give as accurate as possible a summary of the discussions that have taken place in the Sixth Committee on the important problem of minorities. In view of the nature of those discussions, the task was a difficult and delicate one.

As soon as I had the honour to be entrusted with this work, I made it my strict duty to keep in contact with all the delegations which appeared to take a special interest in the question. I may say that agreement has now been reached among those delegations, and I should be delighted if my report could be accepted unanimously by the Sixth Committee without any concession or sacrifice on the part of any delegation.

M. Beneš (Czechoslovakia) [Translation].—I should have liked to suggest a few alterations in the report, but I think we are all agreed that our distinguished Rapporteur has had a terribly difficult task, and has been obliged to make great effort and display a high degree

---

1 The discussion was continued later in the meeting.
of ingenuity to find formulæ that would satisfy the various delegations. Consequently, all we can do is to express our appreciation of his work, and I shall not propose any change in the text of the report.

There is, however, one thing I should like to say in connection with the following sentence in the report: "All agreed that the Council should continue to take . . . action . . . under the procedure in force". This sentence might be misconstrued.

I wish to say, therefore, that the Czechoslovak delegation treated the Madrid procedure before the Council with all reserve, and kept open, by a letter to the Secretariat, the possibility of going to the Court on the subject of procedure in general. Since 1921 Czechoslovakia has always expressly made reservations from the legal standpoint in the matter of procedure under the minority treaties. I do so once more by this declaration, as I do not wish in any way to prejudice the question in case the Permanent Court of International Justice should be asked for an opinion.

I accept the draft report, therefore, provided that it is clearly understood that my acceptance is in no sense to be interpreted as implying an acceptance of anything in the matter of the protection of minorities which until now has not been expressly accepted by Czechoslovakia.

I would ask the Chairman to be so kind as to have my statement reproduced in the record of the meeting.

Count Bonin-Longare (Italy) [Translation].—I also wish to congratulate M. Motta on the way in which he has surmounted the difficulties that confronted him as Rapporteur on the question discussed in the Sixth Committee—difficulties which everybody pointed out to him when the task he has kindly undertaken was, with deserved unanimity, entrusted to him. I shall therefore not propose any change in the report.

I have only one remark to make, and in making it I am inspired by that spirit of sincerity which permeated our discussion and which, I think, was one of the secrets of the courteous and conciliatory atmosphere maintained throughout.

My observation relates to the paragraph touching upon the very delicate question of the extension to all countries of the obligations entailed by what are commonly called the minority treaties, and particularly to the end of that paragraph.

It is correct that numerous references were made to this idea. Delegations asked other delegations whether they would agree on behalf of their Governments to submit to the same extension to all countries of the obligations entailed by what are commonly called the minority treaties, and particularly to the end of that paragraph.

It is correct that numerous references were made to this idea. Delegations asked other delegations whether they would agree on behalf of their Governments to submit to the same extension to all countries of the obligations entailed by what are commonly called the minority treaties, and particularly to the end of that paragraph.

If this is how he sees the matter I cannot wholly agree with him, for I consider that what has been done by previous speakers to the exquisite tact with which M. Motta has acquitted himself of such a delicate and difficult task. He has displayed complete impartiality and objectivity, and has thus once more rendered a service to the League.

As, however, the legal position taken up in this matter by Yugoslavia is identical with that adopted by Czechoslovakia and explained just now by the first delegate of that country, M. Beneš, I desire to say that I associate myself entirely with the Czechoslovak delegate's statement, and I wish this to be explicitly mentioned in the record of to-day's meeting.

M. Zaleski (Poland) [Translation].—I also wish to thank M. Motta, and I accept the report, while associating myself with M. Beneš's statement and pointing out that acceptance cannot involve any fresh commitment on the part of the Polish Government.

Count Apponyi (Hungary) [Translation].—I entirely associate myself with the tribute paid by previous speakers to the exquisite tact with which M. Motta has acquitted himself of his difficult task. The Rapporteur has concisely set out the various views expressed here, with an impartiality which leaves nothing to be desired. None the less, as several delegations have found it necessary to ask for a statement in the record to the effect that they maintained their attitudes, I am bound to do the same in order to restore the balance. I desire to have it stated in the record that I stand by all the legal principles that I set forth during the discussion.

M. Mironesco (Roumania) [Translation].—M. Motta's task was a particularly difficult one, and we must all congratulate him on the way in which he has carried it out. His report, however, seems to me to give the general idea that, as regards the application of the minority treaties, we have to deal with a process of evolution which must continue to its appointed end. If this is how he sees the matter I cannot wholly agree with him, for I consider that what has
I therefore associate myself with the remarks of the Foreign Minister of Czechoslovakia in saying that the conclusions of the report and the discussions that have taken place in the Committee cannot contain the germ of any new commitment or new obligation for the countries that have signed minority treaties.

The obligations in those treaties were designed to prevent conflicts, to maintain good relations, to reduce the difficulties which arise in countries that have minorities; and these measures, which are intended to prevent conflicts, must not be transformed into a system of agitation which might give rise to difficulties and sow the seed of disruption in certain countries.

M. Quiñones de León (Spain) [Translation].—I also congratulate M. Motta on his impartial report, but I do not entirely agree with him in regard to the paragraph mentioned by Count Bonin-Longare. I accordingly support the Italian delegate's observations, which I wish to put in concrete form by asking for the deletion of the phrase in question. The League has never approved, in any conclusive way, any such possibility, as was clearly shown in 1923.

I therefore ask for the deletion of the words in question.

The Chairman [Translation].—If I understand him rightly, M. Quiñones de León is not asking for an alteration in the report, but wishes his statement to appear in the record.

M. Quiñones de León (Spain) [Translation].—I asked for the deletion of a phrase, but it is for the Committee to decide.

M. Motta (Switzerland) [Rapporteur] [Translation].—I must thank the various speakers for their kind words about my report. My task certainly was a somewhat delicate one, and I have endeavoured to perform it conscientiously. I should like to reassure M. Beneš, M. Potlitch, M. Zaleski, Count Apponyi and M. Mironesco as to the fact that their acceptance of the report, and their voting in favour of it, cannot in any way alter the legal position of the States concerned or the legal principles that have been laid down during the debate. If the voting of a report had the tremendous effect of changing the legal position, it would be more than a report, more than a draft resolution—it would be a new treaty, which is impossible.

With regard to the remarks of Count Bonin-Longare and M. Quiñones de León, I note that Count Bonin-Longare did not ask for an alteration in the report. In associating himself with a request for a deletion that was never made, M. Quiñones de León is supporting a proposal that was never put forward. He is, of course, entitled to make this proposal on his own account, but I do not think it is necessary.

I have said quite definitely in my report that I do not offer any opinion on the view that the system of protection for minorities should be extended to States which have not given any undertaking, for the sentiments of the members of the Committee have proved to be entirely at variance. I further strengthened this idea, which is more than a nuance, by adding at the end of the paragraph the following words:

"Even in the absence of any legal undertaking, this spirit is gradually extending both to States which have undertaken treaty obligations and to those which have not."

There is therefore no question of law involved. The law remains as it was; it is not altered, but expression is given to what I may almost call a common-place—namely, that even in regard to this problem, public opinion finds its most dignified and lofty expression in the League of Nations. There is nothing more than that in the report, and I think M. Quiñones de León can vote for it without prejudicing his country's case.

M. Quiñones de León (Spain) [Translation].—I must thank my good friend for his explanations. I knew quite well that I was going a little farther than Count Bonin-Longare when I asked for the phrase in question to be deleted. After what M. Motta has said, however, while I would point out that a report necessarily represents the opinion of a Committee, I will withdraw my motion for the deletion of the phrase.

Dr. Curtius (Germany) [Translation].—I should like first of all to express my satisfaction at the statement we have just heard from the Spanish delegate. If demands for amendments to the report had been made the German delegation would have been obliged to consider whether it also should ask for certain changes.

I heartily join in the expressions of thanks addressed to the Rapporteur for his work. His report is permeated by the noble spirit that reigns in this country—the spirit which aims at reconciling the exigencies of territorial sovereignty with the needs of the cultural life of races, and at the same time seeks to reconcile the nationalities themselves.

I thought that after the various conversations that took place between the Rapporteur and the delegations concerned we should be able to accept the report without a second full discussion. As, however, various delegations have found it necessary to make reservations on points of law, I must associate myself with what Count Apponyi has said, and must also make a reservation on behalf of the German delegation, to the effect that the legal position is perfectly clear. On that point I am wholly in agreement with the Rapporteur, who said that the legal position could not in any way be changed in consequence of his report. If, on the
other hand, we had to accept the terms employed by the delegate of Roumania, who holds
that the conclusions of M. Motta's report constitute the maximum that can be contemplated
and done in regard to the minority question, I should be very sorry indeed.
I would remind you that we were forced to take the Madrid decisions in order to adapt
ourselves to the development of the question of minorities. The evolution of that question
is not at an end, however, and we cannot say to-day that we may not be obliged in the future
to adapt ourselves again to its new developments. For that reason I wish to say on behalf
of the German delegation that we do not regard the evolution of the question as completed,
and that we must always be ready to adapt ourselves to that evolution so that the League
may fulfil its duty to minorities.

M. Briand (France) [Translation].—Do not be alarmed, gentlemen; I am not rising to
throw a note of discord into the concert of well-deserved approval and eulogy that has greeted
our distinguished Rapporteur. When I foresaw at an earlier meeting that he would find in
the vast resources of his intellect means to acquit himself honourably of the difficult, delicate
and complicated task entrusted to him by our friendship, I knew that I was a good prophet,
but I am bound to say that the results have exceeded my expectations.
M. Motta's report is a miracle of equilibrium among the numerous divergent opinions
to which he had to listen. It is easy for us to approve the report, subject to certain quite
natural reservations that have been made, because it does not offer the Assembly a resolution
or an opinion; it offers the result of a long discussion—that is to say, a collection of informa-
tion as to the views of the members of this Committee—which should give the Assembly an
accurate idea of the position.
If I had a desire to express, it would be a little different from that of Dr. Curtius. It
would be that we may not have to reopen a debate of this nature, because I think that such a
debate would resuscitate divergent opinions between which it would be difficult to arbitrate
decisively, and that once again the Assembly would receive, in an excellent report, information
intended for its guidance, but information on which it would be unable to come to any definite
decision.
There is a paragraph in M. Motta's report which provides the reason for my intervention.
I accept the report as it stands; I endorse it, and I do not ask for any alterations. I merely
wish to offer one or two explanations in order to avoid any possible ambiguity. When we
have to apply a procedure and a body of practice to a delicate question like that of minorities
in the form it takes as the result of treaty obligations, you will realise that, even then, our task
is by no means an easy one; but when the problem is enlarged, when we have to consider the
whole scope of the minority question, then I may say that it becomes insoluble and indeed
dangerous.
The Rapporteur has made use of the word " view " as applied to certain considerations
that have been put before us here. That is not quite the right word. In reality, it was a
" hypothesis " that was advanced, which is a very different thing. Some of our colleagues
said: " If the question were put on a general basis, our position would be different, and our
amour-propre would not be so deeply involved " . That means to say that the distress you
suffer is diminished in proportion to the number of people who share it. But that does not
mean that this hypothesis can become a reality.
In short, a note of interrogation has been struck. I quite understand, and, had I been
in the place of those of our colleagues who struck it, I should probably have done the same.
But, if I may say so, I am not on the same side of the fence, and so perhaps you will allow me
to clear up the point a little.
If the minority question, taken as a whole, were to be put, not as a hypothesis but as a
thesis, I am bound to say that, as representing my Government and my country on a Committee
in which such a question was put, I should at once raise the previous question, because in
my view neither the League nor its organs can take upon themselves to deal with this problem.
The League cannot undertake such a problem unless there are treaty obligations at the
root of it. That is not the case as regards the minority question taken as a whole. Moreover,
the question as a whole has never been discussed by anybody. If it is to be discussed, there
must be conventions—there must be a complete change in the international law established
by the existing treaties.
It must be clearly understood, however, that this problem does not arise. After an
exchange of views with our colleague, M. Motta, I was pleased to hear him admit the
correctness of this view—so much so that he agreed to insert in his report a phrase which
covers my opinion: " In the absence of any legal undertaking ".
Regarding the moral aspect of the question, I must admit that these discussions on
minorities and their rights are calculated to call the attention of all countries to situations
which are always delicate and deserve all respect. I must say that my own country did not
wait for a moral atmosphere like that of the League to come into being before rendering
justice to those to whom justice was due, and it is determined to continue to do so.
I must apologise for having made these remarks—though, at the same time, I think
they were necessary—and I will conclude by saying that I sincerely hope the problem will not
be raised again in general terms. If it were so put, I should raise the previous question with
no uncertain voice on behalf of France, and I should like this statement to be shown in the
record.
Mr. Buxton (British Empire).—I accept the report of M. Motta. I intended to stop with
those words, but I feel it necessary to say that I am just a little surprised at the large number
of reservations which have been made to this report. Does this mean that those of us who do not make any reservations are bound in some mysterious way, although we do not agree with every word in the Rapporteur's report? Does it mean that we are entering into some mysterious obligations merely because we do not make these elaborate reservations?

If this is so, I for my part wish to declare that I do not agree with every word of the very able report of M. Motta. On the contrary, I have made great sacrifices in accepting some parts of it. I might have made a long speech explaining which are the phrases in the report with which I do not agree. I might have given a wide response but the dissatisfaction to some of my friends by explaining wherein lay my disagreement. I do not propose, however, to say one single word on this subject. There are many other delegates who are in the same position as I am, and I wish to offer my thanks, congratulations and sympathy to all those of my colleagues who have not made any reservations to this report.

M. Bouroff (Bulgaria) [Translation].—I must associate myself with the previous speakers in offering M. Motta my heartiest thanks for the admirable, generous and impartial manner in which he has acquitted himself of a very difficult task.

I highly appreciate the value of his report, and, especially after his last statement, I shall not make any reservation. I regard his report as marking a new and valuable advance in the development of the League's action in regard to the problem of minorities.

M. Beratti (Albania) [Translation].—It is embarrassing for the representative of a small State to speak immediately after the delegates of the Great Powers, in order to express an opinion which is somewhat different from theirs. I am, however, obliged to make one observation.

In the first place, I associate myself very sincerely with the congratulations and thanks which have been addressed here to M. Motta for the conciliatory spirit and cleverness he has shown in merging the various opinions which have been expressed during our discussions. I note, however, that no reference has been made in the report to the results of the procedure and to the protection of minorities in general. I wish to point out that several speakers and, in particular, the British delegate, have recognised that there is discontent among the minorities, discontent which is dangerous to peace, and have made an appeal for the loyal execution of the treaties in order to remove this danger. I wish therefore to suggest that a few words should be added at the end of the first sentence of paragraph 2 of the report, somewhat as follows:

"... and reference was made to the discontent still existing among the minorities."

With regard to the reservations that have been formulated concerning any changes in the present procedure that may be made in the future, the Albanian Government, which, like other States that have signed minority treaties, is bound by a Declaration in favour of minorities, will nevertheless raise no objection to any improvements which the Council or Assembly, in conformity with the Covenant and the treaties, might find it useful to adopt, for these organs of the League would always be inspired by a desire to consolidate peace and promote understanding between the nations.

M. Yoshizawa (Japan) [Translation].—I am happy to join in the congratulations that have been offered to the Rapporteur for his excellent work, and to say that the Japanese delegation entirely approves the report and is glad that no serious change in the text has been proposed.

Count Apponyi (Hungary) [Translation].—I must apologise for speaking again, but I should like to clear up a misunderstanding for which I am perhaps responsible.

When making his reservations, M. Briand referred to certain speakers who had hinted at the possibility of discussions on the problem of minorities in its widest scope. He added that, if any attempt were made in that direction, he, on behalf of France, would oppose it. He will not need to do so. I drew a distinction between the very limited scope of our present discussions—which, after all, are only concerned with the expediency of making changes in the Madrid procedure—and the possibility of a discussion on the general way in which the minority treaties are observed by the countries concerned, within the limits of the treaties, because the League is not competent to go farther than that.

What has the League undertaken to guarantee? Not a minority policy answering to certain liberal ideas which may vary within a wide range but the execution of the treaties as they stand. Even by way of interpretation, the League cannot go farther than to enforce the execution of the minority treaties as they stand. I should myself be the first to object to any extension of the League's powers, unless it were preceded by protracted negotiations between Governments.

I may not have expressed myself very clearly, but both in principle and in practice I am absolutely in agreement with what M. Briand said. I wish to place this on record because I do not want to appear as more of a thunder-cloud than I am bound, by the nature of things and by my position, to be.

M. Melas (Greece) [Translation].—On behalf of the Greek delegation I feel it my duty to join in the unanimous expression of approval of the wise and judicious manner in which the Rapporteur has acquitted himself of his burdensome and delicate task.

I should like to repeat what the Rapporteur has already pointed out—that the debate in this Committee has not brought to light any necessity for interfering with the present position in regard to minorities.
In this spirit I desire to associate myself with the observations made to-day on this subject by the delegates of certain countries, in particular, Czechoslovakia, Poland and others.

Greece does not mean by that to claim that the provisions of the minority treaties which she has signed do not constitute a real obligation. My Government does in fact consider them as such and has always loyally and strictly respected them without ever departing from this principle in its attitude towards the minorities within its territory.

M. Motta (Switzerland) (Rapporteur) [Translation]—I must thank the distinguished members who have just spoken for all the kind words that they have addressed to me personally. I note that no proposal has been made to amend the report, except by the Albanian delegate, M. Beratti.

Now that we have come to the end of this debate, I beg the Albanian delegate to withdraw his proposal, and I will give him briefly my reasons for doing so.

M. Beratti emphasised two points. In the first place he asked why the Rapporteur had not mentioned that there were actual and definite complaints, individual and other, in regard to the application of the minority treaties; secondly, he asked why a little more could not be said on the question of procedure than had been said in the report.

I will answer the second question first. M. Beratti himself realised the differences of opinion in this Committee. On that point there are two fundamental sentences in the report. One of them says in substance that, notwithstanding certain criticisms that were made, nobody maintained that the Madrid procedure should be altered because, among other reasons, the time that had elapsed since its adoption was not long enough to allow of a final judgment on the value of the procedure. It is stated, however, that the Madrid procedure will be applied in its entirety. I think that should satisfy M. Beratti on this point.

I will now answer the Albanian delegate's first observation. I have not referred to complaints made by minorities, for two reasons—a reason of substance and a formal reason.

As to the formal reason, I said that I did not think there was any need to go in detail into the differences of opinion that came to light during the discussion, and I pointed out that those who wished to make a thorough study of these problems could find in the Committee's records the statements of the various speakers regarding the actual complaints that have been made. It was preferable not to deal with that subject in the report, and I thought it wiser simply to refer to the records.

Now for my reason of substance. When we are considering questions of an entirely general nature, which may for that very reason be looked upon as affecting international relations and the peace of the world, those questions are subject to the general rules laid down in Article 3, paragraph 3, of the Covenant of the League. In such cases it is not disputed that the Assembly—and consequently one of its Committees, the Sixth—can deal with those questions.

But as soon as we come to consider a specific complaint, we leave the field thus delimited and encroach upon the province allotted by the treaties to the Council. It is the Council alone, and not the Assembly, which can in all cases act as conciliator, and in some cases as judge. This power, this right, does not belong to the Assembly. I do not think there can be any dispute on the legal aspect of this point.

The Albanian delegate must see what a risk I should have run of bringing up a dangerous question if I had alluded also in the report to specific complaints, which can only be examined by the Council and do not fall within the proper sphere of the Assembly.

That being so, I beg M. Beratti to offer me the same striking proof of friendship as the other delegations have given by accepting the report as it stands. I am particularly indebted to Mr. Buxton because, although he makes reservations in his mind, he has not stated them.

M. Beratti (Albania) [Translation].—In making my suggestion I had no intention of referring to any particular fact, such as the complaints addressed to the League of Nations; I had in mind the fact that, speaking generally, discontent had been noted to exist amongst the minorities—a question which, amongst others, had engaged the attention of the Committee. In view, however, of the explanations given by the Rapporteur, I will not insist on my suggestion.

The Chairman.—I am sure our grateful thanks and our hearty congratulations are due to M. Motta for the broad spirit in which he has drafted his report and the generous appreciation he has shown of all the points raised. He has discharged with great tact and wisdom an extremely delicate and difficult task. The report summarises well the conclusions that can happily be drawn from the debate which, from its high character, will I hope contribute to the goodwill and friendly co-operation which is so essential in connection with a question of this character.

The report was unanimously approved.

The Chairman.—The declarations made by the various delegations will appear in the Minutes. M. Motta will act as Rapporteur to the Assembly.


The Chairman [Translation]—We will now resume the discussion on slavery. The delegate of Italy will address the Committee.
Count Bonin-Longare (Italy) [Translation].—This year, as last year, we have before us a proposal from the British delegation, inspired by the desire which we all share, to fight with every possible weapon against the horrible scourge of slavery, which has lasted for centuries and which, unfortunately, has not yet wholly disappeared. I, too, am in the same position as I was a year ago—that is to say that with regard to the actual substance of the British proposal and the effects it might have in our colonies my Government would have no objection to make. Slavery does not exist in any form in our territories—neither in Libya, nor in Eritrea, nor in our possessions on the Somali coast. A Commission of Enquiry could travel where it pleased throughout our colonies without finding anything incompatible with the Slavery Convention of 1926.

None the less, for general reasons and reasons of principle, I cannot support the British proposal, but must associate myself with the view expressed by the French delegate at the last meeting.

Reference has been made to financial difficulties. I personally should be prepared to overlook those if I were convinced that by spending money the League would quickly succeed in eradicating the evil. I do not believe, however, that the proposed new system possesses the virtue that it will cure without delay an evil that has lasted for centuries and cannot be wiped out at a single blow.

There is also a general question to which I referred during the discussion on minorities that has just come to an end. I am opposed in principle, especially when it is not absolutely necessary, to any new organisation, to the addition to the already complicated machinery of the League of another cog which would only have the effect of slowing it down. There are already organs which are dealing with slavery—the Council and the Secretariat. If we stimulate and assist their action, we shall obtain complete satisfaction without having to set up any new organisation.

Moreover, if we set up new machinery, however cautiously we might proceed, we should sooner or later encroach on the sovereignty and independence of States, which is the glory and the strength of the League of Nations, as well as the essential condition of its continued development.

I wonder whether our friends of the British delegation could not take these considerations into account? It is difficult for me to formulate a proposal; but why should we not extend for another year the experiment we made last year? We said then that the Slavery Convention was yet young. Nobody can suggest that since then it has grown much older. Besides, the Convention has not been ratified by all States. Yesterday we were very glad to hear the representative of one of the Powers which can do most against slavery—France—say that his country's ratification had been delayed by Parliamentary circumstances but would take place very shortly. If we have confidence in the Convention a little longer, we shall perhaps come to the conclusion that the establishment of new organisations is not so necessary as some of us seem to think.

True, so far as slavery is concerned, everything is not for the best in the best of all possible worlds. I am far from thinking that we can sing a hymn of victory. At the same time, we should be going too far in the opposite direction if we said that nothing had been done, that no results had been achieved. Even in the information, inadequate and limited as it may be, which we have received since last year, we find clear proof of the goodwill of several Governments—especially some of those which have to cope with the greatest difficulties in honouring their engagements and achieving the result we all desire.

The abolition of slavery is a long business, like many of the problems which the League has undertaken to solve. We must not approach it with too much impatience; we must act energetically, but not by fits and starts, not making any attempt to hustle anybody, and we must have confidence in the Governments, which cannot be assumed a priori to be acting in bad faith.

It is better to advance slowly than to create an atmosphere of ruffled feelings, if not of ungraciousness, which, so far from forwarding our work, would tend to delay it.

I would therefore ask the British delegation whether, failing any other basis of agreement, it would consent to our taking note of its proposal and referring it to next year's Assembly.

The CHAIRMAN.—At the close of our discussion we might appoint a Sub-Committee to prepare for us a report on this question for submission to the Assembly.

This proposal was adopted.

Count Apponyi (Hungary) [Translation].—My reason for speaking on a subject of which the technical details are unfamiliar to me is that I have it greatly at heart. It is horrible to think that there are still four million human beings in the fetters of slavery—that is to say, deemed to be the property of other men, who can use or abuse them as they please without any legal responsibility.

I therefore feel greatly in sympathy with the British proposal, for several reasons.

Nobody can say that no results have yet been secured; but progress is undoubtedly slow. The information collected would appear to be incomplete and to be derived in many cases from sources on which there is no check. I can see no sign of the bond of unity that should link together all anti-slavery work, and it would be a fine act on the part of the League to...
establish a central organisation which would collect information from all the private
organisations fighting against the evil and would guide their activities on uniform lines.

Since the League has undertaken to guarantee the rights of minorities as defined in the
Treaties, on the same principle it is still more important to decide to concentrate all the
efforts that are being made against a greater and more terrible evil than any suffered by
minorities—the evil of slavery.

I shall not refer to the technical difficulties which the British proposal may encounter,
but the British Government is undoubtedly in a position to judge of the material and technical
obstacles that may interfere with the execution of its scheme.

Other difficulties have also been raised—political and moral difficulties, and more
particularly those that would result from the susceptibility of the Governments in whose
territory the Commission would have to operate and the investigations to be made.

On this point I would refer to the discussion we have had these last few days, which ended
this morning, on the question of minorities. I quite realise the susceptibility of Governments
with regard to the exercise of their sovereignty in their territories, and I agree that all States
should be on a perfectly equal footing in this respect.

The African and Asiatic countries that we have invited to join the League and have
received into the League, find in that fact a recognition of the perfect political and moral
equality which we accord them, and which we do not wish to impair. I am in no sense casting
doubt upon the sincerity of their efforts to put down slavery, but they are in a very difficult
position as compared with European or American Governments. They themselves will not
deny that they cannot as yet find in their own local public opinion the moral support they
ought to find. They have to deal with a population which, in the course of centuries, has
accustomed itself to the idea of slavery and looks upon it as a natural and indispensable
institution.

These Governments, therefore, have to fight against domestic difficulties; but in their
campaign they would surely gain considerable moral support from systematic assistance
on the part of the League.

I have quoted the precedent of the discussion on the minority question. The absolute
sovereignty of States which contain minorities is in fact impaired by the League's supervision.
As a citizen of one of those States, I do not look upon that international supervision as an
affront to the dignity of my country, or as a heavy burden upon it; I welcome it as help
given to our Government by the whole world. It is in that spirit that I should wish the States
concerned to approach the British proposals. There is no question of a vote of no confidence
in them—only of giving them assistance in view of the domestic difficulties with which they
have to contend.

The establishment of a Permanent Slavery Commission by the League would give
expression to the League's anxiety about this problem, and would show that there is no
question of spasmodic and unco-ordinated efforts, but of systematic participation in the
anti-slavery campaign.

The Liberian proposal comes near to the British proposal; it accepts the essence of it,
but requires the initiative to come from the interested States themselves.

It is not for me to set myself up as an adviser to the British Government in regard to
its attitude on this proposal, but I do think that that might be a way of reconciling the
different views and arriving at what I should like to see—the establishment of a permanent
organisation to deal with the question and centralise all information and action.

If that object were attained, I do not think that the British Government would make it
a matter of amour-propre that its proposal should be adopted in every detail.

In conclusion, I should like the essence of the British proposal to be accepted, and I
should like the League, by a formal act—by an institution set up on the initiative of the
countries concerned—to give expression to its profound interest in this problem.

It is desirable that the Governments concerned should meet and consult with the British
delegation with a view to drawing up a text which could be accepted by all and which would
include the essential feature. The essential feature is the establishment of a permanent
organisation which would centralise all action and place it on a systematic basis, and which
would be under the League of Nations, because it is due to the prestige and the honour of the
League that it should concern itself with this problem.

M. LOUWERS (Belgium) [Translation].—I should have liked to make several comments
—especially after the Hungarian delegate's speech which calls for certain corrections—in
order to acquaint the Committee with the exact position as regards the facts, and also with
the exact political and legal situation. I think, however, that, in view of the lateness of the
hour, the Committee will be thankful if I relinquish the idea. I trust that this will earn me
the gratitude of the British delegate, notwithstanding what I am about to say.

The Belgian Government is unable—for which it expresses regret, like the previous
speaker—to agree to the British delegation's proposal. So far as our Liberal colleague is
concerned, I should add that my Government is equally opposed to his proposal. In fact,
he will allow me to say that, calmly considered, it might encounter even stronger opposition
than the British Government's proposal. My Government's reasons for this attitude have
been given, and admirably given, by earlier speakers. I may therefore confine myself to
the statement I have just made.

If I might make a recommendation, it is that the Sub-Committee which we are to appoint
should direct its efforts—for it is essential that a practical resolution should be the outcome
of this debate—towards a solution based on the two suggestions made by the French and Italian delegates respectively.

The French delegate put forward an idea in connection with the slave trade, which is the main problem. During this discussion slavery itself has often been confused with the slave trade. These are two quite different questions, however, and it could even be said that the slave trade is the only problem of a really international character. The French suggestion is that Governments which exercise influence over areas in which the trade still prevails and areas through which it passes should endeavour to take energetic and practical concerted action.

The second suggestion I think the Sub-Committee should consider is that of Count Bonin-Longare, who proposes that the Assembly should revive, or, if you prefer it, perpetuate the existence of the resolution passed last year. I agree that the methods of investigation employed have not been fully successful, and that by taking fresh steps we may obtain new indications with the help of which we can more accurately locate the evil and define the measures to be taken.

The CHAIRMAN

[Translation].—The Sub-Committee which I propose to appoint might consist of the delegates of Abyssinia, Belgium, British Empire, France, India, Italy, Liberia, the Netherlands, Portugal, Siam and Spain.

This proposal was adopted.
It was stated in the debate that the extension of the mandate system was desirable. As I am opposed to this idea, the sentence in question might give rise to a misunderstanding. Moreover, it is untrue to say that the work of the Mandates Commission influences the colonial policy of other countries having colonies. It is rather the contrary which occurs. It is not the father who takes after the child, but the child who takes after the father, and it is the Commission which, in its observations, benefits by the long experience of colonial Powers.

Mr. Buxton (British Empire).—I am sorry to say I cannot agree with the delegate of Portugal, if he proposes to alter the paragraph in question. It is always desirable, if we can, to agree on the terms of the report, because if one member, from his point of view, objects to a certain sentence and wishes to have it altered, it is quite inevitable that other members of the Committee will desire to have other sentences altered.

If the delegate for Portugal were to press his proposal to delete the sentence in question, I should be compelled, on my side, to ask for changes in the report to make the position clearer. I am afraid that if we begin to change sentences, we shall open the way to a long debate. As it is, I feel that the Rapporteur has done his very best to find a form which we might all accept. I am prepared to do so, provided it is not changed in any way.

I think I can set at ease the mind of the Portuguese delegate. The sentence to which he referred says nothing whatever about extending the mandate system and the obligations of that system, nor did I myself. I said: "The principle of trusteeship is a principle of general application." It is, however, of no importance what I said. The important thing is what the Rapporteur says, and he says nothing at all about the extension of the mandate system.

Count de Penha Garcia (Portugal) [Translation].—I must thank the British delegate whose statement has reassured me. I had not properly understood his remarks, and was afraid there might be some confusion. I am glad to find that he is not in favour of the idea of extending the mandate system. He thinks it necessary that each colonial Power should exercise guardianship over the undeveloped races in its territories, which is of course perfectly obvious. It is even the duty of each colonial Power to do this.

With regard to the sentence in the draft report referring to "other territories in which conditions are similar", the meaning is now clear, as a result of Mr. Buxton’s explanations. The term "similar conditions" refers to problems of administration in general.

In conclusion, I should like my remarks to be shown in the record, to prevent any confusion.

Paragraph 4, as modified by the Rapporteur, was adopted.

Paragraphs 5, 6 and 7 were adopted without comment.

Draft Resolution.

M. Janson (Belgium) [Translation].—I have just one remark to make about the drafting of paragraph (b). I think it would be better to say: "the recurrence of such events" instead of "the recurrence of such incidents".

The draft resolution as amended was adopted.

Major Pienaar (South Africa) [Translation].—As the delegate of a mandatory Power I feel that I should, perhaps, say a few words with regard to this excellent report.

I do not think that the report as a whole calls for any criticism. All that I would like to do is to congratulate the Rapporteur on his very excellent work and the able manner in which he has acquitted himself of his task. My colleagues will agree with me that it was no easy matter for him to take on his shoulders the burden which has hitherto been carried by M. Procopé. In this regard I feel that my country very keenly appreciates the way in which M. Procopé has in the past reported to the Council.

I would like also to associate with this expression of appreciation the name of M. Catastini, Director of the Mandates Section, and indeed that of every member of this most important Section. We must remember that the Mandates Section, under the Mandates Commission, has to deal not only with one mandate, but with fourteen distinct mandates, and, as one who has had the opportunity and the privilege during the past year of being in intimate contact with the Mandates Section, I feel bound to say how deeply my country, at least, values the work of that Section under the Mandates Commission.

The Chairman [Translation].—The South African delegate has voiced the feeling of the whole Committee in congratulating the two Rapporteurs and associating in those congratulations the Secretariat, whose able, energetic and devoted co-operation has greatly assisted the Rapporteurs in their task.

The report and draft resolution as a whole were adopted.

At the Chairman’s suggestion, M. Valvanne was appointed Rapporteur to the Assembly on the question of Mandates.

The CHAIRMAN [Translation].—Two days ago we appointed a Sub-Committee to examine the various proposals submitted and to draft a report. M. Loudon, Rapporteur, will address the Committee.

M. LOUDON (Netherlands) (Rapporteur) read his report (Annex 7).

Nawab Sir Zulfiqar Ali Khan (India).—The draft resolution which the Portuguese delegate put before the Sub-Committee was accepted by seven countries, but the names of the seven States whose representatives voted for it are not mentioned. I think that, for the better comprehension of the real situation, it is necessary that the names of the seven States which voted in favour of the draft resolution should be put on record.

M. LOUDON (Netherlands) (Rapporteur) [Translation].—Those who voted in favour were the representatives of Abyssinia, Belgium, France, Italy, Liberia, the Netherlands and Portugal. Those who voted against were the representatives of Great Britain, India and Spain. The representative of Siam abstained. This information will be included in the report.

Mr. Buxton (British Empire).—I accept the report of the Sub-Committee as a statement of the facts, but I should like to say in a very few words what is the attitude of the British delegation, and I reserve my right to do so when we are discussing the matter further. I shall be as brief as possible.

The British delegation has given proof, I think, of a desire to secure agreement if possible. My first proposal was for a permanent commission. I gave way on that and proposed a temporary commission. I gave way again on that point, and proposed an advisory committee of experts. Unfortunately, none of these proposals met with sufficient support, and eventually the resolution brought forward by the Portuguese delegate in favour of adjourning the matter was adopted, as the Rapporteur has stated.

My delegation is greatly disappointed with this result, and it thinks that public opinion in my country will also be disappointed. We wish to make it clear that we do not agree with the opinion of the majority. When the resolution proposed by the Portuguese delegate is put to the vote in this Committee, we shall feel it our duty to vote against it. I do not doubt that some other members of this Committee will also do so. We reserve, also, the right to explain our point of view before the Assembly.

The report of the Sub-Committee throws into strong relief the difficulties which are experienced in putting into force a Convention such as the Slavery Convention. For more than a century we have been endeavouring to limit or abolish the slave trade and, in more recent years, the actual institution of slavery. Many difficulties have been encountered, and many of those difficulties still exist. It is admitted that this horrible scourge of humanity still continues, and that the means now being adopted are insufficient.

The resolution proposed by the Portuguese delegate itself states this. It says "the information furnished by the States Members of the League has not so far been such as to give an accurate idea of the present general situation in regard to slavery." Though the information at our disposal is inadequate, we find, nevertheless, that the majority of the Sub-Committee is still opposed, as is stated in the Portuguese resolution, to any new step being taken at the present time to improve this situation. My delegation can only say that it cannot accept the view that no new step is needed. We think the case for a new step is proved, and that those who insist that we should still pursue a waiting policy are taking upon themselves a very heavy responsibility before the public opinion of the world. I will confine myself to pointing out what we conceive to be a regrettable situation, and to expressing the hope that next year different views will prevail, and that the seriousness of the problem will be more fully appreciated.

Prince Varnvaidya (Siam) [Translation].—Siam has abolished slavery for many years, and if she is not yet a party to the Slavery Convention, it is only because she did not think this course necessary as she was not directly concerned with slavery. Now that the wish of the Assembly has been made known, that even if Siam is not directly concerned with the question of slavery she should be a party to the Convention, my Government is considering the question of its accession. I hope that by the Assembly of next year notification of accession will have been communicated.

Slavery is a worse and more serious scourge even than the traffic in women and children, the traffic in opium and in harmful, habit-forming drugs. Whatever can be done should be done. That is the point of view of my delegation. The difficulty now seems to be that the information obtained by the Secretariat from the various Governments concerned is not
adequate, and is not and cannot be sufficiently studied by the Secretariat. Can anything else be done? I am of opinion that the British delegate made a concrete proposal, which consisted in the setting up of an advisory committee of experts to report to the Council after studying the information obtained from the Governments. My view only differs from the British proposal in one respect—namely, that I would like to see an advisory committee of experts appointed, including the representatives of the Governments concerned. The British delegate did not think he could go so far but he proposed a committee of experts to study the information received and report to the Council. That is why I voted for his proposal.

Now that that proposal has been defeated, the obvious solution seems to me to be to wait another year, and that is the solution proposed by the Portuguese delegate and supported by the majority of the Sub-Committee. I abstained from voting because I thought that something could be done, and therefore should be done. On the other hand, the British proposal having been defeated, I acquiesced in the proposal of the majority. Therefore, in this Committee also, I shall abstain from voting.

M. Palacios (Spain) [Translation]. — The Spanish delegation voted in the Sub-Committee for the British proposal. It would rather have expressed the proposal in the form that a third session of the Temporary Slavery Commission should be held to study the situation since 1925 (when it last met), to define the campaign against the slave trade, and to report to the Council on measures that might be recommended to Governments with a view to hastening the abolition of slavery, in order that the question might go before the next Assembly.

Everything pointed to such a resolution, both principles and facts. Nevertheless, we were unsuccessful. I can only hope, like the British delegate, that next year, with the help of the further information that will have been received by the Secretariat, we may be able to make some progress in this protracted struggle. We must have practical results, and I hope that, under the auspices of the League and with the co-operation of all concerned, we may succeed in obtaining them.

Count de Penha Garcia (Portugal) [Translation]. — I am very sorry that I could not agree with our British colleague, but the majority of the Sub-Committee took the view that the questions of principle involved must prevail over our desire to please him.

— You know what these questions of principle are. Last year we introduced a new procedure. We felt that we should be exposing ourselves to justifiable criticism if, having adopted a new procedure within the terms of the Slavery Convention, we did not wait to see what the results would be. The primary object of that procedure was to secure ratifications. We have secured some, and others are promised. When they are actually given, we shall have a total of eleven, which is a splendid result.

— Secondly, the Governments were asked to send us on their own responsibility—in my view the League must have nothing to do with any other sources—all the information they could collect. A number of Governments did not respond to this appeal. That being so, the British proposal would be perfected; we had to wait to see whether those Governments would send information, and we had to wait and see whether the promised ratifications would be given. If we were to alter our procedure just when we are asking for ratifications, it would be as if we said that the Convention was not of much use, and that is a point that the Committee must bear in mind.

A Commission of Enquiry was appointed to investigate the problem of slavery; I do not think that the position has altered much in the last five years. We can say, however, that there has been an improvement, because a certain number of countries have abolished slavery since then. Again, we can see from the newspapers that slavery is on the decline. If, four years after drawing up a Convention, the Committee did anything to suggest that Convention was not good enough, it would be throwing discredit on the work of the League. I think, on the contrary, that the Convention gives us means of taking action. I am sure, for example, that if the three Powers specially concerned could arrange together to police certain waters more thoroughly, as the French delegate proposed, practical results would be obtained, and this action would still be in the spirit of the Convention.

It is constantly being said that the League attacks too many problems and sets up too many committees. I am not sure whether this accusation is justified, but in the interest of raising the credit of the League we have thought it necessary to bear this point in mind.

Such are our reasons for rejecting the British proposal. The problem is in any case so complicated that the Sub-Committee has had several other suggestions laid before it which it could not accept. The question will therefore have to be re-examined, and for that reason we propose a postponement.

M. François-Poncet (France) [Translation]. — I should not like the Committee to be left with the impression created by the somewhat bitter and, certainly, unduly pessimistic remarks of our British colleague. We are not in the least resigned to the present situation, as he seems to think, or fear. It is not our view that there is nothing to be done but accept the situation. We have in no sense abandoned the idea of making a genuine effort, if the present position does not improve, to find some means of making progress. We were not deaf to the British delegate's arguments; we tried to meet his difficulties, and as he told us that his Government had a mass of most edifying material on the present situation with regard to slavery, and
added that it did not propose to send that material to the Leandue Setateritoat, we introduced a motion for the appointment of a committee of experts to go into this British material.

But although we were anxious to do something, we did not wish to do anything vague; we did not wish our committee of experts to be established without specific functions, because we were and are anxious to avoid setting up any new organisation which would hinder the ratification and enforcement of the Convention of 1926, or would be incompatible with the customs, the procedure, and even the constitution of the League.

When we came to consider these essential, inevitable and necessary details, when we discussed the machinery of the committee of experts, how it would be constituted and how it would work, how its work could be submitted to the Council or the Assembly, I will not say that we parted company, but we were unable to come absolutely together. We then associated ourselves with the Portuguese delegate's proposal, which was supported by a number of our colleagues, not with enthusiasm, but, so to say, through force of circumstances, because it was essential to do something and we could not arrive at a definite solution.

We accordingly agreed to the proposed postponement, but that does not mean that we intend to shelve the question. It is a temporary postponement, and we attach great importance to the word "temporary" because it means that we hope that if it should prove that the procedure adopted last year is really ineffectual, we should have time, meanwhile, to come to a definite agreement on one of the solutions which have been debated in the Sub-Committee, but could only be hastily discussed on account of the difficulties of all kinds which the framing of a new organisation and new procedure involves for anyone who does not wish to make things worse when he is trying to make them better.

Major Pienaar (South Africa).—As the delegate of an African State it may be necessary for me to say, very briefly, that in South Africa and in the mandated territory of South-West Africa there is no question of slavery at all. We have built up two great industries, gold-mining and agriculture, without feeling any need at all for slavery, forced labour, or any form of economic compulsion. We must, therefore, subscribe fully to the idea inspiring the British resolution, which has been so ably dealt with by the British delegate. I feel myself that the sincerity of the League will be judged to a very great extent by the action it will take in this very important matter; but since it is an age-old problem, perhaps we should be careful not to try to go ahead too fast.

The South African delegation feels that the reasons for waiting one year, which have been advanced by the Portuguese and the French delegation, and by other speakers, are weighty and deserve every consideration. We feel that their request for a delay of one year implies an agreement, if no improvement in the situation appears next year, to review the British resolution, and, indeed, if it is at all possible, then to support it, then to work for the institution of a permanent slavery commission, or some similar body.

On these grounds this delegation is prepared to support the draft resolution submitted by Count de Penha Garcia.

M. Yoshizawa (Japan) [Translation].—Although there is no slavery and no forced labour in Japanese territory, we are greatly in sympathy with the views expressed by the British delegate. My Government, which is anxious to accede to the Convention of 1926, is now taking preparatory measures to this end.

I am in favour of the draft resolution submitted by the Sub-Committee, because it only temporarily postpones the question of possible alterations in the procedure prescribed by the Convention, pending the receipt of further information.

The report of the Sub-Committee was adopted.

The draft resolution was adopted by 11 votes to 6.

Prince Varndiyada (Siam) [Translation].—The Siamese delegation desires to place on record that it abstained from voting on the draft resolution.

The Chairman [Translation].—We have still to appoint a Rapporteur to the Assembly.

M. François-Poncet (France) [Translation].—I propose that M. Loudon be appointed our Rapporteur on this question. I will take this opportunity to thank him for the energy he displayed in the Sub-Committee in directing the debates, which were certainly very interesting, but did not run very smoothly. It is largely due to him that we managed to arrive at a conclusion.

I think also that with two or three lines of introduction and conclusion the Sub-Committee's report might form the substance of our final report to the Assembly, which would avoid another meeting.

Mr. Buxton (British Empire).—I heartily second that proposal.

M. Sottile (Liberia) [Translation].—The Committee will remember that I gave notice of a draft resolution which I did not ask the Sub-Committee to consider. I thought that it would be discussed by the Committee, but this will clearly not be so if there are to be no more meetings, and my proposal will be shelved.
The Chairman [Translation].—The Rapporteur will make a reference to the Liberian delegation’s proposal in his report.

The Committee decided that M. Loudon should be appointed Rapporteur to the Assembly, and should base his report on that of the Sub-Committee.

18. Close of the Session.

The Chairman [Translation].—We have come to the end of our agenda, and I may take it that the Sixth Committee has finished its work. At this point we may offer a cordial greeting to our distinguished Chairman, who has not been able to attend the last few meetings. I should also like to express my gratitude to all the members of the Committee, whose friendly and conciliatory spirit has enabled us to bring our work to a conclusion.

I am sure you will join me in offering our particular thanks to the Rapporteurs and the members of the Secretariat for their devoted assistance.