

The representative of Spain, who had been invited to take a seat at the Council table, thanked the Council on behalf of his Government. I should draw your attention to the concluding paragraph of the letter of the Spanish Minister for Foreign Affairs. It reads:—

“I am able to inform you that the Spanish Government would see on objection, if the same need were felt in the part of the territory which is in the hands of the rebel authorities, to the extension of the League’s beneficent action to the whole of the national territory of Spain.”

The Council took note of the passage.

WORK OF THE PERMANENT MANDATES COMMISSION AT ITS THIRTY-FOURTH SESSION.

In my report on the one hundred and second session of the Council I have devoted a few pages to this matter, in connection with which Mr. Wellington Koo, the representative of China, had raised a question of procedure at a private meeting of the Council held on the 17th September. The question had regard to the extension of the National Mobilization Law of Japan, which came into force on the 5th May last, to certain islands of the Pacific over which Japan exercises a mandate. It was raised in a note from the Chinese representative bearing date 18th June, 1938. The note had been communicated to members of the Council and members of the League and also to the Permanent Mandates Commission. Now, it is the custom of the Commission not to discuss questions affecting a mandated territory which is not down for discussion during the session, and as the annual report on the administration of the islands mandated to Japan was not before the Permanent Mandates Commission at its thirty-fourth session the Chinese note was not considered. A statement to this effect satisfied for the time being the Chinese representative. As a matter of fact, the annual report was expected to come before the Permanent Mandates Commission during its next session, and the Secretary-General indicated that the Chinese note would in all probability be dealt with then.

CONFERENCE FOR THE REDUCTION AND LIMITATION OF ARMAMENTS.

This matter need not detain us. It is for the Council to name a date for the next meeting of the Bureau, and it was intended that it should meet during the recent Assembly, but circumstances were against the fixing of the date. The Council agreed to postpone the meeting.

The Council then went into public session. The one hundredth and third session was declared open by the President in a short speech, which is reported in the minutes of the meeting. The President also welcomed the new non-permanent members who had been elected—the Dominican Republic, Greece, and Yugoslavia. His words of welcome were suitably replied to by the representatives of these countries.

APPLICATION OF THE PRINCIPLES OF THE COVENANT: SEPARATION OF THE COVENANT FROM THE TREATIES OF PEACE.

This question is dealt with in my report on the Nineteenth Assembly. All that was required of the Council was to give directions to the Secretary-General to convey the Assembly resolution to certain States non-members of the League. The Council gave the directions (Documents A. 78, 1938, VII and A. 79 (1), 1938, V).

APPLICATION OF THE PRINCIPLES OF THE COVENANT: COLLABORATION BETWEEN THE LEAGUE AND NON-MEMBER STATES.

This also is dealt with in my report on the Assembly. Directions similar to those mentioned in the foregoing paragraph were given by the Council to the Secretary-General (Document A. 76, 1938, VII).

APPEAL OF THE CHINESE GOVERNMENT.

My report on the one hundred and second session of the Council carries this subject to the point of recording the telegram sent to the Japanese Government, as required by Article 17 of the Covenant, when China had specifically invoked that Article.

The Japanese Government’s reply, dated 22nd September, 1938, read:—

“I hasten to acknowledge receipt of your telegram of September 19th, 1938, transmitting the invitation, provided for by the first sentence of Article 17 of the Covenant, which has been addressed to the Imperial Government by the Council of the League of Nations. The Imperial Government is firmly convinced that means such as those laid down in the Covenant cannot provide a just and adequate solution of the present conflict between Japan and China, and its attitude in this connection has been clearly stated on many occasions. I have therefore the honour to inform you that, for this reason, the Imperial Government regrets its inability to accept the Council’s invitation.”

Prior to the formal meeting of the Council covered by this report the position arising from Japan’s refusal was examined by members of the Council, who deputed first the representatives of China, the United Kingdom, France, the Union of Soviet Socialist Republics, and Greece and, later, on a redrafting point, the representatives of China, Greece, and Belgium, to suggest for its consideration the text of a report. A resolution was prepared also on the use of toxic gases as a method of war. These, in the form in which they came to the Council’s public meeting, read:—

“1. The report of the Far-East Advisory Committee, adopted by the Assembly on October 6th, 1937, states ‘that the military operations carried on by Japan against China by land, sea and air . . . can be justified neither on the basis of existing legal instruments nor on that of the right of self-defence, and that (they are) in contravention of Japan’s obligations under the Nine-Power Treaty of February 6th, 1922, and under the Pact of Paris of August 27th, 1928.’