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NEW ZEALAND.

THE LEAGUE OF NATIONS.

REPORTS OF THE REPRESENTATIVE OF THE DOMINION OF NEW ZEALAND ON THE 95TH (EXTRAORDINARY), 96TH, AND 97TH SESSIONS OF THE COUNCIL OF THE LEAGUE OF NATIONS HELD AT GENEVA IN THE YEARS 1936 AND 1937.

Presented to both Houses of the General Assembly by Command of His Excellency.

NINETY-FIFTH (EXTRAORDINARY) SESSION OF THE COUNCIL OF THE LEAGUE OF NATIONS.

New Zealand Government Offices,
415 Strand, London W.C. 2, 23rd December, 1936.

SIR,—

On the 27th November the Spanish Government sent to the President of the Council of the League of Nations a telegram which, after setting forth certain circumstances which it was alleged constituted armed intervention in the Spanish civil war, affected international relations, and threatened to “disturb international peace or the good understanding between nations upon which peace depends,” requested the summoning of the Council to examine the situation under Article XI of the Covenant. The members of the Council were accordingly requested to meet in Geneva on the 10th December. I left London on the afternoon of the 9th.

This is neither the time nor the place to examine the origins of the unhappy conflict in Spain, which, if reports are true, has been characterized by brutality and much unnecessary suffering by women and children. It was with the international situation created by the progress of events that the Council had to deal. This situation is briefly indicated in the telegram to which I have alluded and which has been reproduced in Document C. 515, M. 327. A few sentences are, however, needed to complete the picture.

At the beginning, at any rate, the civil war was the prime concern of the people waging it. It was an internal affair to be settled by the Spanish people. Basing itself on this view, the French Government, early in the struggle, proposed an agreement under which European States should pledge themselves not to intervene. The proposition was accepted, and a committee was set up, its task being to watch the situation. It is claimed by the supporters of the agreement that the Committee by its actions has helped to circumscribe the conflict. There are others, however, who maintain that such actions have, at the same time, prevented the elected Government of Spain from obtaining the supply of munitions of war necessary to deal with the rebellion; indeed, so unfairly has the policy of non-intervention operated, that it has been impossible for the Spanish Government to obtain the fulfilment of munition contracts which were made long before the war broke out. There are other and more serious charges. On the one hand, the Spanish Government have alleged help in munitions and armed forces to the rebels by two great European Powers, with the active assistance of a third, whilst the rebels and their friends charge another Great Power with intervention on the side of the legitimate Government, all such charges constituting a flagrant violation of the Non-intervention Agreement to which those charged are parties. There are those who say with bitterness that the effect of the agreement has been in the sole interests of the rebels. If it were only a question of civil war, unhappy as its consequences might be, the situation would be comparatively simple; but the state of Europe is such that the smallest step in one direction might cause an explosion, the effects of which would be incalculable. The causes of the trouble are many and varied. Undoubtedly there

is much that is known only in the chancelleries of the Great Powers, but the dispassionate observer can point to a series of situations, which, even if they are not related, have had a cumulative effect. The Manchurian incident, the German reactions to the Treaty of Versailles, the Abyssinian trouble, the conflict between political schools of thought of an extremist nature, the growth of armaments in some countries and the weakness of armaments in others, and, above all, the ineffectiveness of the League, which ultimately has refused to face squarely more than one problem not perhaps because it is not sufficiently equipped, but because the Governments which compose the League have not been prepared to accept all the consequences resulting from action.

The truth may be that the majority of Governments will not risk a war waged on a matter which is not the domestic concern of the countries they represent. Nor is this to be wondered at if we reflect on a conception of League membership which was propounded at Geneva in 1935 by the then Foreign Secretary of the United Kingdom :—

“ In the first place, let us clear our minds as to what the League is and what it is not. It is not a super-State, nor even a separate entity existing of itself, independent of or transcending the States that make up its membership. The member States have not abandoned the sovereignty that resides in each of them, nor does the Covenant require that they should, without their consent in any matter touching their sovereignty, accept decisions of other members of the League. Members of the League, by the fact of their membership, are bound by the obligations that they themselves have assumed in the Covenant and by nothing more. They do not act at the bidding of the League, but in virtue of agreements to which they themselves are parties, or in pursuance of policies to which they themselves assent.”

I have dealt at some length on factors which may not be quite germane to the business in hand, because I wish to emphasize that the League as a body goes as far and no further than the Governments composing it are willing to go, and this slowness of gait is effectively controlled by the unanimity rule which is ever present in the minds of those who, willing to go further, fear to risk the loss of that which is capable of achievement.

The representatives of all members of the Council were present during the session except the representatives of Italy and Ecuador.

The Council met in private on the evening of the 10th December, but at this, its first meeting, it accomplished little more than the taking of a decision respecting its agenda. In addition to the Spanish question, the Turkish Government had proposed the consideration of a dispute between Turkey and France concerning the future of the territories of Alexandretta and Antioch. The French Government raised no objection to a consideration of these matters by the Council. For the present, however, I propose to limit my remarks to the Spanish question.

On the morning of the following day the Council met in public, and the President began with a speech by the Spanish representative, Senor Alvarez del Vayo, the Minister for Foreign Affairs. In my opinion, the Spanish representative's speech was a sober recital of a situation which, simple as it may appear in its domestic aspects, has considerable complexity considered from the international point of view. He said it was not a question of submitting to the Council any request on behalf of the Spanish Government or the Spanish people. The Council was not being asked to assist the Spanish people to solve their own problems. It was the activities of foreign countries, the cynical evasions of the Non-intervention Agreement, the recognition by certain Governments of General Franco, the rebel leader, which had produced a situation of danger to the peace of Europe, a situation which, if allowed to grow, might become unmanageable, with results fatal to democracy. He repudiated the suggestion that a meeting of the Council might lead to an increase in the danger of the international situation. To have remained silent, not to have given warning, might, in the event of the outbreak of a general conflagration, merit reproach. But the Spanish Government was not alone in its view of the dangers which threatened peace. He hoped that, even if the Covenant had not been applied to stop aggression, it could at least be used to prevent the outbreak of a general conflagration. As to the steps which already had been taken to prevent the extension to the rest of Europe of the Spanish conflict, the Spanish representative argued that no one could have any doubt of the complete ineffectiveness of the system as conceived and applied by the Non-intervention Committee. It was true that the Spanish Government had accepted the agreement, but, at the same time, it was convinced that it had every right openly to obtain everything it needed to put down rebellion and that the restriction imposed on its right to trade freely was a measure more arbitrary than anything hitherto known in international life.

On the evening of the 11th December five members of the Council spoke—the representatives of Great Britain, France, New Zealand, the Union of Soviet Socialist Republics, and Poland.

Lord Cranborne, the representative of Great Britain, admitted that the tendency to intervene in the civil war constituted a threat to international peace. He dealt with the inception of the Non-intervention Agreement and the steps which had been taken by the International Committee to prevent intervention. He thought that the establishment and maintenance of the committee had proved a factor of importance deterrent to the indiscriminate supply of arms to Spain and in preventing the struggle from extending beyond the frontiers of Spain, and he could not accept the view that the system of control as conceived and applied had proved ineffective. He thought, however, that of late the agreement was not being scrupulously observed, was indeed being violated in favour of both parties to the struggle whose forces were being augmented by foreign forces to a degree which had assumed alarming proportions. He spoke of the new efforts being made to check intervention, and he expressed the hope that the Council would show itself favourable to the strict enforcement of the Non-intervention Agreement. He then dealt with the approach made by the Governments of the United Kingdom and France to other Powers with a view of negotiating an armistice, and he

hoped for the co-operation of all the Governments so approached. He dealt with certain aspects of organized help which he thought the League could provide on humanitarian grounds, perhaps through recognized organs, and of the technical assistance which the League could give. He concluded :—

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

The speech of the representative of France was largely on the lines of that of Lord Cranborne. He thought that if the Council would adopt as its own the principles of non-intervention already proclaimed it would support an effort which was the best way to put an end to the dangers of which the Spanish Government had given warning. The Council could also show its sympathy with the efforts which it was hoped would be made to bring hostilities to an end.

The representative of the Union of Soviet Socialist Republics devoted a part of his speech to the view held by his Government on the subject of non-intervention. He said :—

“ My Government has never considered assistance furnished to the legal Government of the Spanish Republic against the rebels as intervention in the internal affairs of the country or as an infringement of the Covenant of the League of Nations. Prohibition of the sale of arms to a legal Government the victim of an aggression, and, still more, prohibition of the delivery of arms to such a Government when they are the subject of contracts previously entered into, has always been considered by my Government as an arbitrary measure and as a measure which is unjust and contrary to international law.”

He added that, nevertheless, the Soviet Union had acceded to the Non-intervention Agreement and had fulfilled its undertakings under that agreement.

The Polish representative stated that in the opinion of his Government the convocation of the Council was not calculated to bring a lessening of the tension in Spain or a diminution in the sufferings of the Spanish people, and, after listening to the Spanish representative, he thought that the Council's task should be confined to an exchange of views which, however, would be incomplete without tangible results in the direction of pacification, and he welcomed any proposal for the participation of the League's technical organs in efforts designed to improve the unhappy fate of the civil population of Spain.

As for myself, I took an entirely different line. I limited my remarks to the request of the Spanish Government for an examination by the Council of the situation, to the rights conferred by the Covenant on Member States, and to the obligations of Member States under the Covenant in the interests of the maintenance of peace. I submitted that the Spanish request was the business of the League, for the purposes of Article XI of the Covenant, which the Spanish Government had invoked, aimed at removing or alleviating the emergencies which threatened peace between nations, and the Council could deal with any matter within the sphere of action of the League or affecting the peace of the world. I asked whether it was possible to receive further particulars of the cause of the trouble, whether it was the election of February last which gave rise to the trouble remarking that if a nation constitutionally elects a Government that Government must surely be acceptable to the nation, more especially if it allows the means for its own removal. I quoted at length from the speech which the Spanish representative delivered at the Seventeenth Assembly, and concluded :—

“ We are asked as a Council to examine the situation. I wonder, Mr. President, what will happen ? Speaking for myself and the country I represent, I would say that we are most willing to stand with our fellow-members of the Council, and with the members of the Assembly, in going thoroughly into the whole situation, and in acting in the interests of humanity and constitutional government. We are prepared to examine the cause and procedure of the trouble, and if necessary to act in accordance with the requirements of the situation. I say again that, although the statements before us are *ex parte* statements, we must take notice of them. If there is another side of the problem, if there is some justification for the revolt, if there is some justification for intervention by other peoples, let it be stated to this body. If those who have caused the revolt would come forward and state their grievances, I believe that my fellow-members of the Council, the public here assembled, and indeed the whole world, would listen attentively to any claim put forward for such justification. If, therefore, there is another side, can we not invite those representing it to come forward so that we may more fully determine what should be done ? As the Spanish Government's request is that there should be an examination of the situation, I feel, as a member of the Council, that we have a duty to hold the fullest investigation with the greatest possible speed. Having satisfied ourselves on the matter, we should then do our best to bring about a settlement in the interests of humanity, of constitutional government, and in accordance with the policy of the League to which our respective nations have voluntarily pledged themselves.”

On the morning of the 12th December there was an exchange of views between members of the Council, the basis of discussion being a motion which it was proposed to submit at a public meeting later in the day. There is not available a record of this exchange of views, nor do I think it necessary to furnish even a brief account of it. It seemed to me that there was a striving after the barest

minimum. No doubt most of the members of the Council realized the responsibility which lay on their shoulders, that no word should be uttered which might fan the flame. There was also the knowledge that two of the Great Powers—Italy and Germany—were not represented in Geneva; but they had entered into the Non-intervention Agreement and were represented at meetings of the Non-intervention Committee in London—in short, that if anything could be done, London was the place where it might be achieved. At length a motion was framed and this was submitted to a meeting of the Council held in the evening. It reads as follows:—

“The Council,—

“After hearing the observations made before it,—

“I.

“Noting that it has been requested to examine a situation which, in the terms of Article XI of the Covenant, is such as to affect international relations and to threaten to disturb international peace or the good understanding between nations upon which peace depends,

“Considering that that good understanding ought to be maintained irrespective of the internal regimes of States,

“Bearing in mind that it is the duty of every State to respect the territorial integrity and political independence of other States, a duty which, for members of the League of Nations, has been recognized in the Covenant,

“Affirms that every State is under an obligation to refrain from intervening in the internal affairs of another State :

“II.

“Considering that the setting-up of a committee of non-intervention and the undertakings entered into in that connection arise out of the principles stated above,

“Having been informed that new attempts are being made in the Committee to make its action more effective, in particular by instituting measures of supervision, the necessity for which is becoming increasingly urgent,

“Recommends the members of the League represented on the London Committee to spare no pains to render the non-intervention undertakings as stringent as possible, and to take appropriate measures to ensure forthwith that the fulfilment of the said undertakings is effectively supervised :

“III.

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

“IV.

“Notes that there are problems of a humanitarian character in connection with the present situation, in regard to which co-ordinated action of an international and humanitarian character is desirable as soon as possible,

“Recognizes, further, that for the reconstruction which Spain may have to undertake international assistance may also be desirable,

“And authorizes the Secretary-General to make available the assistance of the technical services of the League of Nations should a suitable opportunity occur.”

It was accepted by the Spanish delegate, who said:—

“This morning I accepted the concluding paragraph of this resolution in its present form, and I accepted it all the more gladly because the exchange of views between members of the Council showed clearly, in conformity with the constant practice of the Council in matters of international collaboration, that any international action in Spanish territory could only be at the request of the Spanish Government.

“I would like to add that as the action taken by the Council in the present instance does not exhaust the question which has been raised, the Spanish Government reserves the right, should circumstances make it necessary, to ask the Council to pursue its examination of this question.”

He was followed by the President of the Council, M. Edwards, speaking in his capacity as the representative of Chile. M. Edwards pleaded for the safety of those who had taken refuge in Embassies and Legations in Madrid.

In reply, the Spanish representative said:—

“I am fully prepared to consider, direct with each Government concerned, the problem constituted by the persons who have taken refuge in the way referred to, taking into account all the diverse aspects of the situation.”

The motion quoted above was then put to the vote and passed unanimously.

In reply to the question, “What has been achieved?” I can only answer “Little.” The Spanish Government has warned the world of the possible international consequences of the civil war; the seriousness of the position has been emphasized by the calling together of the Council; the obligation

not to intervene in the internal affairs of a State has been affirmed (although in this connection certain absentees from the Council board will be noted); and the efforts of the United Kingdom and France to secure an armistice have been blessed. To the question, "Was it not possible for any member or combination of members of the Council to do more?" I answer: "The Spanish representative was satisfied with the achievement, little as it represents; and the motion, to be valid, had to be passed unanimously or not passed at all. Better perhaps, an emasculated resolution than nothing. The alternative is to confess the utter futility of the League as at present constituted and hampered by its procedure."

I have referred in passing to a dispute between Turkey and France concerning the future of certain territories. The question came before the Council on the afternoon of the 14th December. Briefly, it turns on the interpretation of international instruments relating to districts which, speaking broadly, Turkey claims to have conceded to France as a Power, but which the French Government is of opinion are connected with the Mandate which France is exercising over Syria and Lebanon. As the substance of the question is to be dealt with at a later session of the Council I will not now go into the merits of the case. It is sufficient here to say that, following the Iraq precedent, the Mandated Territory of Syria and Lebanon will later be granted full independence, that there will be a transitional period of three years between the present regime and full independence, and that in the new Franco-Syrian Treaty, which has been initialled but not ratified, it is stipulated that the Territories in question, in which hitherto the language and culture of the Turkish majority have been preserved, shall continue to enjoy within the framework of Syria the autonomy accorded to it under the international agreements mentioned above. I understand that a recent general election in Syria and in the territories in question led to trouble. It was purely with the position created by the trouble that the Turkish representative wished to deal. The substance of the question, he indicated, should be left for consideration at a later session, but it was necessary that certain conservatory measures should be taken now.

Three meetings were devoted to consideration of the question. The case was opened by the representative of Turkey. As he asked the Council to defer consideration of the substance of the dispute and to concentrate on the question of conservatory measures which should be taken by reason of the recent trouble, I do not propose to deal in detail with his speech. He asked that the French troops and those made up of elements hostile to Turkey should withdraw from the territories in dispute and that a small detachment of neutral gendarmerie should be established there under the direction of a Commissioner of the League of Nations. At the next meeting the French representative spoke. Here again I will not deal in detail with what was said, but it became clear that the French Government, as the mandatory Power, would not consent to the course suggested by the Turkish representative.

A Rapporteur in the person of M. Sandler, the representative of Sweden, was appointed, and on the morning of the 16th December his report came before the Council. This is contained in Document C. 546, and a perusal of it shows that the Rapporteur recommended the appointment of three observers in the Sanjak of Alexandretta in response to a request made by the French Government. It appeared from the discussion which followed that the Turkish representative had suggested the addition to these three observers of two persons, one representing France and the other representing Turkey. France, as the mandatory Power, would not agree to the modification, principally on the ground that it might prejudice consideration of the main question. The report of the Rapporteur was adopted by the Council, the representative of Turkey abstaining from voting in the interests of unanimity.

The Ninety-fifth (Extraordinary) Session of the Council closed on the 16th December, 1936.

I am, Sir,

Yours faithfully,

W. J. JORDAN,

High Commissioner for New Zealand.

The Right Honourable the Prime Minister, Wellington, New Zealand.

NINETY-SIXTH SESSION OF THE COUNCIL OF THE LEAGUE OF NATIONS.

New Zealand Government Offices, 415 Strand, London, W.C. 2, 12th February, 1937.

SIR,—

I have the honour to inform you that on the 20th January I left London in the company of the Hon. Walter Nash, M.P., Minister of Finance, Customs, and Marketing, for Geneva, in order to attend the Ninety-sixth Session of the Council of the League of Nations due to open on the following day.

The President of the Session was Doctor Wellington Koo, the representative of China. All the members of the Council, with the exception of Italy, were represented. The first meeting, which was private, was devoted to the consideration of the Agenda. To the Agenda as printed (C. 533 (1), M. 343 (1), 1936) was added, at the request of the Spanish Government, the item "Consideration of the Report of the Medical Mission sent to Spain by the Secretary-General of the League in response to the request of the Spanish Government." This request arose out of the resolution of the Council passed at its previous (extraordinary) session, a report on which I made to you under date the 23rd December, 1936. The part which M. del Vayo, Spanish representative, took in the debate was, however, not so much devoted to this item as to an objection which his Government took to certain implications arising under Item 24 (Situation of Persons who have taken asylum in the Embassies and Legations of Madrid). This latter question is not of so innocent a nature as the title would seem to indicate. Many of the refugees are, according to the Spanish representative, rebels against the legitimate Government of Spain, and whilst that Government was ready to consider the evacuation of women and children refugees, it made a reservation in regard to the rebels. The debate was not entirely confined to M. del Vayo and the Chilean representative, at whose Government's request the item was inserted in the Agenda; others, notably M. Litvinoff (Union of Soviet Socialist Republics), took part. Ultimately the French representative made a suggestion which met with acceptance, and as a result it was decided to consider Item 24 in conjunction with the report of the Health Committee sent to Spain, the item appearing in the Agenda as follows:—

"Resolution of the Council of December 12th, 1936: Examination of the Report of the Health Mission sent at the Request of the Spanish Government, and Humanitarian Questions connected therewith (Evacuation of Persons who have taken Asylum in the Embassies and Legations at Madrid, &c.)."

Consideration of Item 17 (Request of the Iraq Government under Article XI, paragraph 2, of the Covenant) and Item 18 (Settlement of the Assyrians of Iraq) was adjourned.

Before the opening of the public meeting on the 22nd January the Council again sat for a short time in private in order to deal with certain appointments to the staff and to committees of the League. The appointments to the staff need no comment, although it is of interest to note that included in them was the appointment of Mr. S. Lester to the post of Deputy Secretary-General. Mr. Lester represented his country some years in Geneva as the accredited representative of the Irish Free State. Subsequently he was appointed League High Commissioner in Danzig, and held the post during a period of great difficulty. With his knowledge and experience he should be a valuable acquisition to the staff of the League.

APPOINTMENTS TO COMMITTEES OF THE LEAGUE.

(a) The nomination of Bulgaria and Peru to fill additional seats on the Advisory Committee on Traffic in Opium and other Dangerous Drugs (Document C. 47).

(b) The appointment of Mr. W. W. Riefler, a citizen of the United States of America, as substitute member of the Financial Committee (Document C. 39).

(c) Renewal of the membership of the Advisory Committee of Experts on Slavery (Document C. 59).

(d) The appointment of members and substitute members of the Board of Management of the Staff Provident Fund (Document C. 49).

In each case the recommendations of the Rapporteur were unanimously approved.

The Ninety-sixth Session of the Council was opened publicly on the 22nd January, when the matters mentioned below came under review. With one exception they were not of a controversial nature and the action of the Council consisted in receiving the reports and recommendations and approving them or passing a resolution to meet the circumstances of each case.

FISCAL COMMITTEE.

The report on the Sixth Session of the Fiscal Committee is contained in Document C. 540, M. 226, and this was accompanied by a report by the representative of Sweden, who acts as Rapporteur to the Council on the subject. The Fiscal Committee devoted a considerable part of the time allotted to its Sixth Session to consideration of the question of fiscal evasion, a matter on which the Assembly of 1936 passed a resolution. The conclusions of the committee are of considerable interest, and its plan for combating fiscal fraud by requiring a country in which interest is paid to a non-resident to notify the Government of the country in which the recipient of the interest lives, is an attempt to meet the position. The plan has its advantages and its disadvantages, which the committee has frankly discussed. Under the resolution of the Council the plan is to be submitted to Governments with a request to notify the Secretary-General whether they are prepared to enter into an agreement

embodying it. The Fiscal Committee has given further consideration to the allocation of the income of business enterprises between States for taxation purposes, in this instance with particular reference to insurance companies. Its conclusions are, under the resolution of the Council, to be communicated to Governments.

The results of the inquiry into the behaviour of fiscal systems during the depression, a subject with which the committee proposes to deal, will be awaited with considerable interest (see also Document C. 51).

PERMANENT CENTRAL OPIUM BOARD.

The Board's report came before the Council in October, but it was incomplete in that the usual statistical tables and comments thereon were not then available. The present report to the Council (Document C. 48) deals with the omission, and a few of the more striking figures are quoted. No definite action by the Council was necessary (see also Document C. 449, M. 265).

NUTRITION.

This is a matter in which New Zealand as a producer of primary products is closely interested. The aspect of the subject dealt with by the Rapporteur had reference to an exchange of views between national nutrition committees which have been set up in various countries. Last year's Assembly was of the opinion that it was desirable to co-ordinate the activities of these committees and it suggested a meeting. The time being considered ripe for action on these lines, the Council passed a resolution which requires the Secretary-General to organize a meeting after consultation with the Chairman of the appropriate committee of the League—in this case, the Mixed Committee on Nutrition (see Document C. 38).

FRONTIER BETWEEN TANGANYIKA AND MOZAMBIQUE.

There has been an exchange of letters between the Governments of the United Kingdom and Portugal defining the frontier, but effect is not to be given to the agreement arrived at until its terms have received the approval of the Council of the League. The letters in question will be found in Document C. 21, which, together with the Rapporteur's Report (Document C. 50), will be presented to the Council. As Tanganyika is administered by the United Kingdom under Mandate, the Council was recommended to give the Permanent Mandates Commission an opportunity of offering observations, if it so wished, on the agreement, and a resolution embodying this was passed by the Council.

COMMITTEE OF STATISTICAL EXPERTS.

The representative of Sweden also acted as Rapporteur on questions of statistics dealt with in the Report of the Fifth Session of the Committee of Statistical Experts. This report will be communicated officially to the New Zealand Government by the Secretary-General of the League under the resolution of the Council, and will doubtless receive careful consideration in Wellington. I would, however, draw your attention to the fact that the committee has undertaken an examination of timber statistics. It has made a number of recommendations on which it seeks the comments of the various Governments (Documents C. 456, M. 270, and C. 19).

CONDITIONS OF VOTING REQUESTS FOR ADVISORY OPINIONS FROM THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

A highly controversial question is involved: should an advisory opinion of the Court be requested by a unanimous vote, or will a simple majority suffice? The matter came before the Assembly of 1935, and a section of the New Zealand delegate's report on that Assembly is devoted to it. Article XIV of the Covenant provides for the giving by the Court of an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly, but the method to be adopted in order to seek the opinion is not defined. The first and second paragraphs of Article V of the Covenant deal with procedure in the Assembly and the Council. Is the question at issue one of procedure for which a majority vote will suffice, or is it of the nature of those cases requiring unanimity? The Members of the League were invited by the Council to express their views, and a number of Governments have done so (see Document C. 543, M. 351). These views are worth studying. They represent, roughly, three schools of thought: that which considers unanimity essential, that which would treat the matter as one of procedure only, and that which may be called the middle school, which would divide the cases on which advisory opinions are sought into two categories—those of procedure and those of substance. The letters from the United Kingdom, Danish, and Netherlands Governments reflect these varying views, but all the letters are worth consideration. A member of my staff who was present at the debate in the First Committee in 1935 informs me that that debate was of great interest, for it dealt not merely with legal points, but with others which have considerable political bearing. The Rapporteur to the Council on the subject is the President himself. You will see from his report (Document C. 53) that he invited his colleagues' opinions before submitting proposals to the Council. The invitation was accepted by several members of the Council, and as the question is of importance I invite your attention to the debate as recorded in the minutes. The Swedish representative proposed that the question should be referred to the special committee which is considering the application of the principles of the Covenant (commonly referred to as the Committee of Twenty-eight), and this suggestion met with some support. After thanking those of his colleagues who had

submitted views, the President promised to make some suggestions late in the session. At the public meeting on the 26th January the President of the Council made known his suggestions, which were :—

- (1) To refer the matter to the committee set up to study the application of the principles of the Covenant: and
- (2) To instruct the Secretary-General to communicate to that committee the observations received from Governments and the minutes of the Council dealing with the question.

A resolution embodying the suggestions was passed (see Document A. 78).

The Council's next meeting was held on the 25th January. Its public meeting was preceded by a private one at which the following subjects were dealt with. As they did not give rise to discussion a brief reference only is required.

APPOINTMENTS.

(a) *Composition of the Advisory Committee on Social Questions.*—One of the recommendations of the Committee on the Constitution, Procedure, and Practice of Committees of the League of Nations was that the number of Government representatives on the new Advisory Committee on Social Questions should be increased from fifteen, which was the number of the Advisory Committee for the Protection and Welfare of Children and Young People, to twenty-five. On the motion of the Rapporteur to the Council (the representative of Chile), the Council decided to renew the membership of the fifteen countries which had previously served and to invite further representatives from Argentina, China, Hungary, Mexico, the Netherlands, and Switzerland. It will be seen that six only of the ten new seats were filled. Further, the Council decided to invite certain international voluntary organizations to become corresponding members of the Advisory Committee. The Rapporteur's report (Document C. 60) contains some remarks on the qualifications which should be possessed by the persons selected to sit on the Advisory Committee.

(b) *Appointment of the Committee of Statistical Experts.*—The committee consists of twelve members, including one member each representing the International Institute of Agriculture and the International Labour Office. The names of the remaining ten members will be found in the report of the Rapporteur (the representative of Sweden), which is Document C. 74, and which was approved by the Council.

(c) *Fiscal Committee.*—With one exception, the Council renewed the mandate of the old members, the retiring member being replaced by the Director of the Tax Administration in Peru. It will be observed from the report of the Rapporteur (the representative of Sweden), (Document C. 75), that Mr. C. E. J. Dowland is again appointed a corresponding member of the committee.

(d) *Composition of the Economic Committee.*—In this case there were some replacements in the personnel of the committee. A list of the fifteen ordinary members and of the corresponding members is attached to the report of the Rapporteur (the representative of Poland), (Document C. 73), and this list received the approval of the Council. It will be noted that Dr. R. M. Campbell, my Economic Adviser, again becomes a corresponding member of the Economic Committee.

The public meeting on the 25th January was somewhat protracted owing to a long debate on the report of the Health Mission which was sent to Spain, and particularly on that aspect of the refugee question which concerned the persons who had taken asylum in Embassies and Legations in Madrid. As no definite conclusions were reached at this meeting, I do not propose to deal with the Spanish question until later. The other subjects which came up for review were :

MANDATES.

On this subject the Hon. Walter Nash, M.P., represented New Zealand on the Council. The Council had under review the minutes of, and report on, the Thirtieth Session of the Permanent Mandates Commission, which considered, amongst others, the report on the Administration of Western Samoa by New Zealand for the financial year ended 31st March, 1936 (see Document C. 500, M. 313). The Rapporteur to the Council on the subject (the representative of Roumania) presented a report, which is Document C. 70. This was approved by the Council. The Permanent Mandates Commission's observations on Western Samoa are summarized on page 3 of the Rapporteur's report. To the observations and to the summary thereof no exception can be taken, especially as the New Zealand Government's policy towards the inhabitants is not commented on by the Commission in its report, the new policy not having been introduced until after the close of the financial year, 31st March, 1936. During the examination of the report on the administration of the territory, the accredited representative of New Zealand gave an account of the Government's policy, and it was on the attitude of some of the members of the Commission towards that policy that Mr. Nash felt it advisable to speak in the Council. He observed that the Labour Party's criticism of the administration of Western Samoa whilst in opposition was translated into action when that party took office, and he gave a brief account of the manner in which the Government had begun its task. Unfortunately, the attitude of the Permanent Mandates Commission had been somewhat critical; indeed, it had tended towards an opinion that the Government was working on the wrong lines. Mr. Nash then said :—

"I wish to emphasize here that the New Zealand Government, so long as it is in any way responsible in Western Samoa, will do everything possible to ensure that the Western Samoan people have all the freedom it is possible for them to have, and will spend New Zealand's money to ensure that they get that freedom . . . A Mandate ought to be operated for the benefit of the people of the area under Mandate, but it does seem peculiar that on that particular occasion opportunity was taken to question the operations of the Government in connection with the procedure followed in working out the principles of the Mandate."

M. Rappard, who was representing the Permanent Mandates Commission at the Council, was quick to reply. His defence was that during what he described as a free and friendly conversation with the accredited representative of New Zealand some of the members of the Commission expressed surprise not at the new policy, but at the manner in which it, and the reasons for the change, had been announced to the Natives; that it was felt in some quarters that possibly the exhilaration of political victory in New Zealand might lead to misunderstanding amongst the Natives. No criticism had been expressed or intended.

Mr. Nash then dealt with the point that some surprise was felt by the Permanent Mandates Commission at the Government, "as a Government," doing what, when it was in opposition, it had said it would do. He, however, did not question the powers of the Commission, which should do all that it could to ensure the welfare of the Natives.

The debate closed on a note of thanks and appreciation by M. Rappard.

HEALTH COMMITTEE.

On the report on the Bureau of the Health Committee (Document C. 503, 1936) I acted as Rapporteur, and my report to the Council is Document C. 17. The constitution of the Health Committee has recently undergone some revision and its numbers have been severely reduced. Its composition will form the subject of a later report and will not be dealt with here, but when introducing my report quoted above I felt it necessary to stress the fact that in reducing the numerical strength of the committee some competent and desirable persons had to be excluded. However, there was a means of adjusting that difficulty, and the means might be applied later. I also referred to the importance of nutrition, or, rather, the ill-effects of malnutrition, since this aspect of the wider question more closely concerned the Health Committee. I expressed the hope that in the not distant future we should have before us a report dealing with this and with standards of living and other circumstances vitally affecting the health and happiness of the people.

The President of the Council offered thanks for the help which the Health Committee had rendered to China; and Mr. Eden, on behalf of the United Kingdom, stressed that in connection with the proposed conference on rural hygiene the views of the organizations interested should first be obtained on the scope of the conference.

My report was adopted by the Council.

REQUEST BY THE ZELTWEG-WOLFSBERG AND UNTERDRAUBURG WOELLAN RAILWAY COMPANY, VIENNA.

This matter, the Rapporteur for which was M. Litvinoff, needs no comment, since consideration of it was adjourned (see Document C. 68).

KINGDOM OF BULGARIA STABILIZATION LOAN.

Nor need this matter detain us for any length of time. It is a question of whether the obligation of the Bulgarian Government under certain clauses of the General Bond securing the loan are finally discharged by the provision of the monthly payments referred to in another clause. Under resolution of the Council the question has been referred to Mr. Alexander P. Fachiri, barrister-at-law in London, for decision. (See the report of the President of the Council who acted as Rapporteur—Document C. 62.)

REFORM OF THE CALENDAR.

This question has been before the League for some years, and consideration of it has been entrusted to the organization for communications and transit. The subject was raised during the International Labour Office Conference in June, 1936, when a motion was moved requiring the League to take certain steps with a view of having drawn up a Convention for signature from the 1st January, 1938. The Director of the International Labour Office, however, expressed a doubt whether the subject was within the competence of the Office. He pressed for a delicate handling of the situation since both bodies—the Labour organization and the League of Nations—desired to preserve their autonomy. However, an extract dealing with calendar reform from the minutes of the Conference was sent to the Secretary-General of the League (Document C. 34), and this was before the Council, together with the report of the Rapporteur (the representative of the Union of Soviet Socialist Republics), (Document C. 76). This report is a review of the present position of the question, and the suggestion that the relevant papers be brought under the notice of the Advisory and Technical Committee for Communications and Transit was accepted by the Council. A solution of the question must be pressed if reform is to become effective on the 1st January, 1939; otherwise reform must be postponed until 1950, because the scheme provides for reform to begin on a Sunday in the year in which it is introduced. M. Edwards, the representative of Chile, spoke in favour of reform and urged action.

On the 26th January the Council held its fourth public meeting. This was preceded by a short private meeting at which the representative of Turkey presented his report on the Convocation of the Bureau of the Conference for the Reduction and Limitation of Armaments (see Document C. 81). Last year's Assembly, on the proposal of the French delegation, had suggested a meeting of the Bureau, and the Council in October authorized its President to settle the date. The matter came before the Council in December, but decision was postponed. The Council accepted the Turkish representative's suggestion, and the Bureau will be summoned to meet at Geneva on 6th May next.

The following matters were dealt with at the public meeting:—

FINANCIAL COMMITTEE.

Report on the Work of the Sixty-third Session.—For the report of the Financial Committee see Document C. 545, M. 352. This report, which was commented on at some length by the Council's Rapporteur, the representative of Sweden, deals with the financial situation in Austria, Bulgaria,

Estonia, and Hungary; but the second section is devoted to the development of international trade by abolishing exchange control, a matter which was raised by the Second Committee of last year's Assembly. The Finance Committee's remarks under this heading will be read with interest. There was no discussion and the Council passed the resolution with which the Rapporteur's report closes. (See Document C. 40.)

RAW MATERIALS.

This is a matter of considerable importance. It was raised during the second Assembly, and I am given to understand that the Italian delegation was then very active in connection with it. Some years elapsed before it was dealt with again, in 1933, when it was considered by the Monetary and Economic Conference in a limited way. New impetus was given to it in 1935, when it occupied a prominent place in the speech which the United Kingdom's Secretary of State for Foreign Affairs delivered to the Assembly. Last year it was discussed at length by the Second Committee of the Assembly which requested the Council to appoint a committee to undertake a study of the question. The Rapporteur to the Council was the representative of Poland. In his report he dealt with the appointment of such a committee, offered suggestions regarding procedure, and furnished a list of persons who he suggested should be asked to serve. This list, which is on page 4 of the report, was approved by the Council, but it is incomplete, and the President of the Council was authorized to make one or two other appointments after consulting the Rapporteur on Economic Questions. (See Document C. 66.)

At a private meeting of the Council held on the 27th January a letter was read from the accredited representative of South Africa regarding the standing of the members of the committee. On the invitation of the President, the Rapporteur on the question made a statement to the effect that the members of the committee had been appointed not as representatives of their Governments, but because of their eminence and experience. It was true that their nationalities had been appended to their names, but this was a mere incident. He requested that full publicity should be given to his statement.

At the private meeting which preceded the public meeting on the 27th January the President suggested the adjournment to the next session of items :—

21. Treaty of Mutual Guarantee between Germany, Belgium, France, Great Britain, and Italy :
3. (d) Composition of the Financial Committee.

The following items of the Agenda were then taken into consideration :—

COMPOSITION OF THE HEALTH COMMITTEE.

The constitution of the Health Committee has undergone drastic revision with a consequent reduction of membership. It now consists of twelve members, of whom one must be the President of the Permanent Committee of the Office International d'Hygiène Publique. Although the remaining members must include representatives of the principal national health administrations, it is understood that they need not be Government officials, nevertheless the persons appointed should have the full confidence of their respective Governments.

As Rapporteur on the question it was my task to receive representations from certain delegations and from others, and I know from experience that the selection of the committee was not made without considerable difficulty. Indeed, when the matter came before the Council I was not in a position to nominate by name citizens of India and Poland, and I had to ask the Council to authorize me, in consultation with the Secretary-General, to obtain suitable nominations from these countries and to make the necessary appointments. Then there are countries, members of the League and non-members, whose interests in health questions is such that they would gladly seize the opportunity of taking an active part in this important work; and it should be possible by taking advantage of an article in the general regulations of committees to make provision for countries whose nationals have not already been selected as members by the appointment of associate or corresponding members and assessors. After consultation with the Director of the Health Section, I had the following paragraph inserted in the draft report :—

“If, therefore, far distant countries in particular would desire a more frequent liaison with the Health Organization than would be provided by attendance at the General Assemblies . . . their technical representatives might be permitted to attend the sessions of the Health Committee as associate members, at the expense of their Governments.”

The loss of the services of eminent men which is a consequence of the reduction of membership could be overcome under such an arrangement, the claims of South Africa, which was a candidate for membership, might be met, and countries which are no longer members of the League might be represented if it were their desire.

It is in the region of health that the League has shown positive results, and it should receive every possible encouragement to proceed with the work.

The Council accepted my report (Document C. 92), to which I refer you.

INVESTMENT COMMITTEE OF THE STAFF PROVIDENT FUND.

The mandate of this committee having expired in December, it became necessary for the Council to take action. The Rapporteur (the President of the Council himself) proposed the reappointment of one member and the appointment of two new members. The Council accepted the Rapporteur's suggestions (Document C. 87).

FREE CITY OF DANZIG.

Appointment of High Commissioner.—Mr. Eden, the Rapporteur on Danzig questions, informed the Council that Admiral de Graaf, a Dutchman, had been asked to accept this appointment, and that it was hoped he would accept. In the event of a negative reply, however, Mr. Eden trusted the Council would leave the selection to the Committee of Three—that is, the Committee of the Council which deals with questions relating to Danzig, in collaboration with the Polish Government. The Council concurred.

The Council then went into public session in order to discuss three items of great international importance, the situation in Danzig, the report of the Health Mission which visited Spain, and the question of Alexandretta and Antioch. With these I will proceed to deal, but before treating of them I will dispose of the remaining item, which is—

CONSTITUTIONS PROCEDURE AND PRACTICE OF COMMITTEES OF THE LEAGUE OF NATIONS.

As so great a bulk of the League's work is done through committees it naturally follows that the greatest care must be exercised in seeing that they function to the best advantage. The inquiry into the work of the League's committees is not only of importance in itself, but it has occasioned, in its results, much thought and care on the part of the Council and the Secretariat. The question has been referred to in reports of the New Zealand delegate at recent Assemblies, and there is no need to go into details here. The Council's Rapporteur on the question is the representative of France, and his report (Document C. 80) deals with certain aspects which have recently been under review. It was approved by the Council. (See also Documents C. 23 and C. 67.)

FREE CITY OF DANZIG : SITUATION AT DANZIG.

The Committee of Three of the Council which deals with Danzig questions had had an unenviable task. The situation *vis-a-vis* the League has almost completely changed since it took over, through its High Commissioner, the duties imposed on it by the Treaty of Versailles. Instead of being called upon to settle differences between the Free City and Poland, as in the early post-war years, it has recently been the League itself, through its High Commissioner, which has come into conflict with the Senate of the Free City; and the period of office of the late High Commissioner, Mr. Lester, was one of great difficulty and anxiety.

To go into the matter in all its political bearings, to touch, even briefly, on the interference with civil liberties in the city, would here serve no useful purpose. The Committee of Three was constantly meeting during the session of the Council, and frequently associated with it was the President of the Senate, who came to the Council Chamber when Mr. Eden's report was brought up for consideration. To that report (Document C. 90) I refer you; and also to the report of the Polish Government (Document C. 89), which had been entrusted by the Council to seek a means of bringing to an end a difficult situation. Happily, the labours of the Committee of Three were not in vain, and agreement between those concerned was arrived at. The report was approved by the Council, which passed the following resolution:—

“The Council, having taken note of the report submitted to it by the representative of Poland, adopts the report of the Committee of Three, and requests the Committee of Three to continue to follow the situation in Danzig.”

We will hope for an improvement, but we cannot escape from an element of doubt after reading the following concluding sentence of Document C. 90:—

“In any case, the new High Commissioner will see on the spot what the situation is, and, as soon as he has been able to form a definite opinion, he will certainly wish to let the Council know under what practical conditions he thinks he can carry out his functions, taking the present report into account.”

QUESTION OF ALEXANDRETTA AND ANTIOCH.

In my report dated 23rd December last I dealt very briefly with the conflict which had arisen between France and Turkey concerning the territory of Alexandretta and Antioch, which is governed by France as part of the mandated territory of Syria and Lebanon. I then mentioned that the substance of the question would be considered by the Council at its next session. The dispute, which had been the subject of continuous negotiations in the meantime, came again before the Council on the afternoon of the 27th January, but before proceeding to an account of the final examination by the Council I will endeavour to give a brief picture of the dispute itself.

On the 9th September last the Franco-Syrian Treaty, referred to in my report of the 23rd December, was signed, and on the 1st October the Turkish Government communicated with the French Government in regard to the future status of the Sanjak (or prefecture) of Alexandretta. It was the desire of the Turkish Government to secure for the Sanjak a special status which would safeguard the interests of the Turkish section of the population. After some negotiations between the two Governments it was agreed that the matter should be referred to the League. As you know, under resolution of the Council passed at its Ninety-fifth (Extraordinary) Session, three observers were appointed to proceed to the Sanjak, it being understood that the substance of the question should be dealt with at a later session. The observers, in the persons of M. Holstad (Norwegian), M. Caron (Dutch), and Colonel von Wattenwyl (Swiss), arrived at Alexandretta on the 31st December last.

The Sanjak (the word denotes the subdivision of a province) contains an area of some 4,000 square kilometres, and within its boundaries are situate the City of Antioch and the important and fine port of Alexandretta, which has rail communication with, amongst other places, Angora, the capital of Turkey. Many of the statistics available are not very reliable—indeed, they vary—but the Turkish inhabitants probably number rather more than two-fifths of the total population, which is put at 190,000 souls. From a military point of view Alexandretta and the neighbouring district are of great importance strategically, whilst commercially the possibilities of the port are enormous.

When, in 1920, it was agreed that the mandate for Syria should be exercised by France, the frontiers of the country to be governed under the mandate had not been determined. Late in 1921, under an arrangement between France and Turkey, some territory was restored to the latter, and the agreement which gave effect to the restoration also provided for a measure of freedom in language and cultural matters being accorded to the inhabitants of the Sanjak, which, although geographically a part of Syria, has a local culture Turkish in character. Indeed, I understand that Turkish is the language of the greater part of the inhabitants, even of thousands of persons who are not members of the Turkish race.

It will be recollected that as the result of the war in Asia Minor between Turkey and Greece the treaty signed by Turkey and the allied and associated Powers in the early post-war years was abrogated in favour of one negotiated at Lausanne in 1923. The latter treaty confirmed the Turkish-Syrian frontier established in 1921 and the Turkish renunciation of her rights and titles to the territories over which France was exercising a mandate. The Lausanne Treaty was followed by yet another, signed in 1926 by representatives of the Mandatory Government of Syria and the Turkish Government, by which a number of outstanding questions were settled and a degree of autonomy, especially in matters of finance and education, was accorded to the Sanjak; very important was the recognition by Syria of the claims of the Sanjak in the matter of autonomy, should the form of Government in Syria change in the future.

The terms of the last-mentioned treaty had been kept, and France had declared that when, in three years' time, Syria became an independent State she would see that the engagements she had assumed towards the Sanjak would be taken over by the Government of Syria, but what in the eyes of France was merely the interpretation of Treaties—a legal question—was for Turkey a political question (especially as Turkey claims that no less than four-fifths of the inhabitants of the Sanjak are of the Turkish race); and to incorporate the Sanjak with Syria, and to make it an integral part of Syria, would create a minority in an Arab State, with the risks which minorities run. The history of minorities in Europe and the complaints of the ineffectiveness of the League in settling minority questions are a warning which should not be ignored. It is all very well to say that under a good administration the rights of minorities will be preserved, but fanaticism, hatred, and greed all play their part, and sometimes it is easier for a Government to take the line of least resistance. (In this connection I would mention my experience as a member of one of the minority committees of the Council of the League in regard to a petition from a minority group of citizens who had been dispossessed of land by peasants of a different race; whose right to the land had been upheld by the Supreme Court of the country; but who had never been able to obtain execution of the judgment because of the powerlessness or unwillingness of the authorities to intervene against citizens of their own race.) Moreover, there were certain international aspects which, although not part of the question to be determined, were yet ever present in the minds of the Turkish people. A situation might arise leading to events in Asia Minor which would vary according to existing circumstances: Syria independent would be a different proposition from Syria governed under mandate by a strong power like France. Let us endeavour to narrow down the issue: Were the steps which had been taken by France to ensure a measure of autonomy to the Sanjak, once Syria had become an independent State, of a nature to satisfy the Turkish Government in regard to the future?

The legal standpoint of the Turkish Government was that the agreements of 1921 and 1926 were made between France and Turkey, not between the mandatory power and Turkey, and that since the Sanjak had been ceded under certain conditions to France, and not to the mandatory power, France was in a position to accord to the Sanjak independence in full measure, just as she was giving independence to Syria and Lebanon. At the same time the Turkish Government made certain suggestions regarding the Sanjak which, however, need not concern us here.

The French case was a denial of the Turkish claim. In treating with Turkey, France had always acted as a mandatory power. She had no rights of sovereignty over Syria, and under the Treaty of Lausanne Turkey had renounced all rights and titles to territory beyond a frontier line which she had accepted. From a geographical point of view nothing had occurred to give occasion to a reconsideration of the original reasons for including the Sanjak in the mandated territory.

Between the ninety-fifth and ninety-sixth sessions of the Council the parties negotiated in Paris in the presence of a representative of the Rapporteur (Mr. Sandler, Swedish Minister for Foreign Affairs), but without success. Negotiations were later conducted through the usual diplomatic channels, but no measure of agreement was reached, and, indeed, the position was causing considerable anxiety. Shortly before the opening of the session now under review the Rapporteur placed himself unreservedly at the disposal of the parties, and conversations were then resumed in Geneva, under the guidance of the League and to such good purpose, that about the 25th January the press announced that a settlement had been practically reached. On the 26th January Mr. Sandler issued his report (Document C. 91), which came before the Council on the 27th.

I do not propose to give an account here of the negotiations in Paris or in Geneva. The report furnishes sufficient information to enable the situation to be followed progressively. What we are concerned with is the final settlement, and this I consider a triumph for the League. Let us forget for a moment the cry for "open diplomacy" and consider the method adopted for dealing with the

dispute. The Council appointed a statesman, who is rapidly acquiring an international reputation, to act on its behalf in an effort to bring the parties together. Neither he nor his country had any interest in the dispute other than a whole-hearted desire to see the question settled. Impatient as some of us are of methods of procrastination, of procedure which clogs the wheels, yet we have to confess that the League has provided the machinery for negotiations in a quiet atmosphere and with the help which an international civil service can provide. And if the League has often failed in the past, as undoubtedly it has failed, probably it still has to its credit success in sufficient measure to warrant those countries who have made it the corner stone of their foreign policy continuing to give it full support. It is known that in the course of negotiations Mr. Eden was called into consultation, and that his help was of value can be gauged by the happy references to him which were made by the representatives of the parties at the Council table. It is the opinion of many qualified to express one that without the League this unhappy dispute might have led to grave consequences and international repercussions. The terms of the settlement are contained in the second section of the report. Briefly they are as follows:—

“The Sanjak is to enjoy independence in the administration of its internal affairs subject to the condition that it shall have one customs and monetary administration with Syria. Syria, however, is to be responsible for the conduct of the foreign affairs of the Sanjak. Turkish is to be the official language of the Sanjak, but it is for the Council of the League of Nations to determine the character and conditions of the employment of another tongue. No international agreement or decision affecting the independence and security of Syria may be applied to the Sanjak without the consent of the Council of the League. There are provisions for the establishment of a liaison between the executive authorities and the legislative assemblies of Syria and the Sanjak. Provision is made for the exercise by the Council of the League, through an officer appointed by it, of supervision to ensure respect for the laws of the Sanjak. The Sanjak may not possess an army nor introduce compulsory military training, nor may military works be constructed. Turkey and France are to guarantee the territorial integrity of the Sanjak under a treaty to be negotiated by the two powers; and an agreement is to be concluded between France, Turkey, and Syria with a view to guaranteeing the inviolability of the Turkish-Syrian frontier. Turkey is to enjoy certain rights and facilities in the port of Alexandretta in connection with her transit trade. The report contains points to be considered in the drafting of the Statute of the Sanjak and its Fundamental Law, and the Rapporteur suggested to the Council the appointment of specialists (not more than six persons) to study these points and other matters connected with the settlement. Further, the Rapporteur recommended that the powers of the observers sent to the Sanjak in December should be renewed for a limited period. Finally, it should be observed that the new regime is to come into operation as soon as possible, and that on France as the mandatory power will fall the responsibility of bringing it into operation.”

For the short but interesting debate which followed the introduction of the report I refer you to the minutes.

The report was unanimously adopted by the Council.

REPORT OF THE HEALTH MISSION IN SPAIN.

I have already referred to the report of the Medical Mission sent to Spain, but it did not come before the Council until the end of the session.

After the Council, at its ninety-fifth session, had dealt with the Spanish Government's request that it examine the situation in Spain in the light of Article XI of the Covenant, it passed the resolution which is quoted in full in my report on the ninety-fifth session. Part IV of the resolution reads:—

“Notes that there are problems of a humanitarian character in connection with the present situation, in regard to which co-ordinated action of an international and humanitarian character is desirable as soon as possible.

“Recognizes, further, that for the reconstruction which Spain may have to undertake international assistance may also be desirable.

“And authorizes the Secretary-General to make available the assistance of the technical services of the League of Nations should a suitable opportunity occur.”

On the 15th December the Spanish Minister of Foreign Affairs wrote to the Secretary-General of the League suggesting that a competent delegation from the health organization of the League be sent to Spain to report on the health situation. Accordingly a delegation of three in the persons of Doctors Lasnet, Laigret, and Wroczyński was appointed and left for Valencia, which was reached on the 29th December. On the 18th January the mission made its report, which was issued to the members of the League as Document C. 45. The duration of the visit of the mission to Spain was some fifteen days, and although, as the report states, the time at its disposal was not sufficiently long to enable an exhaustive investigation to be made, yet it was enabled to gain a sufficiently clear idea of the situation in the matter of health and of the effect that the movement of refugees might have upon health in the provinces remaining under the authority of the legitimate Government.

A perusal of the report gives rise to a feeling of satisfaction that the record of the Spanish Government in health administration should stand out so well. The civil war has raged for many months, yet the health of the population of the provinces subject to the legitimate Government is satisfactory; there is an absence of epidemics even in the City of Madrid, whose inhabitants number some one and a quarter millions; and the movements of population caused by the distribution of

refugees has not been accompanied by outbreaks of disease. Of course, the miseries to which man is subject in warfare are not lacking; but when one reflects that the outbreak of the civil war saw the Government deprived of nearly the whole of its army medical services and much of its medical resources, one cannot help paying tribute to those who built up a new organization which ultimately met reasonable demands. I write some three weeks after the date of the report of the mission, and much has happened within the past few days, but at the end of January the Spanish Government had taken measures to secure the equipment necessary to carry out the plan of evacuation which then appeared to be the most pressing problem calling for solution.

The report deserves to be read. It is ably written (I call your attention to the references to Madrid on page 23), and moreover it well illustrates the value of the technical services of the League, especially in cases of emergency.

The conclusions reached by the mission will be found summarized in the covering letter.

The President himself acted as Rapporteur, but as the debate at the final public meeting of the Council was not so much concerned with the report of the mission as with the question of those who had taken asylum in Embassies and Legations in Madrid, I will devote a few sentences to a debate, at times almost acrimonious, which took place in the private meeting which preceded the public meeting.

The question of the evacuation of the refugees who had sought asylum in Embassies and Legations in Madrid had been raised by the representative of Chile during the ninety-fifth session of the Council, when the Spanish representative had stated in reply, "I am fully prepared to consider, direct with each Government concerned, the problem constituted by the persons who have taken refuge in the way referred to, taking into account all the diverse aspects of the question." The matter was again raised during the private meeting of the Council on the 27th January by the representative of Chile, who complained that nothing had been done in the meantime. Was it not possible, he asked, to reach an agreement on principle with the Spanish representative before the report of the Commission was discussed in public. On the motion of Mr. Eden, the private meeting was adjourned to give the parties an opportunity to negotiate. At the resumption of the sitting the President, who acted as Rapporteur, introduced his report (Document C. 96), and the debate on the question of persons in asylum in Madrid was resumed. It soon became clear that the outstanding point between the representatives of Chile and Spain was the objection of the latter to international intervention, although he was in agreement with his colleague on the necessity for evacuation. He was quite prepared to negotiate with the Chilean Government as with other Governments. At length Mr. Eden intervened, and after pointing out that the differences between the representatives of the countries were not so great as their speeches led one to believe, asked whether it was not possible to open negotiations in the near future at Valencia or Madrid. Ultimately London was agreed on as the place of negotiation, and the private meeting broke up on the understanding that as soon as the Spanish representative had returned to Valencia the necessary instructions to begin negotiations would be given by him.

It will be observed on reference to the Rapporteur's report (Document C. 96), which subsequently came before the Council in public session, that a section is devoted to this question of asylum. The concluding paragraph was slightly modified by the Rapporteur in order to take account of the agreement (as to place and date of meeting) which had been arrived at during the private meeting. As to the report of the Health Mission which visited Spain, the Council agreed to transmit the chapters dealing with the prevention of epidemics to the Health Committee of the League, at the same time laying emphasis on the typhus question and the necessity for consultation on the subject by experts. The debate in public was largely concerned with the right of Embassies and Legations to afford asylum to nationals other than their own. Views were conflicting, and some speakers quoted cases, even going back to the eighteenth century, in support of their contention. There is, however, no need for me to dwell on this aspect, so for full information I refer you to the minutes of the Council.

The ninety-sixth session of the Council terminated on the 27th January.

I have the honour to be,

Sir,

Your obedient servant,

W. J. JORDAN,

High Commissioner for New Zealand.

The Right Honourable the Prime Minister,
Wellington, New Zealand.

NINETY-SEVENTH SESSION OF THE COUNCIL OF THE LEAGUE OF NATIONS.

STR,—

New Zealand Government Offices,
415 Strand, London, W.C. 2, 10th June, 1937.

I have the honour to inform you that in company with the Honourable H. T. Armstrong, Minister of Labour and Employment, I left London on the afternoon of the 22nd May in order to attend the Ninety-seventh Session of the Council and the Extraordinary Session of the Assembly of the League of Nations. The Council commenced its sessions on Monday the 24th May.

The President was S. E. le Dr. A. J. Quevedo, the representative of Ecuador. With the exception of Italy, all the members of the Council were represented.

The first meeting, which was private, was devoted to the consideration of the Agenda. (Document C. 210 (1), M. 153 (1), 1937.) The revised Agenda included the appeal of the Spanish Government. By a telegram dated 19th May, 1937, the Spanish Government referred to the declaration made by its representative at the extraordinary meeting of the Council held on 12th December, 1936 (ninety-fifth session), the telegram reading:—

“At the request of the Spanish Government the Council held an extraordinary session in December, 1936, to examine, in virtue of Article XI of the Covenant, the situation created by the intervention of certain Powers in the Spanish struggle. On that occasion it was explicitly stated that the resolution, adopted by the Council at its meeting on December 12th, 1936, did not exhaust the question that had been raised and that the Government reserved the right, should circumstances render it necessary, to ask the Council to proceed with the examination of the question. In the opinion of the Spanish Government the development of foreign intervention in Spain since that resolution was adopted has assumed such proportions that without any kind of doubt it constitutes circumstances rendering it necessary for the Council to proceed with the examination of the question which was the subject of the extraordinary session of December, 1936. Accordingly, I have the honour to request you to be good enough to place that question on the agenda of the forthcoming ordinary session of the Council.”

“(Signed) GIRAL,
“Minister for Foreign Affairs of Spain.”

At the request of the Governments of Iraq and Iran it was decided to adjourn, until the next meeting, Item No. 17 of the Agenda. This dealt with the request of the two Governments in accordance with Article XI, paragraph 2, of the Covenant, for the delimitation of certain parts of the Iran-Iraq border.

The provisional agenda was adopted.

The second meeting of the Council was held in private on the 25th May. In discussing the Agenda, the representative of the United Kingdom suggested that the report on slavery (Document C. 188, 1937, VI) should be made public. It was agreed to adopt the Agenda subject to Mr. Eden's suggestion.

The following items were discussed under the heading of “Budgetary and Administrative Questions”:—

GIFT TO THE LEAGUE OF NATIONS.

The Japanese Government had offered a contribution of 35,000 gold francs (49,483.49 Swiss francs) towards the cost of certain technical activities of the League in which it collaborated during 1936. The following resolution, contained in the report of the Rapporteur on the subject (Document C. 239, 1937) was adopted:—

“The Council,

“Decides in accordance with Article 23A (2) of the Regulations for the Financial Administration of the League, to accept from the Japanese Government a sum of 35,000 gold francs (49,483.49 Swiss francs) as a payment towards the expenses of certain Technical Committees of the League in 1936;

“Instructs the Secretary-General to convey its thanks to the Japanese Government.”

TRANSFER IN THE BUDGET FOR 1937.

The Rapporteur (the representative of China) stated that, owing to increasing interest in the new League buildings and to the desirability of ensuring that the great number of people who visited the building should have the opportunity of acquainting themselves with the work of the League further credits were required for the printing of an explanatory pamphlet in several languages, together with illustrative postcards. The proposal included, for sale, a cinematograph film of the League. The Rapporteur, in proposing the transfer of 25,000 Swiss francs to the printing item from the salaries item of the Budget, on which a saving had been made, mentioned that a large proportion of the amount would no doubt be recovered from sales (Document C. 245, 1937, X).

The Council decided to make the necessary transfer.

SECRETARIAT APPOINTMENTS, PROMOTIONS, AND RESIGNATIONS SINCE THE LAST SESSION OF THE COUNCIL.

Several appointments were agreed to (Document C. 215 (I), 1937), and later at the public session the following members made their declaration of loyalty :—

M. V. Sokoline, Under-Secretary-General.

Mr. S. Lester, Under-Secretary-General.

Mr. P. H. Watier, Director of the Communications and Transit Section.

The declaration is required in the case of officials of the rank of Director and over before the Council in public session.

APPOINTMENTS.

The only appointments dealt with were those to the Fiscal Committee, for which the representative of Sweden was the Rapporteur (Document C. 244, 1937, II A). The Council at its ninety-sixth session had provided that the composition of this Committee for the years 1937 to 1939 be on the basis of the Rapporteur's recommendations. The composition of the committee was therefore completed by the appointment of the corresponding members mentioned in the document referred to above.

QUESTION OF ALEXANDRETTA AND ANTIOCH.

The Report of the Committee of Experts, which met at Geneva from 22nd April to 15th May, was presented by the representative of Sweden (Documents C. 233, 1937, and C. 264, 1937). The committee had submitted to the Council a draft Statute and a draft Fundamental Law for the Sanjak, together with certain comments and several recommendations. A copy of the verbal statement made by the Rapporteur will be found in the minutes of the second meeting.

The representative of Turkey said that as the Rapporteur had not asked for an expression of views at the private meeting he would not make any comment.

The whole subject came before the public meeting and comment will be found on pages 25-27 of this report.

The Council later went into public session, the Honourable H. T. Armstrong representing New Zealand.

Before entering on the work of the day's proceedings the President, M. Quevedo, paid tribute to the memory of Sir Austen Chamberlain, who died on 16th March, 1937. The President referred to the part played by Sir Austen during his term as Minister for Foreign Affairs of the United Kingdom and as representative of his country on the Council from 1924 to 1929. His name would always be associated, first and foremost, with the Locarno Pact of October, 1925, for the conclusion of which Sir Austen was largely responsible, and with the political appeasement—the fruit of an intimate collaboration at Geneva between M. Briand, M. Stresemann, and himself—that followed. The historic example of the personal collaboration of these three great statesmen had ever since been an inspiration to the members of the Council, and never more so than at the present time.

M. Delbos, on behalf of the French Government, associated himself with the remarks made by the President. He referred to the part played by Sir Austen at Geneva from the beginning, and said that it was the duty of every one to-day to maintain the spirit that Sir Austen had left behind.

Mr. Eden, on behalf of the Government and people of the United Kingdom, expressed his thanks to the President and the representative of France and the members of the Council for the tribute that had been paid to the memory of Sir Austen Chamberlain, and said that he would transmit to Sir Austen's family the message of condolence. Mr. Eden said that Sir Austen had always been a firm believer in the League and that his conviction arose not from a fervent idealistic faith in the conception of a League of Nations, but from practical experience of the working of that organization. Mr. Eden, in conclusion, said that at this time, "when we are each of us conscious of the acute difficulties of the present international situation, we can, I am convinced, pay no sincerer tribute to Sir Austen's memory than to determine to strive, as he did, for the promotion of international collaboration through the machinery of the League and in the spirit of its Covenant."

ADVISORY COMMITTEE OF EXPERTS ON SLAVERY.

Report on the work of its fourth session, 5th to 10th April, 1937 (Document C. 188, 1937, VI).

The representative of the United Kingdom, as Rapporteur for this subject, presented his report (Document C. 238, 1937, VI), in which reference was made to the fact that the question of the scope of the committee's powers had been left open last year and that the committee had now unanimously decided not to pursue the study of this matter.

The suggestion was made by the committee that the Council should authorize the holding of an extraordinary session in 1938. It was thus recommended that the Council accede to this request and that the Secretary-General be asked to propose to the Assembly that financial provision should be made accordingly.

It is satisfactory to note that China has recently ratified the Slavery Convention of 1926, and that the Government of India has withdrawn the reservations to the Convention in respect of all areas in Burma and almost entirely in respect of the areas in Assam.

Mr. Wellington Koo (China) endorsed the terms of the report and, referring to Chapter 4 (see page 15), said that the Mui Tsai system had been the subject of a comprehensive investigation by a United Kingdom Committee of Inquiry, the conclusions of which had been summarized by the United Kingdom representative at the last session of the Advisory Committee on Social Questions. As their report was to come before the Council during the session he felt that when a study of the document referred to had been made by the Advisory Committee on Slavery it would find in it a valuable contribution to the full understanding of the real character of the Mui Tsai system.

No further observations were made on the report, which was then adopted by the Council.

CONFERENCE OF CENTRAL AUTHORITIES IN EASTERN COUNTRIES.

The report on the conference, held at Bandoeng, Java, from 2nd to 13th February, 1937, was circulated to Council members, together with the report of the Committee on Social Questions relating to that Conference (Documents C. 288, M. 164, 1937, IV, and C. 235, M. 169, 1937, IV).

Among the subjects discussed was one relating to the abolition of licensed houses, the Conference passing a resolution to the effect that it declared itself in favour of abolition as a final objective, and recommending that educational measures be taken for the formation of a favourable public opinion in those countries in the East in which tolerated brothels still exist, and that abolition should in all cases be anticipated or accompanied by administrative, medical, and social measures in order to guarantee the permanence of its success.

The Conference also suggested the creation of a League of Nations' Bureau in the East for the purpose of receiving regular reports from all participating countries in regard to traffic in women and children, which would act as a liaison office between the central and other interested authorities.

There was no discussion on the report, the Council passing the following resolution (Document C. 242, 1937, IV):—

“The Council notes the report of the Conference of Central Authorities at Bandoeng and the Advisory Committee's observation on the report.

“It expresses its appreciation of the results of the Conference, which, in so far as they raise budgetary or administrative questions, come within the purview of the Assembly.”

FINANCIAL COMMITTEE.

The Council considered the report on the work of the sixty-fourth session, held from 26th to 30th April, 1937 (Document C. 221, M. 161, 1937, IIA). The committee dealt with three questions submitted to it by the Council, together with the financial situation in Austria, Bulgaria, and Hungary.

One of the questions dealt with was a proposed Convention for the suppression of counterfeiting securities. Governments had been communicated with, and as a result of the evidence placed at the committee's disposal it was felt that international action to prevent fraud was likely to prove of value. The committee therefore suggested that a small committee of jurists might be appointed, together with one or two members of the Financial Committee, in order that a detailed report might be prepared and, if possible, a draft convention or a protocol to the existing Convention for the Suppression of Counterfeiting Currency. When their report was later presented the Council would be in a position to decide whether Governments should again be asked for their further comment (Document C. 243, 1937, IIA).

Following on the Council's acceptance of the above report, the representative of Sweden, at a meeting of the Council on the 27th May, presented a further report, Document C. 247, 1937, IIA, in which he submitted the names of persons to be invited to undertake the work of preparing a report and, if possible, a draft convention or protocol relating to the suppression of counterfeiting securities:—

M. Servais, Minister of State, Honorary Public Prosecutor at the Brussels Court of Cassation; His Excellency M. Vespasien V. Pella, Roumanian Minister at The Hague; and Sir John Fischer Williams, C.B.E., K.C., United Kingdom.

The conclusions of the report were adopted.

At the last meeting of the Council the question of the proposed conference on rural life was referred to the Financial Organization and certain other technical bodies for the purpose of a preparatory study. As a result the Financial Committee suggested that an inquiry into agricultural credit systems, covering mortgage legislation, co-operative credit systems, and agricultural insurance would no doubt prove of value, and it was left to the Council to make a decision on the point.

The committee also considered the invitation to establish suitable collaboration with the Economic and Health Committee with a view to preparing a report on urban and rural housing for submission to the next Assembly. It was decided that one of its members be requested to assist the Economic Committee in this work.

The report was adopted.

COMMITTEE OF STATISTICAL EXPERTS.

The representative of Sweden, acting as Rapporteur on this subject, presented the report of the committee on the work of its Sixth Session, which was held from 19th to 24th April, 1937 (Document C. 217, M. 158, 1937, IIA).

The committee had prepared, in accordance with a recommendation of the Statistical Conference of 1928, certain proposals with regard to the statistics of occupied population in view of the fact that the next censuses would be taken in most countries in 1940 or 1941. The committee thought that, though Governments may wish to maintain their national definitions and classifications for national requirements and for purposes of comparison with previous censuses, they should be asked to provide within their national system such details as would allow of the compilation of supplementary tables complying with a uniform international scheme. A definition had therefore been prepared of the “gainfully occupied population.”

The committee had also prepared an international minimum nomenclature of branches of economic activity and a classification by personal status to serve as a basis for the grouping of occupied persons. It was now desired to obtain the observations of Governments on the suggested programme, and no doubt the comments of our Government will be received in due course. The information asked for should prove of value both nationally and internationally.

Regarding statistics of international trade in certain raw materials and foodstuffs by countries of origin, the committee recommended that its amended "Instructions," revised in the light of experience acquired, should be communicated to all participating Governments at an early date to enable these to be taken into account in preparing the data for 1937 and in collecting information for 1938. The recommendation was approved by the Council.

On the subject of timber statistics, as there had not been time to receive the comments of Governments on the draft recommendations made, it was decided to adjourn the preparation of the final report.

The committee reviewed the work done by its Sub-Committees on Financial Statistics and Price Statistics and decided to make a study of price and quantum indices of international trade, a report on which will be presented in due course.

The report and resolution contained in Document C. 240, 1937, IIA were adopted.

INTERNATIONAL ASSISTANCE TO REFUGEES.

At its public meeting on the 25th May the Council adopted the report of M. Michael Hansson, President of the governing body of the Nansen International Office for Refugees, concerning the liquidation of the office, which was presented by the representative of Bolivia, acting as Rapporteur on the subject (Document C. 226, 1937, XII, and C. 241, 1937, XII). Following an exchange of views with certain of his colleagues, M. Costa du Rels had added to the terms of the draft resolution a paragraph to the effect that the Secretary-General communicate M. Hansson's report to Governments with a view to its consideration by the Assembly, and to request those Governments for that purpose to send their observations before the opening of the Seventeenth Ordinary Session.

M. Hansson suggested that it would be necessary to set up another organization to take the place of the Nansen Office when the latter ceased to exist at the end of 1938 in view of the number of problems connected with refugees. He estimated the number of refugees placed under the protection of the Nansen Office at approximately six hundred thousand. In some countries, he said, the refugees caused the Office no concern, either because they were few and had been completely assimilated or because their treatment at the hands of the authorities was as good as—in some cases even better than—that prescribed by the Convention of 28th October, 1933. However, there still remained a truly appalling number of refugees who required substantial assistance, and would continue to require it even after 1938, unless they were to die of hunger or be driven to desperate courses, making them a menace to public order.

M. Litvinoff (Union of Soviet Socialist Republics), in expressing his acceptance of the report, said that he desired to place on record the fact that this did not necessarily cover acceptance of M. Hansson's suggestion that another organization be set up to take the place of the Nansen Office. He felt that the Council should make it clear that it would not express any opinion with regard to the problems put forward by the President of the governing body of the Nansen Office.

The Rapporteur pointed out in reply that in this matter the Council did not itself play any leading part. Its duty was to transmit to Governments the information with which it had been supplied, and it was for the Governments themselves to decide on what action, if any, they desired to take.

M. Hansson, who was present during the discussion, stated that it was very desirable that Governments should make such observations as they thought fit and that these observations should be obtained at the earliest possible moment in order that when the 1938 Assembly was called upon to take a final decision on the subject it would have the fullest information at its disposal.

The report, together with the amended resolution reading as follows, were adopted:—

"The Council of the League of Nations,

"Approving the proposals of its Rapporteur concerning the transmission to Governments of the report submitted by M. Michael Hansson, President of the Governing Body of the Nansen International Office for Refugees, in accordance with the decision taken by the Assembly at its Seventeenth Session,

"Is gratified by the zeal with which M. Hansson has been good enough, in accordance with the Assembly's recommendation, to furnish the Council at its present session with all the necessary data,

"Requests the Secretary-General to be good enough to communicate M. Hansson's report to the Governments with a view to its consideration by the Assembly, and to request those Governments for that purpose to send their observations before the opening of the Seventeenth Ordinary Session."

COUNCIL PROCEDURE.

At a private meeting of the Council held on the 27th May the President referred to an exchange of views between members of the Council which had taken place some days before regarding the appointment of a sub-committee to study certain points in connection with Council procedure. After consultation with the Secretary-General on the matter the President proposed that the committee should consist of representatives of the United Kingdom, Chile, China, France, and Poland.

The proposal was adopted.

INTERNATIONAL COMMITTEE ON INTELLECTUAL CO-OPERATION.

The Council was called upon to appoint a member to this committee to replace the late Mme. Cecile de Tormay. The representative of France presented his report (Document C. 248, 1937, XII), in which it was recommended to the Council that Count Paul Teleki, Professor of Economic and Political Geography at Budapest University, Vice-President of the Hungarian Geographical Society,

and member of several learned societies in different countries, be appointed for the remainder of the term of office held by the late Mme. Cecile de Tormay—i.e., three years. The appointment was approved by the Council and a tribute paid to Mme. Cecile de Tormay's memory and an acknowledgment of the services which she had rendered to the League of Nations.

CONSTITUTION, PROCEDURE, AND PRACTICE OF COMMITTEES OF THE LEAGUE OF NATIONS.

The representative of France submitted a report to the Council (Documents C. 257, 1937, and C. 257, 1937, Corrigendum), covering the progress made since last January in the matter of the reform of Committees of the League of Nations.

Health Committee.—The Council approved the draft Rules of Procedure, details of which will be found in Document C. 148, M. 96, 1937, III.

Financial Committee.—Proposals regarding the constitution and composition of this committee were put before the Council at its session in January last by the Rapporteur for this subject, the representative of France, but at the request of one of the members discussion was adjourned.

The Financial Committee has never had a definite statute, its composition, procedure, practice, and powers being the result of an evolutionary process determined by circumstances since its formation. The Council decided in 1934 that it was not necessary at that date to contemplate a definite statute and decided to examine in three years' time the most appropriate procedure to be adopted for reform. At the meeting in January last the Rapporteur gave a summary of the history of the committee (see Document C. 80, 1937), and made certain proposals bearing on the constitution and procedure. Their purpose was to give to the Financial Committee a statute conforming to the general rules laid down by the Council and to formulate the principles which should be followed in the selection of its members.

The representative of the United Kingdom offered no objection to the proposals, but expressed the view that the problems with which the committee was concerned were very largely problems of long duration—reconstruction schemes, &c. This aspect in his opinion would seem to call for a greater degree of continuity in the membership than might be necessary in the case of some other technical committees of the League, but no doubt the Council would always bear this consideration in mind when renewing the membership of this particular committee.

The representative of Sweden, Rapporteur for financial questions, endorsed the conclusions of the Rapporteur on the subject of the Financial Committee, and stated he had already given careful consideration to the composition of the committee, and would not fail to make proposals to the Council for appointments in due course.

The conclusions of the report were adopted.

COMMUNICATIONS AND TRANSIT ORGANIZATION.

The Rapporteur submitted a supplementary report (Document C. 263, 1937) covering proposals relating to the work of the special committee which had been set up to consider the reform of this organization. This committee had prepared a draft statute to replace the one at present in force (Document C. 253, 1937, VIII).

The present features of the Communications and Transit Organization are as follow :—

- (1) There is a general conference every four years.
- (2) A Communications and Transit Committee, consisting of approximately one-third of the members, meets once a year.
- (3) The members of the committee are appointed by certain States, some of them *ex officio* and others according to certain rules. These members, however, are not representatives responsible to their respective Governments; on the contrary, it had been expressly laid down that members should not be bound by instructions from the Government by which they are nominated.

It will be seen that the idea was to create an organization "half-way between a committee of experts and a committee of Government representatives."

The committee which met to draw up the statute decided that there would be no disadvantage in abolishing the ordinary general conferences, with the proviso that their functions be handed over to the Assembly Committees, supplemented, if necessary, by the States members of the organization who are not members of the League.

A new recommendation is that each member of the committee will be appointed by the Council of the League in agreement with the State of which he is a national.

The changes made in the statute for the Transit and Communications Committee, apart from the above noted, are the express mention of public works and electric power as a function of the committee. Other changes are of a formal or technical nature. The function of the Organizations for Communications and Transit now is "to facilitate international co-operation in the field of communications and transit and also in those of public works and of electric power in so far as they relate to communications and transit."

The committee revising the statute disagreed on the question of selecting as members of the committee those countries, nationals of which are to be nominated by the Council, in agreement with the Governments concerned.

The majority of the committee thought that all these countries should be chosen by election, with the proviso that the Transit Committee should in any case include nationals of States having a preponderating interest in the field of communications and transit.

The minority preferred to maintain the present state of affairs, providing for the continuous participation in the Committee of States permanent members of the Council.

Accordingly, two alternative draft methods of election are included in the statute.

The Rapporteur, in his report, recommended that the Council should adopt a solution providing for the maintenance of the *status quo*.

During the sitting of the Council at its meeting on the 28th May the Rapporteur suggested, in view of the fact that the negotiations in the matter of certain changes involved in the reform of the Communications and Transit Organization were not concluded, that the Council adjourn consideration of the question until its September session. To this the Council agreed.

HEALTH.

The representative of New Zealand, as Rapporteur for this subject, presented,—

(a) The report on the work of the twenty-fourth and twenty-fifth session of the Health Committee.

(b) The report on the work of the annual assembly of the General Advisory Health Council. (Documents C. 148, M. 96, 1937, III; C. 219, M. 159, 1937, III; C. 246, 1937, III.)

The Rapporteur expressed, on behalf of all the members of the Council, the regret felt on the occasion of the death of Mr. John D. Rockefeller. The collaboration of Mr. Rockefeller through the Foundation began in the early days of the League of Nations organization, and as a result it had been possible to arrange for the interchange of public-health officers, the extension of the Epidemiological Intelligence Service, and the creation of the Singapore Bureau. At the moment when the report on health was to be presented it seemed fitting that a tribute be paid to the man who made possible agencies and activities almost unique in their sphere, and the Rapporteur asked the members to join him in an expression of sympathy to Mr. Rockefeller's family and associates.

The Health Committee in their report also paid tribute to the memory of one of its very first members—Dr. A. Lutrario, former Director-General of Public Health in Italy. Dr. Lutrario had worked unstintingly in the cause of international health work. The Council desired to associate itself with the condolences which the committee had conveyed to his family and to the Italian authorities.

The Rapporteur then raised a point in connection with the limited membership of the Health Committee, and suggested that consideration might be given to its extension.

In October, 1937, the First International Congress of Medical Officers of Health is to be held in Paris. In addition, the French Minister of Health proposes to call a Study Conference comprising the Ministers of Health of all the European countries. An invitation to attend has been extended to the Rapporteur. The Council was asked to convey its thanks to the French Government, and the Rapporteur expressed his personal appreciation of the invitation to himself.

The Health Committee's membership has been completed by the appointment of Colonel Russell (India) and Dr. Szule (Poland). I would refer you to my report dated 12th February, 1937, pages 16–17, in which I commented on the constitution of the Health Committee.

Draft Rules of Procedure were drawn up by the committee and submitted for approval by the Council (see Document C. 148, M. 96, 1937, III).

Dr. Offringa, Director-General of the Public Health Services of the Netherlands Indies, was recommended by the committee for appointment to the post of President of the Inter-Governmental Conference of Far Eastern Countries on Rural Hygiene.

Various observations and proposals were put forward by the committee with a view to ensuring the necessary co-operation between its own work and the programme of investigations which the Advisory Committee on Social Questions proposed to the League in general. The Advisory Committee had also prepared a report covering proposals of a similar nature. In order to avoid duplication it was suggested that the Rapporteurs on both subjects should confer with a view to determining the questions to be studied by the various League bodies, either separately or in co-operation.

The Health Committee also considered the chapters of the report of the Health Mission to Spain dealing with measures for the prevention of epidemics. Following on a study of the matter by the committee, it was arranged that a consultation should take place between experts regarding the prevention of typhus, and their conclusions deal with the most effective and practical methods to be employed in various circumstances. The report of the experts has been communicated to all public health administrations, and published in the bulletin of the Health Organization.

A programme of work for its full term of office has been drawn up by the committee, including the study of nutrition problems, and at the present time it is engaged in a series of further technical investigations with a view to supplementing the data to be placed at the disposal of the national health authorities.

For the purpose of carrying out its three-year plan of work the committee proposed to reconstitute certain technical commissions, and the setting-up of commissions on physical fitness and leprosy.

With reference to its studies on housing and nutrition, the committee has secured the creation, in several countries, of national committees for the purpose of carrying its programme of study into effect.

The proposals included in the report (Document C 246) were adopted by the Council.

ADVISORY COMMITTEE ON SOCIAL QUESTIONS.

The report on the work of its first session held in Geneva from 15th April to 1st May, was presented by the representative of Chile (Documents C 235, M. 169, 1937, IV; C. 251, 1937, IV). The committee's main subjects of discussion were:—

- (1) The organization and future work of the committee;
- (2) The normal life of the child in the family;
- (3) Children and young persons in danger of neglect and delinquency; and
- (4) Traffic in women and children.

The present Advisory Committee on Social Questions has taken the place of the former Advisory Commission for the Protection and Welfare of Children and Young People, which was divided into two Committees—the Traffic in Women and Children Committee, and the Child Welfare Committee.

The Rapporteur said that the committee realized that the welfare of children could not be considered apart from the welfare of the family and the committee would take this wider view of its functions.

In a general survey of questions connected with the welfare of the young the committee pointed out that this work covered more than they could or should deal with and in some of the subjects they would consult other organs of the League for the purpose of co-operation. The Rapporteur expressed the hope that the Council would agree that the protection of minors could not be separated from measures of social systems designed to afford minors economic protection in their own homes. One of the first subjects of study would be the administration and organization of welfare work among the young. This investigation might help to improve the administrative organization of some countries. The study would be limited to a number of representative countries.

It was also decided to consider the training of persons engaged in social work. The committee advocated more active propaganda to call attention to the activities of the League in welfare and social work.

It was further suggested that a periodical bulletin or review should be published.

The committee's activities generally under child welfare are :—

- (1) A centre of international documentation, in order to facilitate the exchange of experiences, methods and results between Governments and voluntary organizations ;
- (2) A centre of study which would conduct, direct or simply initiate international or national inquiries on social questions ;
- (3) A centre of action to organize co-operation between Governments, prepare conventions, agreements, international conferences, &c., and establish co-operation between private organizations dealing with international social questions.

On the subject of "The Normal Life of the Child in the Family" the work of the committee covers the general problem of the erring and delinquent child, and the placing of children in families. The committee noted that there was a growing sense of the responsibility on the part of the State for the protection of child and family life, and that there was a tendency for a correlation of various phases of health and welfare under responsible Government departments. There was a similar movement for the correlation of voluntary effort.

In noting the report of the Health Organization on Nutrition, the committee emphasized the importance of social aid and instruction for the individual family.

In discussing the report of the Liaison Officer with the International Labour Office concerning the situation of young unemployed persons, the committee thought that an opportunity should be taken to examine the situation further, and to suggest means of preventing such severe unemployment as had arisen in recent years among young persons, with all its serious consequences.

Children and Young Persons in Danger of Neglect or Delinquency.—The committee was in a position to state its conclusions regarding the methods of dealing with erring and delinquent minors and adopted a series of principles applicable to juvenile Courts and their auxiliary services and institutions.

The committee proposes to print a documentation covering the placing of children in families with an introduction containing the underlying principles and theories on the subject. Before printing this documentation the committee thought it would be useful if Governments could forward comments and suggestions on the chapters of the report dealing with their respective countries. The Secretary-General was therefore instructed to ask Governments to do this. The Rapporteur suggested that the contents of Chapter I of the study should be transmitted to Governments at the same time.

Traffic in Women and Children.—The committee noted that an even smaller number of countries than in the previous year had sent in information on the traffic in women and children and obscene publications. Accordingly the questionnaire covering these subjects is to be rearranged.

In regard to the abolition of licensed houses, the results during the past year represented the greatest advance ever achieved in any one year since the beginning of the abolitionist movement. The conference at Bandoeng had declared in favour of abolition as a final goal ; such a declaration would have been impossible even a few years ago. The committee were encouraged by the fact that abolition was now accompanied or preceded by anti-venereal measures.

The committee also dealt with the inquiry into the rehabilitation of adult prostitutes. A report based on the documentation from forty-five countries is shortly to be issued. Parts of the study which can be regarded as complete will be issued separately, especially the section on the antecedents of prostitutes and that dealing with the supply of social services as part of the provision for the treatment of venereal disease.

The committee considered the question of preventive measures, especially with regard to minors who are in danger of becoming prostitutes. The committee agreed that the same factors which contributed to delinquency were factors also predisposing to prostitution.

Concerning the spare time of young workers and conditions in domestic service, the hope was expressed that close collaboration could be established between the committee and the International Labour organization.

The committee examined the answers sent in by thirty-seven Governments on the Draft Convention for the Suppression of the Exploitation of Prostitution of other Persons. Nearly all the Governments which replied expressed their agreement with the object and main principles of the draft and it was hoped that a Convention might soon be concluded.

The report and the following resolution were adopted :—

"The Council notes the report of the Advisory Committee on Social Questions on the work of its first session and adopts the present report and its conclusions."

REFORM OF THE CALENDAR.

The representative of the Union of Soviet Socialist Republics presented his report (C. 258, 1937, VIII) on this subject, during which he made reference to Document C. 234, 1937, VIII, covering a communication from the representative of Chile, asking that the question of the reform of the calendar be placed on the agenda of the May session of the Council. M. Litvinoff suggested that the question be held over till the next session in September. The Advisory and Technical Committee for Communications and Transit were in the meantime to study the draft Convention in the light of such observations as Governments might submit, and with reference to the resolution of the International Labour Conference of June, 1936.

The representative of Chile said that his purpose in asking that the question be placed on the agenda of the May session was with one object only, to make sure that the report of the committee would be presented to the Council at its September session.

As was pointed out in my last report on the proceedings of the Council at its January session, unless the proposed reform is put into force on 1st January, 1939, it cannot be applied until about 1950, as the suggested calendar requires, among other things, that 1st January shall fall upon a Sunday.

The Council took note of the observations of the representative of Chile, and the report was duly adopted.

CONFERENCE ON THE INTERNATIONAL REPRESSION OF TERRORISM.

The President (taking the place of the Rapporteur, the representative of Italy, who was absent) presented the report (Document C. 255, 1937, V). He referred to the work of the Committee of Experts who had revised the two draft Conventions for the prevention and punishment of terrorism and for the creation of an International Criminal Court. The revised texts were duly circulated to members of the Council and to Governments in Document C. 222, M. 162, 1937, V.

The Council's next step was to make arrangements for the contemplated conference, and the date suggested was Monday, 1st November. It was important that the Governments should have sufficient time to examine the drafts and prepare the instructions to be given to their delegates at the Conference. Besides the States members of the League the Governments of the following countries are to be invited: Germany, United States of America, Brazil, Costa Rica, Free City of Danzig, Iceland, Japan, Liechtenstein, Monaco, San Marino.

M. Antonesco, as representative of the Little Entente on the Council, emphasized the importance of the report submitted on this question. In his opinion it constituted the final phase of the action undertaken by the League with a view to settling the grave problems laid before it on 22nd November, 1934, by the requests of the Governments of Yugoslavia, Roumania, and Czechoslovakia. The League of Nations, however, had another duty to perform—that of preparing a draft the object of which should be to ensure, on the international plane, the prevention of the terrible scourge which is constituted by terrorism. It was necessary to take all measures for the purpose of ensuring loyal co-operation between nations with a view to the repression of acts of terrorism, crimes which prejudice the interests of all civilized States and which are thereby offensive to all human sentiment. Roumania was prepared and willing to give the fullest possible co-operation in the work to be undertaken by the League. Through her representative she had put before the Committee of Jurists set up by the Council two draft conventions which the committee had adopted as the basis of its work. M. Antonesco paid tribute to the members of the Committee of Jurists for the proposals which had been made by them.

The representative of Sweden, in view of the fact that there had not been time to study the text in detail, wished to reserve the attitude of the Swedish Government in regard to the question.

The Council, after taking note of the reservation made by the representative of Sweden, adopted the report and the resolution embodied therein.

TREATY OF MUTUAL GUARANTEE BETWEEN GERMANY, BELGIUM, FRANCE, GREAT BRITAIN, AND ITALY.

The Council received the declaration made by the British and French Governments on the neutrality of Belgium, which reads:—

“The preparatory exchange of views which has recently been taking place between the signatories of the Treaty of Locarno with a view to the negotiation of a new Western European Security Pact to replace that instrument has shown on the one hand that in any new Treaty Belgium would wish to give no guarantees to other States and on the other hand, that the other four Governments concerned in the negotiations would be prepared to agree that Belgium should not undertake to guarantee other States in the new Treaty. In view of the delay experienced in negotiating the new Treaty it was decided to give effect to the wish of the Belgian Government to be released in advance from their remaining obligations under the Locarno Treaty and the arrangements of 19th March, 1936.

“The joint note addressed by the Government of the French Republic and by His Majesty's Government in the United Kingdom to the Belgian Government on this subject has been registered in accordance with the terms of the Covenant. In this note the French Government and His Majesty's Government declare that they consider Belgium released from all obligations towards them resulting from the Treaty of Locarno and the arrangements of 19th March, 1936, and that they have taken note of certain views expressed by the Belgian Government relating to their fidelity to the Covenant of the League of Nations and their determination efficiently to organize the defence of Belgium against any aggression or invasion.

“This exchange of notes in no way affects the obligations of any other country but Belgium. It is indeed expressly stated therein that neither the undertakings of France and the United Kingdom towards Belgium, nor the existing undertakings between the United Kingdom and France are affected.

“The Government of the French Republic and His Majesty's Government in the United Kingdom regard the arrangement thus concluded as a means of facilitating with the collaboration of the other interested Powers, the settlement of those problems, the solution of which is essential to the peace of Europe.”

M. Delbos (France) said that by informing the Council officially of the Franco-British declaration of 24th April, their desire had not merely been to inform the Council of the new character to be assumed by the relations between France and Belgium on the juridical plane. Nothing had been changed on the plane of mutual friendship. Their object was also to make before the Council a double affirmation. Whatever obstacles might have been encountered during the past fifteen months in the negotiations for a Western agreement intended to replace the Treaty of Locarno the determination of the French Government to reach such an agreement had in no way lessened. They were continuing their efforts and did not despair of obtaining a favourable result. In doing this, however, the French Government at no time forgot the connection between Western security and the security of Europe in general. The former could not be acquired at the cost of the latter. On the contrary, the French Government had conceived a Western settlement as one that must contribute to the consolidation of general peace.

Mr. Eden (United Kingdom) said that the British Government hoped the negotiations concluded with the Belgian Government might prove to be a step towards negotiations of a wider scope and might make possible closer collaboration between all the interested countries. They would persevere in their efforts to bring about settlements.

M. Spaak, the representative of Belgium, who was invited to the Council table, stated that the Note of 24th April, while it had relieved Belgium of the obligations which she had contracted at Locarno and in London, maintained the Franco-British guarantee to Belgium. This guarantee was based on a definition of the foreign policy of Belgium, a definition which he accepted completely. It contained two essential affirmations: (1) Belgium's determination to defend her frontiers against all aggression or invasion and to prevent her territory from being used to further an aggression against another State, either for the passage of troops or as a basis of operations by land, on sea, or in the air, and, finally, with this object, to organize her defences in an effective manner; and (2) an assurance of the fidelity of Belgium to the Covenant of the League of Nations and to the obligations which it entailed.

The Belgian Government, like the French and British Governments, considered that this declaration should be regarded as a stage towards the elaboration of a new Western Pact, the conclusion of which was bound to facilitate the solution of other problems.

The President expressed his thanks to the representatives of the three Governments concerned for the statements they had made, and proposed that the Council should take note of the communication from the French and United Kingdom Governments and the observations made by the representative of Belgium, and, further, that the question be adjourned until the next ordinary session. These proposals were adopted.

HEALTH.

Conference on Rural Hygiene for American Countries. Representative of New Zealand: Rapporteur (Document C. 261, 1937, III).

It will be remembered that at the last assembly thirteen representatives of Latin America, supported by representatives of Spain and the Netherlands, proposed that a Rural Hygiene Conference should be summoned for American countries. The Assembly asked the Council, together with the International Labour Office, to examine the possibility of such a conference. The Health Committee in approving of the proposal felt that the conference would result in the association, in the rural hygiene work of the League, of the continent of North and South America.

In February, 1937, the Mexican Government informed the Secretary-General that it would be very gratified if the conference were to meet in Mexico City, and asked him to communicate this invitation to the Council. Accordingly, the various American Governments were asked to say whether they would send representatives to the conference and also any suggestions for the Agenda.

At its session in April, 1937, the Health Committee concluded that in view of the time needed to make proper preparations and because of the necessity of avoiding any overlapping with the Tenth Pan-American Sanitary Conference to be held at Bogota in July, 1938, the Rural Hygiene Conference should not be held before the end of 1938. The International Labour Office signified their willingness to take part in the conference and in the work of the Preparatory Committee. So far the United States of America, Bolivia, Brazil, Chile, Cuba, the Dominican Republic, Ecuador, Guatemala, Paraguay, Peru, Uruguay, and Venezuela have announced their intention of sending representatives. The Argentine has accepted, subject to official confirmation, and Canada has replied to the effect that she is interested and will decide whether a delegation can be sent when the date is fixed. Nicaragua stated that she would reply at a later date.

In view of the replies received the Rapporteur thought that the Council could accept the generous offer of the Mexican Government, which had given so many proofs of its attachment to the League of Nations, and suggested that the Council send a letter of thanks to the Mexican Government.

The representative of Chile stated that his Government attached the greatest importance to questions of rural hygiene, and was pleased to learn that the conference was to be held in Mexico.

The representative of Mexico, who was in attendance at the Council table for the presentation of this report, stated that rural hygiene was of vital importance to his country, and Mexico was happy to be of assistance in the technical work of the League. They felt it their duty and, in fact, a necessity to strengthen international collaboration "in a technical field where passions are not aroused." He thanked those countries of America which had promised their collaboration, and added that the technical organs of the League and of the International Labour Office constituted the best augury for the success of the conference.

M. Costa du Rels (Bolivia) said that on certain occasions proposals for the organization of peace had shown themselves to be open to misunderstanding and it was essential that the technical work of the League should be conducted in a sphere in which no misunderstanding was possible. He was glad that for the first time they were to have a real and all-embracing Pan-American Conference.

The report was adopted.

FREE CITY OF DANZIG : SALARY OF THE HIGH COMMISSIONER.

This question, on the invitation of the Secretary-General, was included in the Agenda. It will be remembered that at its session in January last the Committee of Three, appointed by the Council to follow the situation in Danzig, expressed the view that it would be desirable in future for the salary of the High Commissioner to be charged to the League of Nations' budget, it being understood that the other expenses appertaining to the office would continue to be defrayed by the Danzig and Polish Governments. Accordingly, the Secretary-General, in agreement with the Supervisory Commission, included the necessary credit for this purpose in the draft budget of the League of Nations for 1938, which will be submitted to the next Assembly. In order to ensure that this measure would take effect as from 1st July next, the Secretary-General suggested that the Council should authorize the charging of the salary to Item 2 (c) (i), "Unforeseen expenditure : Political Expenditure." The Council later adopted the following resolution :—

"Decides, as from July 1st and until the end of the current financial year, to charge to item 2 (c) (i), 'Unforeseen expenditure : Political Expenditure,' the salary of the High Commissioner of the League of Nations in Danzig, amounting to 72,000 Swiss francs per annum."

PERMANENT MANDATES COMMISSION.

The representative of Roumania presented his report (C. 265, 1937, VI).

The Council was called upon to appoint a successor to M. Manceron, whose death took place in April last. The Rapporteur said he felt sure he would be interpreting the feeling of the Council in paying a tribute to the services which M. Manceron had rendered to the League of Nations, and he suggested that the Secretary-General should be asked to convey the sincere sympathy of the Council to M. Manceron's family.

As you are aware, the constitution of the Permanent Mandates Commission defines the conditions with which members must comply, *i.e.*—

"The permanent Mandates Commission provided for in paragraph 9 of Article 22 of the Covenant shall consist of ten members. The majority of the Commission shall be nationals of non-Mandatory Powers.

"All the members of the Commission shall be appointed by the Council and selected for their personal merits and competence. They shall not hold any office which puts them in a position of direct dependence on their Governments while members of the Commission."

The Rapporteur recommended that Governor Augustin Giraud, of French nationality, be appointed to hold office as a member of the Permanent Mandates Commission, and this appointment was agreed to by the Council.

M. Delbos (France) expressed his appreciation of the tribute paid to the services of M. Manceron. He also expressed his thanks to the Council for their selection of M. Giraud, who, he felt sure, would perform his new duties competently and conscientiously, and that the views which M. Giraud would have to express would at all times be characterized by the independent spirit which was required of him.

PETITION OF THE ZELTWEG-WOLFSBERG AND UNTER-DRAUBURG-WOELLAN-RAILWAY COMPANY, VIENNA.

The final report of the Permanent Legal Committee of the Communications and Transit Organization on the question relating to the above petition, was communicated to members of the Council on 27th May (Document C.C.T./C.J./40).

M. Pfügl (Austria) and M. Soubbotitch (Yugoslavia) were invited to the Council table during the consideration of this question.

M. Litvinoff (Union of Soviet Socialist Republics) suggested, in view of the fact that the report had not been ready for circulation till 27th May, and as the representatives of the two Governments concerned, Austria and Yugoslavia, had expressed a desire to be given time to study the documents, that the Council should postpone discussion until the September session. This proposal was supported by the representatives of Austria and Yugoslavia.

PROTECTION OF MINORITIES IN ROUMANIA : PETITIONS FROM DR. ANDRE GAAL CONCERNING THE PENSIONS OF FORMER OFFICIALS AND PENSIONERS OF THE ADMINISTRATION OF CIUC PRIVATE PROPERTY.

The Rapporteur (the representative of Spain) reminded the Council that in 1932 it had adopted a report by the representative of Japan concerning the settlement of the disputes relating to the Private Property of Ciuc in Transylvania. Since then there had been no alteration in the principles underlying the position. The petition dealt with pensions which were payable to former officials of the Administration of the Ciuc Private Property. The Council had in 1932 recommended that the Roumanian Government should fix their pensions on the basis that these former officials should receive the same as that at present paid to a retired public official whose pension in 1923 was of the same amount as that received by the official or pensioner of the property. Similarly, all special provisions in Roumanian law in regard to retirement following on the abolition of posts would be applied to the officials of the property in 1923. The petitioners state that the question of pensions had not been finally settled.

This petition was submitted to a Minorities Committee composed of the representatives of the United Kingdom, Ecuador, and France. It is alleged that of twenty-two persons only ten have been granted pensions, and those since 1935. None of them has received the arrears of pensions due since April, 1923.

To this the Roumanian Government replied that a decision had not been reached in three cases out of twenty-two cases; certain documents establishing pension rights had not been produced. However, steps had been taken to pay the heirs of those three former officials the pensions due. In regard to the other nineteen the Roumanian Government states categorically that their rights were admitted before May, 1935.

The petitioner states that the Finance Minister had instructed the General Pensions Fund to pay arrears in State bonds which were quoted at 20 per cent. of their nominal value. The pensioners refused to accept, as they considered the payment should be in cash. The Roumanian Government quoted legal authority for their action, but in spite of this it had now made the necessary provision for payment to be made in cash.

The petitioners allege that the amount of the pensions had been cut down to less than half what they should have received.

The Government pointed out that owing to changes in the value of money and in the cost of living the pensions were equitable.

Owing to the lack of full information from either side it was difficult to summarize the position, but the Council agreed with the opinion of the Rapporteur that the position as outlined in the report of the Japanese representative still obtained, and that as this report had been adopted five years ago the Council had no doubt that the Roumanian Government would recognize the importance of applying these principles in full at the earliest possible moment.

The Report (Document C. 260, 1937, I) was adopted.

ALEXANDRETTA AND ANTIOCH.

On this question the report of the committee under the chairmanship of M. Maurice Bourquin (Belgium) was presented to the Council in private session. Some of its main points are—

The committee has framed a draft Statute and Fundamental Law for the Sanjak. The Statute is to be the international charter of the Sanjak, its provisions being binding on all authorities who will have to deal, in whatever capacity, with the affairs of the Sanjak.

The Fundamental Law concerns the internal life of the Sanjak only. It must be interpreted and applied in the light of the Statute, and should its provisions conflict with those of the Statute, must prevail.

The Statute sets out in Article I the general principles governing the Sanjak of Alexandretta :—

- (1) The Sanjak shall constitute a separate entity enjoying full independence in its internal affairs;
- (2) The State of Syria shall be responsible for the conduct of the foreign affairs of the Sanjak;
- (3) The Sanjak and Syria shall have the same Customs and monetary administration.

The area occupied by the Sanjak is set out in paragraphs 8 to 11 of the committee's report to the Council.

Article 5 states that in order to supervise the observance of the present Statute and the Fundamental Law of the Sanjak, the Council of the League shall appoint a delegate of French nationality, who shall reside in the Sanjak. The Council's delegate shall be entitled to suspend for a maximum period of four months any legislative or administrative act that is contrary to the provisions of the present Statute or of the Fundamental Law. In such case the delegate shall immediately refer the matter to the Council, with which the final decision shall rest.

To enable the delegate to exercise his suspensive power, the Committee stated it was desirable that the Government of the Sanjak should communicate to him all legislative and governmental acts before their promulgation, and that the delegate should normally exercise his suspensive power within a period of one month as from the promulgation of the act or of its prior communication to him.

On any question taken by the Council of the League its decisions and recommendations shall be taken by a two-thirds majority, without reckoning the votes of the representatives of the parties.

Article 8: Citizenship: Sanjak citizenship shall imply Syrian nationality, but loss of citizenship shall not involve loss of Syrian nationality. There are further articles dealing in detail with aspects of Sanjak citizenship.

The question of languages was one of some difficulty. The Council in its resolution of 27th January, 1937, had decided that Turkish should be an official language in the Sanjak, and the Council had to determine "the character and conditions of the use of another language." It was agreed by the committee that the second language should be Arabic, and the Turkish expert had agreed that Arabic should have an official character, and that conditions for its use should be so determined as to give "full satisfaction to the Arab element in the Sanjak in all those districts where the Arabs are in the majority." The committee as a whole recommended that the following principles should apply :—

- (a) Turkish shall be an official language.
- (b) Arabic shall be an official language.
- (c) In the public schools, elementary teaching shall be given in the official language preponderant in the village or quarter in which the particular school is situated; the teaching of the other official language shall be either optional or compulsory, provided that in this respect the two languages receive completely identical treatment.

- (d) Both languages may equally be employed in all the Courts of Justice of the Sanjak, including the Supreme Court, and members of minorities may express themselves in their mother tongue.
- (e) Both official languages may be employed in the Assembly, the records of the Assembly shall be drawn up, and all laws shall be published, in both languages.
- (f) Administrative regulations and instructions shall be published in both languages.
- (g) The public may employ either language at their own choice in their relations with the administration, and shall receive replies in the same language.

Article 13 provides that in order to ensure liaison between the Government of Syria and the Government of the Sanjak in respect of matters of common concern, each Government shall accredit a Commissioner to the other, and each Commissioner shall be consulted in advance on any measures affecting the interests of his Government.

Article 14 provides that international agreements concluded by the State of Syria shall apply to the Sanjak, subject to the provisions laid down in Articles 15, 16, 17, and 18.

Articles 22, 23, and 24 deal with demilitarization. The Sanjak shall be demilitarized and it shall be forbidden throughout the territory of the Sanjak :—

- (1) To maintain or assemble any land, naval, or air armed forces, or to introduce such forces into the Sanjak for any purpose whatever, even that of transit ;
- (2) To institute any form of compulsory military service ;
- (3) To manufacture, introduce (even for transit purposes), or to maintain, whether on behalf of the public authorities or of private persons, arms, ammunition, or implements designed or intended for land, sea, or air warfare ;
- (4) To construct or maintain works designed or intended for land, sea, or air warfare.

In connection with demilitarization, paragraphs 27 to 35 of the Committee's report are of interest.

Articles 25 to 33 of the Statute deal with minorities. All inhabitants of the Sanjak shall enjoy full and entire protection for their lives and liberties, without distinction of birth, nationality, language, race, or religion. They shall be entitled to practise freely, both in public and in private, any faith, religion, or creed the practice of which is not incompatible with public order and morality. All citizens of the Sanjak shall be equal before the law and shall enjoy the same civil and political rights, without distinction of race, language, or religion.

Articles 34 to 37 deal with Customs administration. The Customs regime shall be the same for the Sanjak and Syria, which together shall constitute a single Customs territory within which goods shall circulate freely.

A Mixed Commission, consisting of four representatives of Syria and two representatives of the Sanjak, and including the two Commissioners set up as liaison officers under Article 13, shall be set up for the purpose of ensuring unity of administration.

Articles 38 to 42 deal with monetary administration. It is worth noting that other countries may participate in the Syria-Sanjak monetary system.

Articles 43 to 53 deal with the Port of Alexandretta over which Turkey shall have the right to make use to the fullest extent of the port for her transit trade.

The postal administrations of Syria and Sanjak shall conclude an agreement for the provision of a uniform service.

The Fundamental Law of the Sanjak provides that legislative power be exercised by an Assembly consisting of a single Chamber of forty members elected for a period of four years, the elections for the Assembly to be conducted in two stages—at the first stage all male citizens of the Sanjak over twenty years of age who have not been disqualified by loss of civic rights, &c., and who can read and write shall register in the presence of delegates of the Commission mentioned in Article 15, as members of one of the following communities : Turkish, Alawite, Arab, Armenian, Greek Orthodox, Kurdish, and other. These men will elect deputies who will provide a sort of electoral college for the election of members of the Government. This is the second stage. Each community is to be assured of a minimum number of deputies as laid down in the report. Voting shall be by secret ballot, and the elector votes from a list of candidates of the community to which he has declared himself to belong. Candidates for election at the second stage must be at least twenty-five years of age. It will be seen that the electoral system is based on literacy, minimum age-limits, and the exclusion of females. Representatives are also elected according to communities, thus maintaining the existing divisions.

The whole of the proceedings involved in the first elections held in the Sanjak shall be organized and supervised by a Commission appointed by the Council of the League. This Commission shall be composed of nationals of States members of the League other than France and Turkey, to whom shall be attached local representatives of the communities.

The committee's opinion is that public offices and employments in the Sanjak should be reserved for its own citizens, though that should not preclude the Government from securing, under contract, the services of technical experts from abroad.

In presenting the report to the Council, Mr. Sandler (the representative of Sweden, Rapporteur) thought that both the Statute and the Fundamental Law should come into force as soon as possible and suggested 29th November, 1937. He further suggested that the Council ask the President to begin by the appointment of a Commission of five members, which will start by carrying out the necessary preparatory inquiries and other work involved in the first elections.

As to the date for the first elections he suggested that the President of the Council should decide this but that the elections should not be held later than 15th April, 1938. The expenses entailed by the work of this Electoral Commission should be advanced by the League of Nations.

A further suggestion was that the League of Nations delegate in the Sanjak should be paid by the League, the Sanjak defraying only his office expenses.

The question of capitulations was referred to, but the committee found that it was a matter outside its terms of reference. It should be noted that under the terms of Article 5 of the Mandate for Syria and Lebanon capitulations are to be re-established on the expiry of the mandatory regime unless other arrangements have been made between the Powers affected. The Rapporteur suggested that the Council would no doubt prefer to postpone consideration of this question.

In speaking briefly to the report, M. Delbos (France) said that the whole matter represented a triumph for the League which had once more come up to their expectations and had led to the strengthening of the bonds that France had with Turkey.

The representative of Turkey thanked M. Delbos for his kind words and also Mr. Sandler and the Council.

Mr. Eden (United Kingdom) said that this was an example of what wise conciliation and goodwill, combined with the tact of Mr. Sandler, could do. It should be noted that the report covered full protection for all races and creeds.

M. Litvinoff said he regarded the report of the committee with deep satisfaction, because the success of the League was a very important element in the policy of his Government.

The Secretary-General made a statement to the Council regarding the expenses entailed by the work of the Commission. The point involved was the matter of the recoverable advances for expenditure in connection with the first elections for which the report provided. Reference was made to the financial regulations governing advances, which required a special resolution of the Council. The Secretary-General was of the opinion that there was no need to provide for expenditure for the proposed Commission before the September session of the Council, and as soon as any definite proposals in the matter were submitted he would put forward a resolution.

The Council took note of the above statement, and adopted the report and the following resolution:—

“The Council approves the settlement of the question as described in the report of its Rapporteur, and, in particular, the draft Statute and Fundamental Law framed by the Committee of Experts, subject to the additions proposed in the aforesaid report.”

M. Delbos said that France accepted the report as a final solution of the Alexandretta question, and also the texts of the Statute and Fundamental Law.

M. Rüstü Aras replied that he would accept similarly on behalf of Turkey.

In view of the vital issues raised in the question on the Agenda paper in regard to Spain, I have devoted a separate section to the consideration of the discussion on this subject.

I have the honour to be, Sir,

Your obedient servant,

W. J. JORDAN,

High Commissioner.

The Right Honourable the Prime Minister,
Wellington, New Zealand.

APPEAL OF THE SPANISH GOVERNMENT.

New Zealand Government Offices, 415, Strand, London, W.C. 2, 10th June, 1937.

SIR,—

At the public meeting of the Council held on the 28th May the above question came up for consideration.

The representative of Spain, M. Alvarez del Vayo, stated that in December last the Government of Spain had asked for an extraordinary session of the Council in order to draw attention to the grave danger of war that was developing from the situation in Spain. Faithful to its obligations with regard to the League of Nations and within the framework of Article XI of the Covenant, Spain came before the Council not to make any specific demands, but to raise a question which from the point of view of the League of Nations should be of equal concern to all the States members of the League.

His first point of view was that it was not possible to serve the cause of peace effectively without resolutely facing those who desired to disturb peace. The existing conspiracy of silence was an injury alike to the prestige and to the very future of the League. Because of the accumulating proofs of foreign intervention in the affairs of Spain on an even greater scale and with more insolent boldness, and in view of the dangers to the peace of Europe arising out of this intervention, the Government of the Spanish Republic came to Geneva to draw attention to a situation, the extreme gravity of which no one on the Council could deny.

The League's unity of viewpoint on the situation had in December resulted in the adoption of a resolution which, however, was not a final word on the problem. The question therefore remained open, and so it was natural that the Government which had first raised the question should take the initiative in bringing it before the Council when the circumstances so required. During the months since December the Spanish situation had gone through four main phases—

- (1) Intensified Italo-German intervention culminating in the open aggression of Italy against Spain and in the battle of Guadalajara ;
- (2) The institution of a system of control worked out so painfully and with such disastrous delay by the London Committee ;
- (3) The ruthless application of the theory of a "totalitarian war," exemplified in the destruction of Guernica ;
- (4) The recent attempts of the London Committee to bring about the withdrawal of foreign combatants.

The invasion of Spain by Italian and German troops could have been no surprise to those who had always preferred not to look danger in the face. The several months of sham non-intervention during which Governments had closed their eyes to all violations had the natural result of inducing Germany and Italy to go all out when the rebels were stopped before the gates of Madrid. Seventy thousand to eighty thousand Italians had poured into a sovereign and independent country in order to hew their way by fire and sword into Madrid, a capital in which a few years ago the Council of the League of Nations met, without constituting a formidable enough fact to be officially noticed. In case the appearance on Spanish territory of this army had escaped the notice of some Governments, the Spanish Government had taken the liberty of presenting to the members of the Council and to international public opinion a white-paper which is to be translated by the Secretariat and will be forwarded at a later date. There are more than five hundred documents in the possession of the Spanish Government which are not included in this white-paper. This document proves—

- (1) The existence on Spanish territory of complete units of the Italian army whose personnel, material, liaison, and command are Italian ;
- (2) The fact that these Italian military units behaved in the sectors assigned to them as a veritable army of occupation ;
- (3) The existence of services organized by the Italian Government for its military units on Spanish territory as if they were in a finally conquered country ;
- (4) The active participation of the most eminent personalities in the Italian Government who have addressed messages to the invading forces, giving them advice and encouragement in their aggression.

The reply of the Spanish people to this criminal invasion of Spain was given by the soldiers of the Republic. The Spanish Government's representative could not help asking whether the Council had also a reply to make.

Talking of Guernica. Mr. del Vayo said that in the peaceful Basque countryside, German aviation had selected the town which symbolized the whole of the ideal and of the religious sentiment of a glorious people merely for experiment in the conduct of a totalitarian war. One could not accuse those who used these tactics of acting without reflection. There was in existence a whole series of well-known texts of German authorities which revealed the deliberate character of the new philosophy of war. They were not asking the Council to begin a discussion at that meeting on the destruction of Guernica. The Spanish Government had addressed a request at the time to the Government of the United Kingdom asking it to send a Commission of inquiry and it asked that Government to be good enough to put forward this request to the Council Committee of Non-intervention. That request still stood. The whole of Spain under the lash of "the furious impotence of the rebels is a Guernica." "Malaga is Guernica . . . The fifty thousand civilian inhabitants of Malaga who, crying 'the Fascists are coming,' fled along the 220 km. of road where death for ever separated families, were a foreshadowing of Guernica." Two recent manifestations of the depths to which world opinion had been

stirred by the Guernica atrocity were the joint note sent by the Labour and Socialist International and the Trade-union International and the words of condemnation pronounced by eminent British Churchmen.

In contrast to the deplorable attitude of official circles in Europe, the splendid uprising of British opinion over the crime of Guernica was not only a comforting sign, but a warning which the Council could not ignore.

Finally, he would mention that the Italian prisoners taken in the last battles with the rebels all were equipped with gas-masks, which gave reason for fear that gas might be used in an attempt to break into Bilbao.

Speaking on the subject of the London Committee's "control" scheme, M. del Vayo said that the Spanish people could certainly not furnish any proofs of the success of the experiment. On the contrary, it was a blood-stained example of the awful efficacy of a brutal intervention wreaking its hatred on the civil population and threatening to destroy not only lives and worldly goods, but also the faith of the Spanish people in international justice.

From the beginning the Spanish Government had rejected the policy of non-intervention as inadmissible and unjust. But as this policy existed, the Spanish Republic, in a spirit of international co-operation, had accepted the international control system *de facto* when it was proposed, subject always to reservations they had made. The original control scheme failed because of certain difficulties. The Non-intervention Committee then decided to impose a new method of control which could be carried out without the assent of the Spanish Government. This did not appear to be compatible with the sovereign right of the Spanish Government to procure the means necessary for ending the rebellion and the foreign invasion. "At long last the control scheme officially came into force after weeks and weeks of delay during which the rebels received supplies on a vast scale." Out of respect for the good intentions of some of its authors, the Spanish representative refrained from analysing the results of the control scheme during which time it had been applied. It was obviously destined to share the fate of the non-intervention policy as practised hitherto.

There was one idea, the withdrawal of all foreign combatants, for which the Spanish Government had declared its agreement. Nevertheless, from the moral point of view it was painful to accept the lumping together, under the title of "volunteers" of two categories of men who were worlds apart. On the one hand there were those who were sent from countries where every free expression of will was crushed by the iron tyranny of the totalitarian regimes. These men were not volunteers even in name. On the other hand, there were those who come of their own free will to fight side by side with the Spanish Government. They came because they knew full well that on the battlefields of Spain were being decided the future of Europe and the fate of all free men. It would be with hearts heavy with sadness and full of gratitude if the time came that the Spanish Government would have to see these gallant men leave them. But their discipline of true volunteers would make it certain that there would be no practical difficulty in making this sacrifice. The Spanish Government would be prepared to do this in order to ensure success for the various attempts to reduce to a minimum the external consequences of the Spanish conflict.

There was a tendency which may appear clever, but which was essentially vain and dangerous, to run away from the harsh realities and seek refuge in vague generalities. In this way elements of confusion were introduced into the Spanish situation, but the point was that there were hundreds of thousands of Spaniards desiring only to work for the advancement of their country through normal and legitimate means of change. In the interests of European peace it was necessary to reach a speedy and clear-cut settlement. This could only be reached by the full restoration of the national sovereignty of the power that expresses the will of the people, as manifested in the elections of February, 1936. Those who nobly concern themselves with the endeavours known under the term "humanizing the war" should learn that the best way of humanizing the war is to end it, and that the war in Spain would end as soon as the rest of the world ceased to allow the totalitarian States to continue to intervene as they had done hitherto.

For some time the League of Nations, ignoring the enormous force of world public opinion on which it ultimately depends, had taken a road that might become fatal. Often it was more concerned with its enemies than with its friends. Even so, for Spain the League continued to be the supreme international institution. If the League was to have a future, the struggle in Spain could not end unless the League adopted a clear and firm position. This might be perhaps the League's last chance to do so.

M. del Vayo in conclusion said :—

"I venture to believe that we Spaniards have shown that we know how to do our duty as men who are fighting not only for national independence, but for the freedom and independence of the peoples who do not wish to become victims of totalitarian tyranny. However great and grievous are the sacrifices we must still make, we shall continue to do our duty until the end.

"We shall thereby be also doing our duty as a member of the League of Nations for whom the Covenant is the law.

"Gentlemen, we now await serenely the decisions of the Council."

M. Delbos (France) said that Spain had become a closed field wherein the Spanish people were no longer the sole masters of their own destinies. At the same time, a grave danger had become obvious—the danger to general peace which was constituted by foreign intervention. For that reason the French Government, being anxious both to respect the independence of Spain and to obviate the risks of a contagion of war, had from the outset urged the Powers to enter into non-intervention undertakings, and if this had not had the desired effect it had nevertheless brought results which it would be unjust to overlook. After the prohibition of exports of war material and

after the prohibition of recruiting and the despatch of volunteers the London Committee wished to organize a strict control over the frontiers, and despite the very great difficulties which had been encountered the Council would be ignoring reality if they were to contest the services which had been rendered. France was convinced that the vigilance of the system would go on increasing.

M. Delbos asked what would have happened if in the absence of the London agreement no obstacle had been placed in the way of intervention. It was the duty of the Council to recall the most elementary rules of humanity and of international law—those rules which prohibit such acts as the bombardment of open towns and acts which impose the horrors of war upon the non-combatant population.

There were two tasks which the Powers should undertake: (1) The prevention of the atrocity of war falling upon innocent victims, and (2) recall foreign combatants, whose presence in Spain was feeding the civil war and at the same time extending it. The London Committee, by a solemn appeal, was asking for the cessation of cruel methods which nothing could excuse. The withdrawal of foreign combatants raised delicate problems, but nevertheless France firmly hoped that in the early future the plan which was to be laid before the Powers would be accepted and put into operation. He felt sure that no country would fail to accede to the appeal for the application of sentiments of humanity.

“By a unanimous manifestation, the Council will encourage those who are taking efforts in London and will hasten the success of those efforts.”

M. Litvinoff, the representative of the Union of Soviet Socialist Republics said that the Council had before them a perfectly clear case requiring no further checking or investigation. There was an undoubted case of the violent intrusion of foreign armed forces into the territory of a member of the League of Nations—aggression in its crudest form.

The international steps taken during the last year had obscured the formal side of the case by creating the impression that the Council had before them two warring parties on an equal footing. In reality they had a legitimate Government formed in accordance with the Spanish constitution and a democratic franchise, and vested shortly before the beginning of the events they were discussing with a vote of confidence by the whole Spanish people. “We have before us a Government responsible for the observance of its country’s laws, for public order, for discipline in the army and fleet, and in duty bound to suppress, where necessary by force, any attempt to alter the existing order to the detriment of the interests of the great mass of the people.” On the other hand they had a handful of Generals and officers who had broken their military oath, revolted against the lawful Government and the constitution of their country, and begun hostilities with the help principally of Moroccan troops. M. Litvinoff ventured to recall the simple and indubitable facts because some had begun to forget them. There could be no question whatever of treating the two sides on an equal footing. Other Governments had the right to enter into relations with the Spanish Government and to engage in any commercial transactions they pleased with the Spanish Government, including the sale of war materials without thereby breaking any international rules or obligations. The relations with the rebel Generals on the other hand, and all the more the supply of war materials to them, were a classic example of interference in the internal affairs of another State.

If the events in Spain were confined to internal troubles, to a struggle between the Government and the rebels, not only would the League of Nations have nothing to do with this question, but the events themselves would long ago have come to an end. Any impartial person acquainted with the relationship of forces was bound to admit that the legitimate Spanish Government would long ago have made an end of the rebellion. Unfortunately the documents which had been published proved with the utmost clarity that the rebellion itself was prepared and organized with foreign incitement and foreign aid. From the first day the rebels began to be supplied with arms, aeroplanes, military instructors and pilots from abroad. The volume of these supplies had grown increasingly greater, and in addition men as well as materials had been supplied. Furthermore, the conclusion of an agreement for non-intervention in the affairs of Spain did not prevent this aid being granted. Tens of thousands of well armed and trained foreigners poured into Spain to help the rebels. Many of these foreigners were on active service in the armed forces of other States and formed themselves into large military units on Spanish Territory. Important battles with the army of the Spanish Republic were fought in some cases solely by those foreign military units under the command of foreign generals, and Spanish cities were subjected to bombardment by foreign aeroplanes, controlled by foreign pilots. The position was that the Spanish Republican Army was carrying on an armed struggle not so much against the rebels as against foreign interventionists who had invaded the country. Thus a member of the League of Nations had been subjected to foreign invasion and violation of its territorial integrity and political independence. But it was not only a question of Spain. It was a question of the whole of the peace of Europe. A European State was attempting to impose upon Spain an internal regime and still more a political orientation which were foreign to it and under the cover of this intervention to deprive the country of its independence and subject it to the rule of other States. If this attempt were to succeed there was no guarantee that it would not be repeated in other countries. There was no guarantee that there would not be another attempt in the immediate future to provoke an insurrection in some other country on the ground of international economic discontent, to recognize the head of the rebels as the head of the Government, to introduce foreign troops and foreign arms in aid of the rebels, and thereby to promote the aggressive national policy of the intervening State. The intervention in Spain betrayed a tendency like that of the religious wars of the past—it began a series of new wars and, under the guise of a struggle of ideologies and political regimes, to pursue a policy of aggression and expansion.

It should not be forgotten that Spain at the time the rebellion began had a Government similar in its programme to the Governments existing in many other States. The Government of the Union of Soviet Socialist Republics also had its own ideology. It would, of course, be very glad if other

countries were to become penetrated with the same ideology. Nevertheless it had never attempted, and would not attempt by any means whatever, least of all by violent means, to impose its ideology upon other peoples. As a State the Union of Soviet Socialist Republics had very little interest in the order which existed in Spain, a State with which at the time of the rebellion, they did not even have diplomatic or consular relations, and where there was no Soviet citizen. All that the Union of Soviet Socialist Republics wanted was that after the present events, just as it had had before the rebellion, Spain should have the Government which it itself desired and which it had voluntarily elected in accordance with the Constitution it had itself established. His Government preferred that the struggle going on should be settled by the Spaniards themselves. That was the Union of Soviet Socialist Republics only interest in the matter.

There were people who regarded themselves as being staunch supporters of the League but who imagined the League of Nations could be kept alive only if no one asked anything or expected anything of it, and that any appeal to the League in an international case of the slightest importance was a threat to the League's very existence. Their ideal of the League was a universal mummy of which they could admire the repose, the immobility and imperturbability. He considered that the League of Nations would be finally doomed to a moral, if not a physical, death if it completely ignored the Spanish appeal and stood aside in the Spanish situation.

Spain was among the original members of the League and had always taken an active part in all its proceedings. The Union of Soviet Socialist Republics could therefore only express astonishment at the moderation and, indeed, humility of the Spanish Government, which, in spite of the misfortunes by which it had been overtaken, had not burdened the League with its appeals in the hour of travail, although it had every right to do so.

M. Litvinoff ended by expressing his confidence that the League Council not only in the interests of Spain, but also in the interests of international justice and the League itself, would say a weighty word and afford the maximum assistance possible to the Spanish people.

The representative of the United Kingdom stated that from the outbreak of the civil war the United Kingdom had done all it could to assist in the evacuation of foreigners or Spaniards and to facilitate the exchange of prisoners. The United Kingdom Government could not be charged with partiality. It was willing to take the same action on behalf of Spanish civilians in whatever part of Spain they might be found.

Last December there had been no international machinery for verifying violations of the Non-intervention Agreement, nor was there any agreement among the Powers to prevent their nationals from leaving their own territories for the purpose of taking part in the civil war, but it would be impossible to deny that real progress had been made since December. The scheme of supervision of the Spanish borders had been in operation for some weeks and was reported by the Non-intervention Committee to be working satisfactorily. The Non-intervention Committee had certainly limited foreign interference in the Spanish conflict since December, but, of course, the United Kingdom Government were only one of twenty-seven Governments represented on the committee. Though the committee met in London the United Kingdom had no special responsibility for the work done there by the committee. However, in the view of the United Kingdom the Governments of Europe could not be satisfied that the objectives of the Non-intervention Committee had been realized until the last foreigner had been withdrawn from Spain and until that unhappy country had been left to settle her own destinies in her own way. The United Kingdom Government were firmly opposed to all foreign invasion in Spain and they had long since taken administrative steps to prevent such intervention by their own nationals. Foreigners engaged in hostilities, whether on one side or the other, had no business on Spanish soil. When the cruel conflict was over the Spanish people would not readily forget the part that foreign nations had played in the destruction of Spanish life and property.

Mr. Eden felt sure that the Council would agree that it was their duty to do everything in their power to further the withdrawal of foreign nationals from Spain. Efforts to realize this objective had been actively pursued by the Non-intervention Committee in London. The technical sub-committee of that body which was set up to consider the question had presented a report to the main committee and this had been referred to the Governments for their consideration.

Mr. Eden said that he wished to explain the approach which had been made by His Majesty's Government in the United Kingdom to certain Governments through diplomatic channels. Confidential inquiries had been made of the other principal Governments concerned to ascertain whether those Governments would join with the United Kingdom Government in an approach to both contending parties in Spain. His Majesty's Government had felt that only with the greatest difficulty could an arrangement for the withdrawal of foreign volunteers be carried out in the midst of active hostilities. The objective of the approach to the two parties in Spain was therefore intended to be strictly limited to asking them to agree to a temporary cessation of hostilities on all Spanish fronts for a period sufficient to enable the withdrawals to be arranged. He expressed regret that there had been a leakage regarding the soundings upon which they were engaged with the other Governments, and this had led to a certain element of confusion which could not but further complicate their task. He wished to emphasize the position as his Government now viewed it. Firstly, the Non-intervention Committee had submitted to the European Governments a scheme for the withdrawal of foreign volunteers. Secondly, on the assumption that the scheme would be approved by the Non-intervention Committee and agreed by them to be workable, they were now in communication with the Powers principally concerned so that they could jointly make on the basis of the proposed scheme an approach to the two parties in Spain. Up to the date of the Council meeting no approach had been made to the two parties and none, so far as His Majesty's Government in the United Kingdom were concerned, would be made until the Governments represented on the Non-intervention Committee were in agreement, both upon the plan for the withdrawal of volunteers which had already been submitted to them, and upon the need for a temporary cessation of hostilities in order that it could be carried out.

In conclusion, Mr. Eden said that His Majesty's Government had had before them, ever since the beginning of the Spanish conflict, two main objectives from which they had not departed and would not depart. They wished to do the utmost that lay in their power to ensure that the Spanish conflict should not spread and involve all Europe in its consequences, and, secondly, to ensure that whatever the final outcome of the Spanish civil war the territorial integrity of Spain should be preserved. He was of the opinion that the danger of the Spanish conflict spreading was less than it was in the late summer of last year, but it had not yet finally disappeared. All desired a European settlement. The preservation of the territorial integrity of Spain was a matter of great moment to His Majesty's Government.

Mr. Eden then said that surely the main purpose of the meeting of the Council was to uphold and endorse the work of the Non-intervention Committee, to emphasize their wish for the early withdrawal of all foreign nationals from Spain, and themselves to determine to do all in their power to facilitate the result both by constructive co-operation and by resisting the temptation to indulge in polemics or provocation. It was the cause of peace above all others that they were there to observe.

New Zealand was represented at the Council meeting by myself, and following is a copy of my remarks :—

"I am sure we all feel the responsibility of the position in which we find ourselves at this table of the Council of the League of Nations. We have made a definite pledge with a purpose. The eyes of the world are on the Council at this time. Whatever the matter in dispute may be, whatever the cause of the conflict, the people of the world are shocked at the dreadful happenings in Spain, and the situation at the present time surely calls for some action.

"When it was announced in the papers of the world that the League was to meet this week, prayers went up from millions of people for the success of our deliberations. I am sure that the members of the Council are conscious of the responsibility which falls upon them by being here and having to deal with this matter.

"As it is a function of the League to safeguard the lives of people, to maintain peace, and to uphold lawful and constitutional Governments against invasion and the violence of outside Powers, it is now undoubtedly time that some decision in the Spanish situation was taken if the League is going to act at all in the matter.

"It has been said that progress has been made since December, when the Council previously considered the situation. Undoubtedly, progress has been made, but during that time thousands of lives have been lost—men, women, and children; not only combatants, but innocent persons have been slaughtered. Thousands of children have been removed to England, and we express our gratitude for the action taken by the people of that country. Many of those children may never again see their parents.

"Authoritative evidence which has been made public recently shows that the military forces of outside Powers are operating in Spain. Is it the determination of those Powers to operate in opposition to the fundamental principles which the League was established to uphold? We have before us the report of the Spanish Government, which contains one hundred documents, alleging that at least one outside Power has a fully equipped army in Spain committing acts of aggression not only against the people of Spain, but also against the political independence of that country, and submitting weighty evidence in support of the allegations. Do we question the authenticity of these documents? If not, the evidence which they furnish must be received and treated with the utmost gravity by the Council.

"There is no need to detail independent reports which show what is happening in Spain. I will merely mention a report published by four prominent women in the United Kingdom, three of them members of Parliament, and also the report of a representative religious delegation. Some of the foremost of the Christian men and women of the United Kingdom visited Spain recently for the purpose of obtaining first-hand knowledge, and any one who reads these and other reports must agree that what is going on in Spain to-day is one of the most flagrant challenges to the authority of the League which has occurred in its history.

"On the other hand, we have received a copy of a statement by General Franco charging the elected Government with being supporters of anarchy and crime, but submitting no evidence in support of the statement. From this table last December the question was asked, What case is there from these people who claim that the election in Spain was irregular? The question was asked, Why do they not come forward and make a statement? How can the League Council be expected to know the details and how can these people be respected by the Council if they fight and kill the citizens of one of the League members, and at the same time withhold from us evidence of what they say is the cause of the trouble?

"Whatever the political views of the elected Spanish Government may be, is there any justification for the invasion of Spain by an outside Power? The only action taken so far by any power associated with the League appears to be the imposition of an embargo which has handicapped the Government and strengthened the hands of its aggressors.

"What is the Council definitely going to do? We have heard a speech on the prospects of success of the work of the Non-intervention Committee. We are informed that a report was presented last Wednesday. We have heard that the Governments of Europe cannot be satisfied that the objectives of the Non-intervention Committee have been realized until the last foreigner has been withdrawn and until that unhappy country has been allowed to settle her own destinies in her own way. It has been said that the main purpose of this meeting of the Council is to uphold and endorse the work of the Non-intervention Committee, to emphasize our wish for the early withdrawal of all foreign nationals from Spain, and ourselves to determine to do all in our power to facilitate the result. That sentiment is shared by all the members of the Council. We pray for the success of the Non-intervention Committee and we are determined to do all in our power to facilitate the result, but when we say we will do all in our power I ask the question, What action, if any, is being taken? In other words, are we making progress? I hope we are.

"The representative of His Majesty's Government in the United Kingdom says that Spain should be allowed to settle her own destinies in her own way. The representative of France said, *inter alia*, that the Spanish people are no longer sole masters of their own destiny. So we come back to the point we have in mind, the welfare and independence of the people of Spain. This does not mean acres, cities, and harbours, but the welfare of the people—men, women, and children. The people are our concern; they are their own concern.

"We would fain ask that a committee of the Council be set up to act forthwith, but we have been assured that the Non-intervention Committee will go beyond the matter of non-intervention: it has been said that the Governments of Europe cannot be satisfied until the objectives of the Non-intervention Committee have been realized, until the last foreigner has been withdrawn from Spain, and until that unhappy country has been allowed to settle her own destinies in her own way.

"Could we then from this Council table ask the Non-intervention Committee definitely to extend its powers? Could we ask that the Non-intervention Committee, while endeavouring to secure the cessation of hostilities by the withdrawal of foreign combatants forthwith, in accordance with the hope so admirably expressed here, should also endeavour to restore peace and good order, and then have again a democratic expression of opinion by the Spanish people?

"I repeat that the future welfare of the Spanish people is their own concern and, speaking as a democrat, I express the wish that the desires of the Spanish people should be consulted. Would it be within the power of the Council to operate directly, or through the Non-intervention Committee so that, the cessation of hostilities having been achieved, the people of Spain could be assured of their own form of Government and that for a while the League might offer to assist in order that peace may be restored the more quickly? Having secured the cessation of hostilities and the withdrawal of foreign combatants, could it not be left to the people of Spain to decide? That is to say, could there not be a consultation with the people, whose business it is?

"Surely we all agree that this matter could better be settled by reason than by guns. We should like a direct approach to those concerned asking that they cease hostilities, because only by reason and not by force can peace be maintained. The earth is being menaced by the danger of an attempt to govern by force. The only satisfactory form of Government is a Government elected by the people—when a Government occupies its position at the request of the governed.

"Surely there is ingenuity enough in the League of Nations, and sincerity and ability enough among the peoples of Spain, for such a proposal to be put into operation. If we cannot do this, we cannot do something bigger. If, however, the people of Spain could be consulted, when once the horror of war has been removed, there would be some hope of happiness, peace and security for their lives and homes."

M. Sandler, the representative of Sweden, considered that the appropriate method would not be to set in motion a procedure parallel to that of the Non-intervention Committee set up in London. His Government were of the opinion that the Council should rather seek to reinforce that committee's work by giving it the support of the authority of the League of Nations. If the discussions that were taking place in the London Committee could contribute to the preparation of a situation such as would enable the Spanish nation to decide its own destiny in complete liberty, then that was a result that would be welcomed by his Government with the greatest relief and the most profound satisfaction. In conclusion, he said that the Swedish Government was prepared by its vote in the Council to support any humanitarian efforts that the circumstances might justify.

After the adjournment the members of the Council, Spain excepted, met in secret in the Secretary-General's room to discuss informally the position in regard to a resolution on the Spanish situation. The text of a draft resolution was submitted by the United Kingdom representative. After some discussion the resolution was amended.

At a secret meeting held on Saturday morning prior to the private meeting, the Spanish delegate, M. del Vayo, put forward a resolution which he suggested the Council might adopt. This was discussed at length, with no conclusion reached, and it was finally decided to leave the question of a resolution to a committee of three—Messrs Eden (United Kingdom), Sandler (Sweden), and del Vayo (Spain). This committee reached agreement on the following lines:—

"The Council,

"After hearing the observations made before it—

"I.

"Confirming the principles and recommendations set forth in its resolution of December 12th, 1936, and, in particular, the duty of every State to respect the territorial integrity and political independence of other States, a duty which, for Members of the League of Nations, has been recognized in the covenant—

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

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

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

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

“(5) Urges members of the League, represented on that committee, to spare no effort in this direction ;

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

“ II.

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

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

At the public meeting held in the Council Room the above resolution was adopted. M. del Vayo in thanking the Council for what it had done made two comments : In relation to the progress of the policy of non-intervention since December 1936, he said :—

“ I feel bound to point out that that progress has not prevented Italian and German intervention from becoming a veritable criminal aggression—the introduction into Spain of contingents and material in a proportion far exceeding many of the highest estimates.”

His second observation was of a slightly different character :—

“ On several occasions during yesterday’s discussion use was made, in connection with the position in Spain, of the term ‘ two parties.’ The Government of the Republic which I have the honour to represent instructs me to inform the Council that in no circumstances can it agree to the official use of this expression to describe, on the one hand, the legitimate Government of Spain, and, on the other, those directly and immediately responsible for the military rebellion, aided by foreign support, which has plunged Spain into her present situation.”

I have the honour to be, Sir,

Your obedient servant,

W. J. JORDAN,

High Commissioner.

The Right Honourable the Prime Minister,
Wellington, New Zealand.

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