

LEAGUE OF NATIONS  
*Official Journal*

12th YEAR, No. 12.

DECEMBER 1931.

MINUTES  
OF THE  
SIXTY-FIFTH SESSION  
OF THE COUNCIL

*Held from Saturday, September 19th, to Thursday, December 10th, 1931.*

Price: 14/- \$3.50

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REEL No. A-0150

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アジア歴史資料センター

# OFFICIAL JOURNAL

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12th YEAR, No. 12.

Sixty-fifth Session of the Council.

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## Official Journal

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<sup>1</sup> A list of the documents published relating to this question is given at the beginning of the Annex, see page 2451.

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## MINUTES

OF THE

## SIXTY-FIFTH SESSION OF THE COUNCIL

Held at Geneva and Paris from Saturday, September 19th, to Thursday, December 10th, 1931.

At the first part of the session, which took place at Geneva from September 19th to September 30th, 1931, the Members of the Council of the League of Nations were represented as follows:

<i>Spain:</i>	M. Alejandro LERROUX ( <i>President</i> );
<i>British Empire:</i>	Viscount CECIL OF CHELWOOD;
<i>China:</i>	Dr. Sao-Ke Alfred SZE;
<i>France:</i>	M. Aristide BRIAND; <i>Substitutes:</i> M. Pierre-Etienne FLANDIN, M. Maurice PETSCHÉ, M. René MASSIGLI;
<i>Germany:</i>	Dr. CURTIUS; <i>Substitute:</i> Count BERNSTORFF;
<i>Guatemala:</i>	M. José MATOS;
<i>Irish Free State:</i>	Mr. MCGILLIGAN; <i>Substitute:</i> Mr. Sean LESTER;
<i>Italy:</i>	M. Dino GRANDI; <i>Substitutes:</i> M. Vittorio SCIALOJA, M. Augusto ROSSO;
<i>Japan:</i>	M. Kenkichi YOSHIZAWA; <i>Substitutes:</i> M. Naotaké SATO; M. Setsuzo SAWADA.
<i>Norway:</i>	M. Birger BRAADLAND;
<i>Panama:</i>	Dr. Narciso GARAY;
<i>Peru:</i>	M. Alfredo GONZALEZ-PRADA; <i>Substitute:</i> M. José-Maria BARRETO;
<i>Poland:</i>	M. Auguste ZALESKI; <i>Substitutes:</i> M. François SOKAL, M. STRASBURGER;
<i>Yugoslavia:</i>	M. Voislav MARINKOVITCH; <i>Substitutes:</i> M. Iliya CHOUMENKOVITCH, M. Constantin FOTITCH;

Secretary-General: Sir Eric DRUMMOND.

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At the second part of the session, which took place at Geneva from October 13th to October 24th, 1931, the Members of the Council were represented as follows:

*France:* M. Aristide BRIAND (*President*);

*British Empire:* The Marquess OF READING;  
Substitute: Viscount CECIL OF CHELWOOD;

*China:* Dr. Sao-Ke Alfred SZE;

*Germany:* M. VON MUTIUS;

*Guatemala:* M. José MATOS;

*Irish Free State:* M. Sean LESTER;

*Italy:* M. Dino GRANDI;  
Substitute: M. Vittorio SCIALOJA;

*Japan:* M. Kenkichi YOSHIZAWA;

*Norway:* M. Birger BRAADLAND;  
Substitute: M. Erik COLBAN;

*Panama:* Dr. Narciso GARAY;

*Peru:* M. José-Maria BARRETO;

*Poland:* M. François SOKAL;

*Spain:* M. Salvador DE MADARIAGA;

*Yugoslavia:* M. Constantin FOTITCH.

From October 16th until the end of the session (see Minute 2951), the United States of America were represented by Mr. Prentiss GILBERT.

Secretary-General: Sir Eric DRUMMOND.

At the third part of the session, which took place at Paris from November 16th to December 10th, 1931, the Members of the Council were represented as follows:

*France:* M. Aristide BRIAND (*President*);

*British Empire:* The Rt. Hon. Sir John SIMON;  
Substitute: Viscount CECIL OF CHELWOOD;

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*China:* Dr. Sao-Ke Alfred SZE;

*Germany:* M. VON BÜLOW;  
Substitute: M. VON MUTIUS;

*Guatemala:* M. José MATOS;

*Irish Free State:* M. Sean LESTER;

*Italy:* M. Vittorio SCIALOJA;

*Japan:* M. Kenkichi YOSHIZAWA;

*Norway:* M. Erik COLBAN;

*Panama:* Dr. Narciso GARAY;

*Peru:* M. Alfredo GONZALEZ-PRADA;

*Poland:* M. Auguste ZALESKI;  
Substitute: M. DE CHLAPOWSKI;

*Spain:* M. Alejandro LERROUX;  
Substitute: M. Salvador DE MADARIAGA;

*Yugoslavia:* M. Constantin FOTITCH.

Secretary-General: Sir Eric DRUMMOND.

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## FIRST MEETING (PRIVATE, THEN PUBLIC).

Held at Geneva on Saturday, September 19th, 1931, at 5 p.m.

Present: All the representatives of the Members of the Council, and the Deputy Secretary-General. France was represented by M. FLANDIN, and the Irish Free State by Mr. LESTER. M. STRASBURGER replaced M. Zaleski during part of the meeting.

## 2894. Welcome to the New Members of the Council.

The PRESIDENT was sure that all the members would wish him to offer their sincere congratulations and a cordial welcome to the new Members of the Council, China, represented by M. Sze, and Panama, represented by M. Garay.

## 2895. Adoption of the Agenda.

The agenda was adopted.

## 2896. Administrative Tribunal: Renewal of the Terms of Office of Two Judges.

M. MATOS presented the following report and draft resolution:<sup>1</sup>

"Under the provisions which govern this question, the terms of office of M. MONTAGNA and M. VAN RYCKEVORSEL, judge and deputy judge on the Administrative Tribunal of the League of Nations, expire at the end of this year.

"I would propose that the Council should re-elect these persons for a period of three years and accordingly adopt the following resolution:

"The terms of office of M. MONTAGNA and M. VAN RYCKEVORSEL, respectively judge and deputy judge on the Administrative Tribunal of the League of Nations, are renewed for a period of three years as from 1932."

The draft resolution was adopted.

## 2897. Appointment of Rapporteurs.

The PRESIDENT requested the Secretary-General to submit a provisional list of Rapporteurs for questions appearing regularly on the agenda.

(The Council went into public session.)

## 2898. Communications by the Representatives of Japan and China.

M. YOSHIKAWA said that, according to information which had appeared that day in the Press, an incident had occurred on the previous evening in the neighbourhood of the town of Mukden. He was anxious immediately to communicate to the Council—in accordance, moreover, with a desire expressed by the President—the first information he had received that morning. Unfortunately, it contained very few details. A collision had occurred between the Japanese and Chinese troops in the neighbourhood of Mukden, near the South Manchuria Railway. Immediately on hearing the news, the Japanese Government had taken all the measures possible to prevent this local incident from leading to undesirable complications. M. Yoshikawa had asked his Government for additional information, and was sure it would do everything possible to relieve the situation.

M. SZE would not conceal from the Council that he had been greatly disturbed by the news from Manchuria regarding the incident mentioned by the Japanese representative. The information he had received so far seemed to indicate that the incident had not been occasioned by any act on the part of the Chinese. He would not fail to keep the Council informed of any authentic news he might receive regarding this highly regrettable incident.

The PRESIDENT was sure the Council had heard with satisfaction that the Japanese Government would take the necessary measures to deal with the situation. His colleagues would certainly desire to join him in expressing the most sincere hopes for a prompt settlement of the question.

<sup>1</sup> Document C.574.1931.V.

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## 2899. Claim brought by the Finnish Government against the Government of the United Kingdom in connection with Finnish Ships used during the War by the Government of the United Kingdom: Appointment of a Rapporteur.

Baron Yrjö-Koskinen, representative of Finland, came to the Council table.

The PRESIDENT thought the time had come for the Council to appoint a Rapporteur for this question.

On the proposal of M. YOSHIKAWA, supported by M. GRANDI, the representative of Spain was appointed Rapporteur.

The PRESIDENT said that, in view of the statements which had been made at the previous meeting<sup>1</sup>, he naturally felt some hesitation in accepting the task entrusted to him. The numerous arguments which had been put forward on both sides proved that it would be a difficult one.

In his opinion, there was an important preliminary question to be examined: one of the parties had questioned whether it was desirable that the Council should deal with such matters. That point was of great importance and should, it appeared, be studied without delay. With a view to the examination of this preliminary question, he asked the Council to authorise him to obtain the help of the Italian and Norwegian representatives, so that he might be able to place the matter before the Council at its next session.

Baron YRJO-KOSKINEN, representative of Finland, interpreted the proposal to mean that the Rapporteur's mandate covered all the preliminary questions raised before the Council—in particular, those relating to the Council's duties in virtue of the Covenant. On that understanding he accepted the decision.

The PRESIDENT replied that that was the meaning of his proposal.

Baron Yrjö-Koskinen withdrew.

## 2900. Saar Basin: Proposed Governing Commission Loan.

The DEPUTY SECRETARY-GENERAL said that the Chairman of the Saar Governing Commission had been obliged to leave Geneva for Saarbruck and had asked the Secretary-General to make his excuses to the Council and express his regret that he was unable to attend the meeting.

M. GRANDI presented the following report and draft resolution:<sup>2</sup>

"By a letter dated August 22nd, 1931, the Saar Territory Governing Commission submitted to the Council of the League of Nations a proposal it had formulated for the issue of a long-term loan of a nominal amount of 150 million French francs. The Governing Commission stated that the exclusive object of the loan was to enable the countries and communes of the Saar Territory, with the exception of the town of Saarbruck, to consolidate their short-term debts and to convert part of their long-term debts with the Saar savings banks.

"On September 14th,<sup>1</sup> the Council requested the Financial Committee to examine this question in conjunction with the Saar Governing Commission.

"The report submitted by the Financial Committee to the Council (Annex 1325 a) states that the financial situation of the Saar Government is sound, and that the service of a long-term loan of 150 million French francs should place no undue strain upon the finances of the Governing Commission. Moreover, the Financial Committee added, the loan will be employed for the conversion of existing credits to local bodies, the service of which is already borne by the inhabitants of the Saar territory. With regard to the position after 1935, the Financial Committee suggests that, in order to assist the Governing Commission in its negotiations, the Council should make the following declaration:

"The Council undertakes to include in the decisions which will have to be taken in conformity with paragraph 39 of the Annex "Saar" to the Treaty of Versailles, the necessary measures to protect the interests of the lenders."

"In view of the Financial Committee's report, I take the liberty to submit to the Council the following draft resolution:

"The Council,

"Recognises the desirability of the financial operation contemplated by the Governing Commission and the advantages which would accrue to the Saar Territory from its success;

<sup>1</sup> See Official Journal, November 1931, page 2071.

<sup>2</sup> Document C.571.1931.I.

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" Notes that the Financial Committee is of opinion that the financial situation of the Saar Government is sound and that the service of the loan for the amount mentioned will not place any undue strain upon the finances of the Governing Commission;  
 " Undertakes to include in the decisions which will have to be taken in conformity with paragraph 39 of the Annex " Saar " to the Treaty of Versailles<sup>1</sup> the necessary measures to protect the interests of the lenders."

*The draft resolution was adopted.*

2901. Work of the Fiscal Committee during its Third Session.

M. BRAADLAND presented the following report:<sup>2</sup>

" The variety and scope of the subjects treated in the Fiscal Committee's report to the Council, on the work of its third session (Annex 1324), is evidence of the importance of the work carried out by the Committee during the last two years.

" The progress of the campaign against double taxation and the practical effects of the work on this subject carried out under the auspices of the League can be seen from the list of the principal international agreements concluded during the last year and of laws recently enacted in various countries. Not only are the principles laid down by the Conference of Government experts for the exemption of shipping companies in countries other than those in which they are registered now applied by most countries with a fleet of any importance, but several bilateral conventions very wide in scope (particularly those between France and Italy, between Finland and Sweden, and between Belgium and France) have been concluded on the lines of the model conventions drawn up by the Government experts in 1928.

" In the hope of hastening the progress already achieved in this direction, the Fiscal Committee endeavoured, during its second session, to lay down the bases of a plurilateral convention, with the object of avoiding double taxation on certain kinds of income. Two model drafts, corresponding to the two main tendencies of national legislation, have been prepared, which the Committee suggests should be communicated to Governments for consideration, without calling upon them to express an opinion at once. I propose that these drafts should be forwarded to the Governments, and that, in accordance with the Financial Committee's recommendations, their attention should be directed to the importance of the problem to be solved. The conclusion of a plurilateral convention on double taxation would tend greatly to improve international commercial relations.

" The work undertaken last year with the help of the grant from the Rockefeller Foundation on the subject of the apportionment of profits in the case of commercial undertakings operating in several countries has been continued. A thorough study has been made of the legislation of five important States, and the enquiry is to be pursued in several other countries. The Committee hopes that, within a year or eighteen months, it will be in a position to lay down general rules on the subject. The solution of this problem, which would provide fiscal security for business concerns with branches in several countries, and would considerably promote the resumption of free circulation of capital and goods, is of great importance for the improvement of international economic relations.

" I should add that the Financial Committee in its last report (Annex 1325) to the Council laid particular stress on the importance of the work accomplished by the Fiscal Committee."

*The conclusions of the report were adopted.*

2902. Work of the Financial Committee during its Forty-Second Session, including the Twentieth Report of the League Commissioner for the Settlement of Bulgarian Refugees.

M. Guirguinoff, representative of Bulgaria, came to the Council table.

M. BRAADLAND presented the following report and draft resolution:<sup>3</sup>

" 1. The Financial Committee has so far forwarded to the Council two reports (Annexes 1325 and 1325 a) on the first part of its work; these, I think, can be considered together. The Committee is still in session and will submit a further report to us later, on the questions relating to Austria and Hungary, which it is at present examining very carefully.

" 2. In the two reports now before us, the Financial Committee deals with the situation of certain countries which previously had recourse to its assistance and with various questions, among which I might mention the work of the Gold Delegation, the problem of the recurrence

<sup>1</sup> Paragraph 39. — " The Council of the League of Nations shall take such provisions as may be necessary for the establishment of the regime which is to take effect after the decisions of the League of Nations mentioned in paragraph 35 have become operative, including an equitable apportionment of any obligations of the Government of the territory of the Saar Basin arising from loans raised by the Commission or from other causes.

" From the coming into force of the new regime, the powers of the Governing Commission will terminate, except in the case provided for in paragraph 35 (a)."

<sup>2</sup> Document C.575.1931.II.A.

<sup>3</sup> Document C.572.1931.II.A.

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of periods of economic depression, and the budgetary estimates relating to the work of the Financial Section. Other questions dealt with in the two reports of the Financial Committee have already formed, or will form, the subject of special reports to the Council. These are the transfer of the functions of the Greco-Bulgarian Mixed Emigration Commission, the report of the Fiscal Committee and the proposed loan of the Governing Commission of the Saar Territory.

" 3. The Financial Committee has noted the twentieth report—which has also been submitted to us—of the League Commissioner (Annex 1326), dealing with the establishment of Bulgarian refugees. It notes that the work is almost completed.

" 4. The Financial Committee has devoted special consideration to the financial position of Bulgaria. The deficit at the close of the last financial year created a very difficult situation for the Treasury. In addition, the falling off in the estimated revenue for the first months of the current year will probably result in a new deficit. The Committee examined, with the Bulgarian Prime Minister and the Minister of Finance, the measures which should be urgently taken to deal with the situation. The financial plan submitted by the Bulgarian Government, which consists in reducing expenditure and increasing revenue, appeared likely, if carried out at once and energetically, to ensure the accounts for the current year being balanced. The Bulgarian Government has also undertaken to make the necessary modifications in the existing laws on pensions and on the operation of the Cereals Buying and Export Department to ensure that the budgetary equilibrium is not adversely affected by their application. It has further undertaken to carry out various measures which are likely to bring in additional revenue later and to lead to a marked improvement in the position of the Treasury.

" The Committee concludes its report on this question by expressing its conviction that, if this programme is put into effect, Bulgaria will be able to overcome her present difficulties.

" 5. The Financial Committee states that the Gold Delegation expects to complete its work at its next session by drafting its final report.

" 6. The eleventh Assembly, when requesting that an enquiry should be made into the course and the phases of the present economic depression, at the same time decided that it was desirable to consider, in conjunction with 'national organisations, whether consultative or planning councils or research institutions . . . by what means the work now being conducted on the problem of the recurrence of periods of economic depression may be co-ordinated'. In the words of the report of the Second Committee of the Assembly, 'this is a problem the study of which calls imperatively for co-ordinated and concerted action'. The economic councils and research institutions, to which the question was submitted, recommended the summoning at suitable intervals of the representatives of the organisations dealing with the question, and of experts on the subject. They added that 'a competent economist and an adequate auxiliary staff should be attached permanently to the Secretariat'. The Financial Committee supports this recommendation, and I would ask the Council to approve it subject to the decision of the Assembly regarding the provision of the necessary budgetary credits.

" 7. The Financial Committee draws attention to the necessity of special credits being made available for this year and for 1932, in order that it may fulfil tasks already entrusted to it by the Council and in view of the possibility of unforeseen calls being made, in the present crisis, upon the Council for technical assistance.

" As regards 1931, the Secretary-General should be requested to make every effort to find funds to carry out this essential work this year from other items of the budget and to make proposals to the Council in this connection.

" As regards 1932, the matter lies in the hands of the Assembly, to whom this report and the forthcoming reports of the Financial Committee should be referred. It is obvious that, if the Council is to be in a position to use the services of the Financial Committee and otherwise seek measures to alleviate the present crisis, additional and special budgetary provision must be made.

" 8. Accordingly, I propose to my colleagues the following draft resolution:

" 'The Council adopts the present report on the work of the Financial Committee and decides to transmit it to the Assembly, together with the Financial Committee's reports.'"

M. GUIRGUINOFF, representative of Bulgaria, accepted the report submitted by the Norwegian representative, and took the opportunity of thanking the Financial Committee, on behalf of the Bulgarian Government, for its continuous efforts to improve Bulgarian finances.

*The draft resolution was adopted.*

The PRESIDENT said that the Secretary-General would forward the reports to the Assembly and make the necessary arrangements to give effect to the Financial Committee's proposals.

M. Guirguinoff withdrew.

2903. Greco-Bulgarian Intermigration Commission: Transfer of the Functions of the Mixed Commission.

M. Molloff, representative of Bulgaria, M. Politis, representative of Greece, and Colonel Corfe, Chairman of the Mixed Commission, came to the Council table.

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M. FLANDIN presented the following report and draft resolution:<sup>1</sup>

"At its meeting on September 4th, 1931,<sup>2</sup> the Council requested the Financial Committee to give its opinion on the proposal made by the neutral members of the Greco-Bulgarian Intermigration Commission in their letter of July 7th, 1931. This proposal was that the functions conferred upon the Mixed Commission by the Molloff-Caphandaris Agreement of December 9th, 1927, should be transferred to such other person or body as might be selected for the purpose by the Council of the League of Nations in application of Article 7 of this agreement.

"In its report to the Council on this subject (Annex 1325), the Financial Committee expresses the opinion that, as the neutral members have stated that the Mixed Commission has almost completed its work and will shortly be wound up, it would be desirable for the Council to come to a decision regarding this transfer. In order to avoid setting up any fresh organisation, the Financial Committee suggests that it might itself undertake the functions in question, on the understanding that it may appoint certain of its members to act in its name during the intervals between its sessions.

"I therefore propose the adoption of the following draft resolution:

"The Council decides to transfer the functions conferred upon the Mixed Commission until now by the Agreement of December 9th, 1927, to the Financial Committee as from to-day, on the understanding that the Financial Committee may appoint certain of its members to act in its name during the intervals between its sessions."

M. MOLLOFF, representative of Bulgaria, said that he had nothing to add to the report, which he accepted.

*The draft resolution was adopted.*

Colonel CORFE said that, on behalf of the Greco-Bulgarian Intermigration Commission, he desired to thank the Council for the decision it had just taken. Article 7 of the Molloff-Caphandaris Agreement being applied from that date, and the Mixed Commission being relieved of its functions under that agreement, the neutral members, who had been nominated by the Council on the Mixed Commission, believed that it would be possible to notify the Council at its next session of the complete liquidation of all the Commission's work, and lay before it a full report of the Mixed Commission's activities.

M. Molloff, M. Politis and Colonel Corfe withdrew.

#### 2904. Free City of Danzig: Amendment to the Constitution.

M. ZIEHM, President of the Senate of the Free City of Danzig, and Count Gravina, High Commissioner of the League of Nations at Danzig, came to the Council table.

Viscount CECIL presented the following report and draft resolution:<sup>3</sup>

"On September 5th, 1931, the High Commissioner of the League of Nations at Danzig transmitted to the Council a letter dated August 29th, 1931, from the Senate of the Free City, communicating the text of a law amending the Constitution of the Free City (Annex 1327).

"Under Article 49 of the Constitution of Danzig, an amendment to the Constitution proposed by the Popular Assembly cannot be adopted unless it passes its second reading by a two-thirds majority, at least two-thirds of the elected deputies being present; at least one month must elapse between the first and second readings. Amendments to the Constitution can only come into force after they have been communicated to the League of Nations and after the League has stated that it has no objection to these amendments.

"The purpose of the draft law submitted to us is the reduction of the salaries and pensions of officials and employees on the active list and retired officials and their survivors.

"It was necessary that this law, since it involves interference with the established rights of officials and the modification of Articles 92 and 110 of the Danzig Constitution, should take the form prescribed by Article 49 of the Danzig Constitution for laws amending the Constitution.

"The Bill, as submitted to us, passed the first reading in the Popular Assembly of the Free City by a two-thirds majority on August 28th, 1931, at least two-thirds of the elected deputies being present. The Senate has no doubt that the same majority will be forthcoming at the second reading, which, under the Constitution, cannot take place until September 28th, 1931.

"As the restoration of the Free City's financial position brooks no delay, the Senate requests the League Council to state at once that it has no objection to the amendments made in the Constitution by the new law as submitted to us, subject always to the Bill's receiving at the second reading the majority of the votes of the Assembly required by the Constitution.

"In his covering letter, the High Commissioner says that the measure contemplated by this draft law being in accordance with the recommendations made to the Council by the Financial

<sup>1</sup> Document C.569.1931.I.

<sup>2</sup> See *Official Journal*, November 1931, page 2034.

<sup>3</sup> Document C.563.1931.I.

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Committee in 1926, when the Council approved a loan to Danzig, he can only recommend the procedure contemplated by the Senate of the Free City.

"I have examined the Bill in the light of the Council's earlier resolutions relative to the Constitution of Danzig, and I have no observations to make on this point. I venture to submit the following draft resolution to the Council:

"The Council authorises the President, in the event of the law amending the Constitution of the Free City, the draft of which passed its first reading on August 28th, 1931, and the text of which is reproduced in the annex to the letter of August 29th, 1931, from the President of the Danzig Senate to the High Commissioner of the League of Nations, passing its second reading without amendment, in accordance with the Constitution, to inform the Senate of the Free City, through the High Commissioner, that the Council has no objection to this amendment to the Constitution."

M. ZIEHM, President of the Senate of the Free City of Danzig, had no comments to make on the report.

*The draft resolution was adopted.*

#### 2905. Free City of Danzig: Danzig-Polish Relations: Special Report by the High Commissioner.

Viscount CECIL presented the following report and draft resolution:<sup>1</sup>

"At its meeting of May 22nd last,<sup>2</sup> the Council, after examining the situation of Danzig-Polish relations, requested the High Commissioner to submit a further report for its session in September. In compliance with this request, the High Commissioner forwarded to the Council on August 15th a report on the situation, followed by a supplementary report dated August 20th, 1931.

"I attach to my present report the High Commissioner's report, of which I desire to express my high appreciation.

"I am convinced that all the members of the Council will wish to thank him for all the efforts he has made to ensure normal relations between the Free City of Danzig and Poland.

"In his report, the High Commissioner submitted to the Council certain questions relating to the matter of the *port d'attache*, or, as it has latterly been termed, the question of access to and anchorage in the port of Danzig for Polish war vessels. The position of this question is as follows:

"This matter was submitted to the Council on several occasions—in particular, in September and December 1927. In August 1928, letters were exchanged between the parties, as the result of which the provisional Agreement of October 8th, 1921, was extended, and it was stipulated that it could not be denounced before July 1st, 1931. The Free City denounced it for that date. However, in order to facilitate negotiations, the Danzig Government of its own accord stated that it would maintain in force the provisions of the agreement until August 15th, 1931. As the negotiations did not succeed, the Senate again extended the time-limit up to September 15th. It added, however, that, if no result was reached by that date, it would consider any use of the port of Danzig by Polish warships, which was not in strict conformity with the international regulations in force for the admission of foreign war vessels, as 'direct action' within the meaning of the Council's resolution of March 13th, 1925.<sup>3</sup>

"The High Commissioner requests the Council to signify, in the very likely case of the Danzig-Polish negotiations breaking down, and of the Senate of the Free City requesting him to declare that 'direct action' has been taken, whether the Council considers that such 'direct action' has been taken or not. The High Commissioner is of opinion that, by its resolution of March 13th, 1925, the Council, in principle, reserved the competence to judge of 'direct action', and that this competence is conferred upon the High Commissioner only provisionally and in cases of urgency, subject to the final approval of the Council. Moreover, from a study of the files relating to the question of the *port d'attache*, the High Commissioner concludes that the Council desired to reserve to itself the definition of the question of principle, which the High Commissioner might perhaps implicitly prejudge if he had to take a decision on the question of 'direct action'.

"I can only congratulate the High Commissioner on his foresight in this matter. According to the information at my disposal, I am obliged to state that there is no probability of a practical agreement being reached. In order to reply to the question raised by the High Commissioner in regard to 'direct action', the Council will be obliged to go into the juridical aspect of the substance of the question, in regard to which the two parties disagree. As they wish to have this aspect of the question cleared up, I would suggest that the Council should ask the Permanent

<sup>1</sup> Document C.567.1931.I.

<sup>2</sup> See *Official Journal*, July 1931, page 1132.

<sup>3</sup> See *Official Journal*, April 1925, page 468.

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Court of International Justice for an advisory opinion on the matter, requesting it to give this, if possible, in time for the Council to deal with it at its next session.

"Should the Council be prepared to adopt this procedure, the parties agree to the High Commissioner's drawing up provisional regulations on the matter, to remain in force until the Council reaches a final decision. It is understood that this arrangement will not in any way prejudge the definitive settlement of the question.

"If the Council agrees to this suggestion, I propose at a later date to formulate the question to be submitted to the Court.

"Annex to the Report presented by Viscount Cecil of Chelwood.

"REPORT BY THE HIGH COMMISSIONER."

[Translation.]

"Danzig, August 15th, 1931.

"At its meeting on May 22nd, 1931, the Council of the League of Nations invited me "to submit a further report on the situation for the next session of the Council". I accordingly have the honour to follow up my report of April 25th, 1931, by submitting the present report to the Council.

"On my return to Danzig at the end of May, I soon noted that the agitation caused by the deplorable incidents between Danzig citizens and Poles which occurred during April and to which I considered it my duty to draw the Council's attention in a special report had subsided to some extent. Unfortunately, I found that the general situation at Danzig was not so satisfactory; disturbances owing to party strife were still continuing. During the month of June, particularly violent clashes occurred between the organisations of the extremist parties even in the centre of the town, and, if they had spread, they would have constituted a very serious menace to public security.

"Since June 4th, I have made further representations to the Senate of the Free City, as suggested by the Council in Point II of its resolution of May 22nd, and have drawn the Senate's special attention to the regrettable consequences which might have resulted from the circumstances to which I have just referred, and to the necessity of taking without delay appropriate measures to check further developments of this kind.

"On June 30th, 1931, after a lively discussion in the Volkstag, the Senate obtained the necessary powers to enact a series of measures designed to ensure the maintenance of public order in the Free City (*Ermächtigungsgesetz*); this law is to remain in force until January 1st, 1932. On the same day, another law was passed introducing certain restrictions in regard to the Press (*Gesetz zur Sicherung der öffentlichen Ordnung*) (Appendix I).

"In a letter dated July 3rd (Appendix II), the Senate of the Free City communicated to me the decrees which it had just promulgated under the authority of the above-mentioned law conferring upon it full powers (Appendix III).

"I think there is no need for me to analyse the laws and decrees in question; it will be sufficient if I refer to the summary of them given by the Senate itself; this summary appears as a sub-appendix to Appendix II.

"In my reply of the same date to the President of the Senate, I emphasised that, although more general restrictions relating to the abuse of uniforms at Danzig would have been desirable from several points of view, I could only take note of the Senate's communication in the hope that these measures would have practical results. In my special report of April 25th last, I had brought this abuse to the notice of the Council and, on May 22nd, the latter had requested me to make further representations to the Senate on the subject, which I did on June 4th.

"It should be noted that, while the Senate felt that it must take into account the opinion expressed both by the representatives of the parties and by the police authorities in favour of the wearing of uniforms inasmuch as they facilitate the supervision and control of the members of the parties themselves, the new measures adopted by the Senate in this connection impose considerable restrictions on citizens wearing uniform as compared with the rights enjoyed by other citizens.

"It must also be admitted—and I have great satisfaction in informing the Council of this fact—that the measures adopted by the Danzig Government have so far proved effective in maintaining an adequate degree of safety and public order in the territory of the Free City.

"I am also happy to be able to inform the Council that the improvement in the relations between Danzig and Poland, which I noted on my return from the Council session held in May, has continued—a fact which the Press of both parties has commented on with satisfaction. Unfortunately, the personal relations between M. Ziehm, President of the Senate of the Free City, and M. Strasburger, the representative of the Republic of Poland, have not yet been satisfactorily defined, but there is reason to hope that they will not affect the treatment of matters of public

<sup>1</sup> For the Appendices to the High Commissioner's report, see Annex 1328.

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interest and that it will be possible to examine in a calm atmosphere, and consequently in a more conciliatory spirit on both sides, the problems inherent in the special situation of Danzig, which inevitably give rise at times to considerable divergences in the initial views of the parties.

"I need not draw the special attention of the Council to certain incidents which have occurred between Polish citizens and Danzig nationals and which have been reported to me, because, in my opinion, they are incidents which, though deplorable, are inevitable in all large towns, and also because they are not sufficiently important to have any general consequences.

"On the other hand, somewhat grave consequences might have arisen as a result of an unfortunate dispute between the authorities of the Free City and the Polish authorities with regard to the despatch to Danzig territory of detachments of Polish sailors belonging to the crews of Polish warships in the port of Danzig. While the Polish naval authorities maintained that it was not necessary to obtain the consent of the Danzig authorities to the sending of detachments ashore, the latter contended that Polish naval authorities, like other foreign naval authorities, should comply with the Senate's recent decree to the effect that, by analogy with similar provisions in force in all other ports, the landing of detachments should be subject to the previous consent of the territorial authorities responsible for the maintenance of public order. I was asked to intervene and it was thus possible for me to bring the dispute within the framework laid down by the procedure in force for disputes between Poland and Danzig (Article 39 of the Paris Treaty of November 9th, 1920). An attempt has been made to establish a certain connection between this question and the more general question of the *port d'attache*, the complications of which are well known to the Council and which has been outstanding since the Free City denounced its agreement of 1928 with Poland. The parties are continuing their negotiations, but it seems hardly likely that a direct agreement will be reached.

"I would mention, as undoubtedly harmful to friendly relations between Danzig and Poland, certain demonstrations organised in the territory of the Free City by the parties of the Right, both Germans and Danzig nationals, during which nationalist aspirations for the return of Danzig to the Reich have been expressed more or less forcibly. On the Polish side, these demonstrations are regarded as evidence of the tendency to direct the general policy of the Free City towards Germany rather than towards Poland, while at the same time economic privileges are demanded from Poland and its hinterland.

"Before terminating this rapid survey, I would draw the Council's attention to the financial and economic situation of the Free City, which is such as to give rise to serious anxiety in the near future. I wish to mention this important aspect of the situation in Danzig, which has a direct influence on relations between Poland and Danzig, because, on the Danzig side, the tendency is to throw a large part of the responsibility on Poland.

"Without going into the details of the statement which the Senate of the Free City has asked me to attach to the present report (Appendix IV), because the majority of the Danzig complaints are to form the subject of an exchange of notes between the two Governments and because account must also be taken of any arguments that may be advanced by the Polish Government (which has not sent me a similar statement on the situation at Danzig), I will confine myself to the problem of unemployment, which, with the approach of winter, is already assuming a very serious aspect. It is likely to constitute a grave menace to public order and, in any case, to disturb relations between Danzig and Poland.

"I have already had the honour to draw the Council's attention to this problem in my annual reports for 1930 and 1931, in which I mentioned the negotiations which took place under my chairmanship at Warsaw in January 1930, but which unfortunately did not result in a definitive agreement, although the two Governments reached an agreement on principle. I attach as an appendix a copy of two notes which I have recently received in this connection from the two Governments concerned (Appendices V and VI). I consider it highly desirable that an agreement should be reached before the winter on the bases laid down at Warsaw, in accordance with which the Polish Government, having regard to the particularly difficult situation of the Free City, agreed provisionally to limit the influx of Polish labour into Danzig, where it has very serious effects on the Danzig labour market.

"I have great satisfaction in informing the Council of the conciliatory spirit displayed in the last Polish note (Appendix VI); there is therefore reason to hope that the goodwill thus shown by the Government at Warsaw will lead to practical results in the near future, especially as the Senate of the Free City for its part is prepared to guarantee that the restrictions imposed in regard to the influx of Polish labour into Danzig will also be strictly applied to any other labour of non-Danzig origin."

(Signed) M. GRAVINA.

"SUPPLEMENTARY REPORT BY THE HIGH COMMISSIONER.

[Translation.]

"Danzig, August 20th, 1931.

"In continuation of my report of the 15th instant, I have the honour to inform the Council that, as anticipated in that report, the direct negotiations entered into between the representatives of the Governments of the Polish Republic and of the Free City of Danzig regarding the question

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of the *port d'attache*—the agreement concerning which lapsed on July 1st and was denounced by the Free City—have not led to an agreement within the prescribed time-limit ending on August 15th.

“ In a note dated August 14th, a copy of which was forwarded to me, the Senate of the Free City proposed to Poland to extend the time-limit laid down for the negotiations by one month—i.e., up to September 15th, 1931. It added, however, that, if the negotiations did not reach any result within that period, it would consider any use of the Port of Danzig by Polish warships which was not in strict conformity with the international regulations in force for the admission of foreign men-of-war, as “direct action” within the meaning of the Council’s resolution of March 13th, 1925. I think it is my duty to inform the Council that it is unfortunately highly improbable that any agreement will be reached between the two parties regarding this thorny question, with which the Council itself has so often had to deal and which from the legal point of view must still be considered as open.

“ I feel I must draw the Council’s attention to the unfortunate consequences which are likely to arise for Danzig-Polish relations out of this new dispute, which will doubtless be further embittered by the animosity of public opinion and of the Press of both countries, and will in all probability break out as soon as the time-limit expires on September 15th, if, as is to be feared, the parties have not reached an agreement by that date. In drawing the Council’s attention to these unfortunate consequences, I believe I am rightly interpreting the duties of my office which I consider to be to do everything in my power to forestall and prevent such consequences.

“ If, on the expiration of the time-limit (September 15th) Poland, relying on the right claimed by her to a *port d'attache* at Danzig (a right which is denied by the Free City), continues to use the Port of Danzig without complying with international regulations, it is clear from the Senate’s note of August 14th that the Free City will apply to the High Commissioner for a decision that Poland is thus taking direct action.

“ There are two considerations which raise serious doubts in my mind in this connection. The first is that, from a thorough study of the voluminous files relating to the question of the *port d'attache*, I conclude that the Council desires to reserve to itself the definition of the question of principle which I might perhaps implicitly prejudge if I had to take a decision on the question of direct action.

“ The second is that, in my opinion, the resolution of March 13th, 1925, implies that the Council has in principle reserved the competence to judge of direct action, and that this competence is conferred upon the High Commissioner only provisionally and in cases of urgency subject to the final approval of the Council.

“ I feel therefore that I must request the Council to signify, in the very likely case of the Danzig-Polish negotiations breaking down and of the Senate of the Free City requesting me to declare that direct action has been taken, whether the Council considers that such direct action has been taken or not.”

(Signed) M. GRAVINA.”

Viscount CECIL then read the following draft resolution :

“ The Council,

“ Thanks the High Commissioner for his report of August 15th and supplementary report of August 20th;

“ Takes note of the measures adopted by the Senate for the maintenance of public order at Danzig;

“ Recalls its decision of May 22nd, 1931, by which it expressed its disapproval of all demonstrations or acts directed against the Statute of the Free City, from whatever quarter they may come;

“ Expresses the hope that the measures contemplated both by Poland and by Danzig with a view to checking the influx of non-Danzig labour into the territory of the Free City will be such as to assist the Senate in its efforts to reduce unemployment at Danzig;

“ Will welcome any measures which Poland and Danzig, in view of the close ties established between them by the treaties, may take to ensure more effective co-operation in the economic field;

“ Decides to ask the Permanent Court of International Justice for an advisory opinion on the question of access to and anchorage in the Port of Danzig for Polish war vessels. Pending the Council’s final decision on this matter, the High Commissioner is requested to draw up provisional regulations. This arrangement shall in no wise prejudge the final settlement of the question.”

Count GRAVINA thanked the Rapporteur for the way in which he had referred to himself and for the very careful examination he had made of the various questions submitted to the Council by the High Commissioner—in particular, that of access to and anchorage in the port of Danzig for Polish war vessels.

M. STRASBURGER, representative of Poland, observed that the High Commissioner, who had, as usual, been anxious to facilitate Danzig-Polish relations and to depict the present situation in Danzig as fully and accurately as possible, had submitted on August 15th a report which had been annexed to the British representative’s report as an integral part of it. The High Commissioner’s report gave a very detailed account of the measures which had been recommended by the Council at its May session, and which had in part been adopted by the Senate.

M. Strasburger fully appreciated the objective manner in which the account contained in the report was presented, and he thanked the High Commissioner for his report. He had, however, already informed the High Commissioner and the Rapporteur that he did not fully agree with the opinion expressed on one point. The High Commissioner had observed that the measures taken by the Senate had improved the situation—M. Strasburger entirely agreed with that statement—and had said that the state of public security in Danzig was entirely satisfactory. The majority of the public in Danzig and he himself did not entirely share that view.

M. Strasburger agreed that the measures proposed by the Council had helped to improve the position. He accepted Lord Cecil’s formula that the Council should merely take note of the measures adopted by the Senate.

He would have been glad if the prohibition against the wearing of uniforms recommended by the Council had been passed by the Senate; the result would have been to restore to Danzig the appearance of a commercial city under the protection of the League.

The High Commissioner had made the following observations in his report:

“ I would mention, as undoubtedly harmful to friendly relations between Danzig and Poland, certain demonstrations organised in the territory of the Free City by the parties of the Right, both Germans and Danzig nationals, during which nationalist aspirations for the return of Danzig to the Reich have been expressed more or less forcibly. On the Polish side, these demonstrations are regarded as evidence of the tendency to direct the general policy of the Free City towards Germany rather than towards Poland, while at the same time economic privileges are demanded from Poland and its hinterland.”

This passage in the High Commissioner’s report had been rather severely criticised in some of the German and Danzig newspapers. At the same time, it had been announced that M. Hugenberg would arrive in Danzig on the following Tuesday, two days after the present meeting of the Council, to deliver an address on political problems.

M. Strasburger did not wish to discuss the expediency or the undesirability of demonstrations and manifestations against European peace and stability. He would merely point out the effects of such demonstrations on Danzig-Polish economic relations. The activities of organisations whose members wore uniforms and paraded the streets of Danzig in hundreds or thousands, although of no special military importance, kept up a constant agitation in the public mind. Again, the meetings organised against the Statute of the Free City, usually by persons from outside the city but often in conjunction with the official representatives of Danzig, had also created a feeling of unrest and excitement.

In these circumstances, Polish traders, and foreign traders as well, were refraining from transacting new business. Furthermore, the existing atmosphere sometimes made it difficult for official representatives to solve the present economic problems.

M. Strasburger therefore fully supported the resolution proposed by the British representative on the Council, in the following terms:

“ The Council,

“ Recalls its decision of May 22nd, 1931, by which it expressed its disapproval of all demonstrations or acts directed against the Statute of the Free City, from whatever quarter they may come.”

He thanked the Rapporteur, the High Commissioner and the Secretariat for their efforts to ensure the security and economic development of the Free City.

M. ZIEHM asked permission, in view of what the High Commissioner and the Polish representative had said, to submit a few explanatory remarks concerning the resolution proposed by the British representative.

He was glad to note that the Council, and also the Polish representative, had approved the measures taken by the Danzig Government to maintain public order in the Free City. The Council would have seen from the High Commissioner’s report that the measures taken by the Free City had proved effective and that, even in the gravest economic and political circumstances, the Government of the Free City was able to safeguard public safety, peace and good order in its territory. The police were prompt and energetic in putting a stop to any disturbance of good order. All breaches of the public peace were punished impartially by the courts, where the proceedings were specially expedited.

The Rapporteur’s draft resolution expressed disapproval of all acts or manifestations directed against the Statute of the Free City, from whatever quarter they might come. The Government had always loyally observed the treaties by which the Free City had been established. Its administration had invariably been in conformity with those treaties and with the Constitution guaranteed by the League.

The resolution drew a distinction between demonstrations and acts. With regard to demonstrations, M. Ziehm felt sure that the Council would agree that there must be no interference

with free speech, a right that had been granted to every citizen of the Free City by the Constitution guaranteed by the League of Nations. Political convictions and ideas could not be altered by force.

It must be borne in mind that, if the demonstrations referred to embodied a profession of faith in German civilisation, Danzig, with a population of which 97 per cent was German, had the closest ties with everything German. Those ties had been created throughout the centuries. Danzig would always maintain cultural, intellectual and historical relations with the German community. All demonstrations, regardless of those organising them, must plainly comply with the laws in force and respect the constitutional forms of the Free City.

With regard to acts directed against the legal Statute of Danzig, the Free City firmly believed that the League, under whose protection it was placed, would safeguard its political independence and territorial integrity.

M. Ziehm was particularly glad to observe that the Rapporteur had drawn the Council's attention to the economic position of the Free City. He hoped that the Council's recommendations would be of real assistance in bringing about an effective improvement in economic conditions.

He entirely agreed with the High Commissioner's statement that the Free City's economic and financial situation was such as to give rise, in the near future, to anxieties that might have a dangerous effect on Danzig-Polish relations. While it was true that the universal depression affected Danzig as well, it should be pointed out that economic circles in Danzig and the authoritative representatives of her economic life—in particular, the Chamber of Commerce—had long urged that the economic relationships established by the treaties were not in accordance with the facts and that serious injury was done to the Free City's economic position by a whole series of measures taken by the Polish Government and its authorities.

The memorandum by the Danzig Government, annexed to the High Commissioner's report, explained in detail the injurious effects of these Polish measures on Danzig. Economic co-operation in the form laid down in the treaties was the primary and fundamental condition for the existence of normal relations between Danzig and Poland. In order to be useful, all collaboration, as the French delegate to the Assembly had said a few days previously, must not consist only of words, but must have practical and effective results for both parties.

M. Ziehm trusted that, in accordance with the resolution before the Council, it would be possible to achieve some form of economic co-operation that would be more effective and more advantageous to the two countries. He could say, on behalf of his Government, that the latter desired the removal of all existing difficulties and that it would do everything in its power to ensure that end.

One question closely bound up with the economic situation was that of unemployment. As in many other countries, that was a very difficult problem for Danzig to solve. In Danzig, it was aggravated by quite exceptional circumstances.

The State and the communes were no longer able to defray the financial charges entailed by unemployment relief. The expenses incurred for the unemployed constantly nullified the great efforts made by the Government to balance the budget. In his report to the Council, the High Commissioner had brought out the great gravity of this question, and had stated that it was likely to constitute a serious menace to public order and to Danzig-Polish relations.

The connection between unemployment and Danzig-Polish relations was due to the inundation of the Free City by workers from Polish territory. In July 1931, there had been twenty-one thousand Polish workers in Danzig. Since January 1st, 1931, two thousand Polish workers had settled there. Polish workers poured into the Free City because the wage-level was higher there than in Poland. Employers with whom Polish orders had been placed were often compelled to engage Polish workers. The consequence of this intolerable position was that Danzig nationals in the territory of the Free City were deprived of their work and their livelihood by Polish immigrants, and that citizens of the Free City were often thrown into unemployment and distress. Every State was obliged to claim the natural right to protect its own nationals in circumstances such as these.

Poland regarded the question of her nationals' rights from a point of view other than that of Danzig. This dispute, which had been brought before the Council at its May session, had been referred, in conjunction with the problem as a whole, to the Permanent Court of International Justice for an advisory opinion. The approach of winter, however, made it essential to find an immediate solution, without prejudice to the question of law.

The High Commissioner therefore had proposed in his report that the influx of foreign labour should provisionally be suspended, without prejudice to the legal point involved. The competent authorities of the Danzig Government, the representatives of the Danzig workers, and M. Ziehm himself, were of opinion that the measures proposed by the Polish Government in pursuance of the High Commissioner's suggestion, were insufficient to produce the necessary effects and so achieve the object in view. M. Ziehm, however, thought that he could infer from the Polish representative's declaration of principle that the Polish Government itself had seriously decided to take really effective measures to ease the congestion on the Danzig labour market.

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The Danzig Government took note of that declaration with satisfaction. It would, it thought, be acting in the same spirit as that animating the Polish Government if it seconded that Government's efforts by taking suitable measures. In that way, the Danzig Government would be complying likewise with the Rapporteur's draft resolution, which proposed the limitation of the influx of non-Danzig labour with a view to reducing unemployment at Danzig.

Finally, with reference to the Rapporteur's proposal concerning the dispute between Danzig and Poland in regard to access to and anchorage in the port of Danzig for Polish war vessels, M. Ziehm's Government was anxious that this question, which had been outstanding for years, should be settled once and for all. His Government agreed that the Council should ask the Permanent Court of International Justice for an advisory opinion on the legal question of principle, and that, subject to the question of law, the High Commissioner should draw up provisional regulations pending a final settlement of the matter by the Council.

In conclusion, M. Ziehm expressed the hope that the statements made in the Council and the decisions it had taken would help to remove, or at least to mitigate, the obstacles that had for so long impeded and still impeded co-operation between the Free City and the Polish Republic, more especially in the economic sphere.

On behalf of his Government, he would thank the High Commissioner for what he had done to remove these difficulties. He wished also to thank the Secretariat.

Dr. CURTIUS approved the report submitted to the Council. Notwithstanding the great interest taken by the German Government in the fate of the Free City, he would not have asked permission to speak if certain remarks offered by the Polish representative, following on his observations on the report, had not obliged him to do so.

The Polish representative had referred to the visit to Danzig of German politicians and had made in that connection certain criticisms against which Dr. Curtius was bound to protest. The visit had so far only been announced. The Free City was a sovereign State and was not subject to any form of censorship. Further, visits by politicians had latterly become a common event in international relations and could not cause any special apprehension.

As the President of the Senate had rightly pointed out, the historical and intellectual relations that formed a very close tie between the Free City and Germany must be borne in mind. In Dr. Curtius' view, any attempt to hamper the exercise of the sovereignty enjoyed by Danzig and guaranteed to her under the treaties must be resisted.

M. STRASBURGER said he had followed with the greatest attention and interest the speech of M. Ziehm, who so authoritatively and competently represented the Senate of the Free City of Danzig before the Council. The representative of Poland had already given his views with regard to public security in Danzig; he had said he did not consider it entirely satisfactory, and there was no need for him to return to that point.

He would make a few remarks on the question of unemployment at Danzig, the importance of which Poland also appreciated.

M. Strasburger was glad to inform the Council that a few days previously he had notified the High Commissioner in a letter that, at his request, the Minister of Labour had issued several decrees in order to stop any influx of Polish labour into Danzig. He thought, however, that the Senate's apprehensions were exaggerated, and that the figures mentioned before the Council were somewhat higher than the actual figures. He had asked the representatives of Danzig to examine these figures with the Polish representative.

He would also be very glad if the Senate would take measures compatible with the present legal position to stop the influx of non-Danzig labour. He pointed out, however, that the question of the influx of non-Danzig labour into Danzig was only one factor in the big problem of unemployment. The unemployment in Danzig was explained, first, by the general crisis and then, to some extent, by the general policy of the Senate of the Free City.

M. Strasburger thought it would be somewhat difficult to carry out a policy definitely hostile to everything non-Danzig and, on the other hand, to compel non-Danzig persons, Poles, to go to Danzig to establish new business relations. For example, the denunciation of the agreement relating to the anchorage of Polish warships in Danzig would probably not contribute to the economic development of the Free City. Indeed, though Poland had no desire to make of Danzig a military base in any sense, she possessed there shipbuilding yards and oil reservoirs for supplying ships, and if her ships were not entitled to anchor at Danzig, the economic life of the City would be seriously affected.

The President of the Senate had said—and M. Strasburger noted this with satisfaction—that he desired the maintenance of the present legal Statute and the establishment of the closest relations with Poland. He had also stated that the German culture of the German part of the population of Danzig should be safeguarded. M. Strasburger ventured to say that the Germans in Danzig could very well maintain and develop German culture without attacking other nations, and especially without attacking the legal Statute of the Free City, which guaranteed in Danzig the unhindered development of their civilisation.

As M. Ziehm had shown so much understanding of national questions, M. Strasburger pointed out to him that, in Danzig, there was a fairly large Polish minority which was not greatly satisfied with its present situation, and expressed the hope that, by means of negotiations, a

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solution would be found as quickly as possible, particularly for the question which at present engaged Danzig public opinion—the practice of the liberal professions by Polish-speaking Danzig citizens. He hoped that the value of Polish university and school diplomas would be recognised, and that they would be assimilated to the equivalent German diplomas.

M. Strasburger shared the view expressed by the representative of Germany that it was inadvisable to take measures to prevent German statesmen from visiting Danzig. He would, however, add that the eminent persons who visited Danzig frequently should not make speeches or take part in manifestations directed against the legal Statute of the Free City. Unfortunately, that had occurred too often during the present year, as in past years.

He pointed out that the Council, at its meeting on May 22nd, 1931, had adopted a resolution by which it expressed "its disapproval of all demonstrations or acts directed against the statute of the Free City from whatever quarter they may come." M. Strasburger hoped that, in order to attain that object and to bring about the results anticipated in the Council resolution, Poland could count, not only on the co-operation of Danzig, but also on the help of all the Members of the Council without any exception.

M. ZIEHM, replying to the observations of the Polish representative, said that the latter had described the general policy of Danzig as not very friendly towards Poland in certain respects, and he had drawn attention to the denunciation of the agreement concluded between Poland and the Free City with regard to the entry and anchorage of Polish warships in the port. At the same time, he had thought it right to show the undesirable effects of the definitive denunciation of that agreement on the existence and development of the prosperity of the Free City.

M. Ziehm pointed out that the existence of the Free City and its Statute had been established by the desire of the Allies and of the League of Nations, which had stated, at the time, that the Free City could not be a naval base. Nevertheless, in 1921, the Free City had agreed to allow Polish warships to enter its port; it had then acted freely, and had concluded an agreement with Poland which could be denounced in 1931.

The term mentioned in the agreement having expired, the latter had been denounced, not, he would repeat, with any unfriendly intention towards Poland, and, above all, not with the intention of creating economic difficulties in connection with the repairing and victualling of the warships. That was a question which, in principle, should be definitely cleared up, and he noted that the Council's decision was likely to lead to a solution of the dispute which was at the basis of the whole matter. In those circumstances, as the Council had decided to give its attention to the settlement of this dispute, the Government of Danzig was prepared to prolong the convention between Poland and the Free City.

M. Ziehm, replying to the Polish representative's observations in regard to the minorities, said that M. Strasburger had spoken of the equivalence of Polish diplomas and certificates, which the Free City was asked to accept for the purpose of the practice of the liberal professions. M. Ziehm had not referred to this matter because it was not mentioned in the High Commissioner's report. It did, indeed, form part of a whole group of questions at issue between Poland and the Free City, which would be submitted to the Permanent Court of International Justice for an advisory opinion and then to the Council. In any case, he had stated in private conversations that he was prepared to discuss a provisional settlement of the question of diplomas, pending a final solution.

In conclusion, M. Ziehm did not consider it advisable or expedient to associate this last question with the important question of unemployment, which was much more urgent, and in regard to which Danzig could not wait far long for a solution.

With regard to the Polish representative's other observations, M. Ziehm said that he had already explained his attitude in his first speech.

Viscount CECIL did not propose to go into the special questions which had been debated between M. Ziehm and M. Strasburger. He thanked them both for having accepted the resolution attached to his report, and he trusted that that acceptance was a symbol and a symptom of closer co-operation between Poland and Danzig in the future.

There was, he thought, a misunderstanding with regard to the question of demonstrations. At its May session, the Council had expressed disapproval of all demonstrations directed against the Statute of the Free City, but he did not understand the Council to have said that all such demonstrations were necessarily illegal. That was obviously a matter to be settled by the courts. What the Council had meant was that, in the very special circumstances of Danzig, it was desirable that such expressions of opinion on burning political subjects should be as moderate and unprovocative in character as possible. Everyone who had the interests of Danzig and of Poland at heart would agree on that point.

The Council's duty in the matter was perfectly clear. The high appreciation of the High Commissioner's report expressed in Lord Cecil's report would, undoubtedly, be shared by every member of the Council. So long as the High Commissioner occupied his present responsible and difficult position, the Council's duty was to give to him its full support and sympathy backed by all the authority which the Council necessarily possessed.

*The draft resolution proposed by the Rapporteur in his report was adopted.*

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Viscount CECIL then presented the following draft resolution:<sup>1</sup>

"The Council,

"Requests the Permanent Court of International Justice to give an advisory opinion under Article 14 of the Covenant on the following question:

"Do the Treaty of Peace of Versailles, Part III, Section XI, the Danzig-Polish Treaty concluded at Paris on November 9th, 1920, and the relevant decisions of the Council of the League of Nations and of the High Commissioner, confer upon Poland rights or attributions as regards the access to, or anchorage in, the port and waterways of Danzig of Polish war vessels? If so, what are these rights or attributions?"

"Requests the Permanent Court of International Justice to be so good as to give this opinion in time to enable the Council to take a decision on the matter at its session of January 1932;

"Invites the Governments of Poland and Danzig to hold themselves at the disposal of the Court for the purpose of furnishing any relevant documents or explanations.

"The Secretary-General is authorised to submit this request to the Court, to give any assistance necessary for the examination of the question, and, if necessary, to take steps to be represented before the court."

*The draft resolution was adopted.*

M. Ziehm and Count Gravina withdrew.

2906. Greco-Bulgarian Emigration: Request of the Bulgarian Government, dated August 7th, 1931, concerning the Execution of the Molloff-Caphandaris Agreement.<sup>2</sup>

M. Molloff, representative of Bulgaria, and M. Michalakopoulos, representative of Greece, came to the Council table.

M. FLANDIN, Rapporteur, reminded the Council that, at the third meeting of the sixty-fourth session,<sup>3</sup> the French representative had asked for time to consider the question connected with the execution of the Molloff-Caphandaris Agreement. The Rapporteur had hoped that the two parties would, in the interval, have been able to re-examine the matter and arrive at the necessary understanding. Unfortunately, the attempts which had been made had not been altogether successful. M. Flandin therefore proposed the following draft resolution:<sup>4</sup>

"The Council,

"Having noted the points of view stated by the representatives of Bulgaria and Greece;

"Considering that the Bulgarian Government has raised the question whether the Greek Government was entitled to establish a connection between, and set off one against the other, its debt to the Bulgarian refugees under the Molloff-Caphandaris Agreement and the Bulgarian Government's reparation debt;

"Considering that the Bulgarian Government maintains that these two debts are totally different in nature;

"Considering that, in the Greek Government's opinion, no dispute as to the interpretation of the Molloff-Caphandaris Agreement is involved;

"Noting that the respective financial obligations of the two Governments, in regard to which the difficulties thus submitted to the Council have arisen, were incurred in virtue of international instruments which are equally binding on both Governments and the execution of which can in no case be suspended except by agreement between all the signatory parties;

"Being convinced that such an agreement must be sought with extreme urgency on a practical basis in respect of the payments of the current year, all questions of law being reserved;

"Invites the two Governments to confer together in order to attain this result as soon as possible, the service of their above-mentioned debts being carried on in the interval;

"Subject to the foregoing, decides to request the Permanent Court of International Justice to consider, from the legal point of view, whether there is, in fact, a dispute between Greece and Bulgaria under Article 8 of the Molloff-Caphandaris Agreement, and, if so, to give an advisory opinion on the nature of the obligations arising out of the said agreement;

"Notes with great satisfaction the declarations of the two Governments with regard to their mutual desire to effect a general settlement of the other difficulties subsisting between them;

"Makes an urgent appeal to their spirit of conciliation and invites them to open negotiations as soon as possible with a view to achieving this result."

M. MOLLOFF, representative of Bulgaria, said that the Bulgarian delegation took note of the Rapporteur's draft resolution. It thanked the French representative and the various organs of the

<sup>1</sup> Document C.568.1931.I.

<sup>2</sup> Documents C.477.1931.I, C.530.1931.I, C.540.1931.I, C.543.1931.I, C.553.1931.I, C.559.1931.I, C.565.1931.I, C.576.1931.I, C.581.1931.I, C.590.1931.I, C.595.1931.I, C.614.1931.I.

<sup>3</sup> See *Official Journal*, November 1931, page 2069.

<sup>4</sup> Document C.578.1931.I.

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Secretariat for the efforts they had made. It wished to observe that the agreement to be concluded between Bulgaria and Greece as to the payment for the year July 1931-July 1932 must in no case be taken as a precedent or as prejudicing in any way the solution of the various outstanding questions of law.

In the course of the afternoon, the Bulgarian delegation had received from the Greek delegation two notes to which a reply would be sent. It would therefore request the Council to include the notes and the replies among the papers to be sent to the Permanent Court at The Hague.

M. MICHALAKOPOULOS, representative of Greece, took note, on behalf of the Greek delegation, of the draft resolution. He adhered, however, at all points to the statement made by M. Veniselos before the Council.

On behalf of his Government, he thanked the Rapporteur and the organs of the Secretariat for their efforts to obtain an effective agreement between the two parties, and hoped that their efforts would not be in vain.

Needless to say, the Bulgarian delegation was entitled to reply to the notes which it had received from the Greek delegation, and which were merely the necessary reply to a Bulgarian note recently received by the Greek delegation.

*The draft resolution was adopted.*

M. MARINKOVITCH had wished to wait until the resolution had been adopted before asking permission to speak. In order, however, to avoid any misunderstanding and to make sure that the resolution would not create a precedent, he was obliged to make the following declaration: In its request, the Bulgarian Government seems to assume that there is something obligatory about the Hoover proposal. That proposal, however, could only be binding on the countries which had accepted it. An attempt to reach an arrangement must be made in the case of those which had not accepted it.

M. MICHALAKOPOULOS pointed out that the matter raised by the representative of Yugoslavia was apparently cleared up in the fifth paragraph of the preamble to the resolution, which read:

"The respective financial obligations of the two Governments . . . were incurred in virtue of international instruments which are equally binding on both Governments and the execution of which can in no case be suspended except by agreement between all the signatory parties."

M. FLANDIN then proposed the following draft resolution:<sup>1</sup>

"The Council,

"In view of the statements made at its meeting on September 7th, 1931, by the representatives of Bulgaria and of Greece;

"In view of the notes submitted by the Bulgarian Government on August 7th and on September 3rd, 14th and 17th, 1931, and the notes submitted by the Greek Government on September 2nd, 5th, 8th, 11th, 15th, 18th and 19th, 1931;

"Requests the Permanent Court of International Justice to give an advisory opinion on the following points:

"In the case at issue, is there a dispute between Greece and Bulgaria within the meaning of Article 8 of the Molloff-Caphandaris Agreement concluded at Geneva on December 9th, 1927?

"If so, what is the nature of the pecuniary obligations arising out of this agreement?

"Invites the Governments of Bulgaria and Greece to hold themselves at the disposal of the Court for the purpose of supplying any relevant documentation and explanations.

"The Secretary-General is authorised to submit this request to the Court, to give any assistance necessary for the examination of the question, and, should need arise, to take steps to be represented before the Court."

He added that the notes to which M. Molloff had referred as having been sent in reply to those forwarded by the Greek Government would be added to the list of notes submitted.

*The draft resolution was adopted.*

M. Molloff and M. Michalakopoulos withdrew.

2907. Protection of Minorities in Poland: Situation of the German Minority in the Voivodies of Silesia, Poznan and Pomorze:

(a) Notes from the German Government, dated November 27th and December 9th, 1930.

(b) Petitions from the "Deutscher Volksbund", dated January 7th and August 14th, 1931.

(c) Note from the German Government, dated December 17th, 1930.

M. YOSHIZAWA presented the following report<sup>2</sup>:

"The Council has already dealt twice with this question, at its sessions in January and in May 1931.<sup>3</sup> Since its May session, it has received a new petition from the "Deutscher Volksbund" (Annex 1329).

<sup>1</sup> Document C.583.1931.I.

<sup>2</sup> Document C.584.1931.I.

<sup>3</sup> See *Official Journal*, February 1931, page 165; July 1931, page 1144.

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"After carefully studying the whole of the documentation, to the details of which I need not here refer, I have come to the conclusion that the Council's principal task in this matter should be to ensure a regime of normal relations in the future between the Polish authorities and the German minority, both in the voivodie of Silesia and in the voivodies of Poznan and Pomorze. Such a regime would have a tranquillising effect in these voivodies and would thus bring about peaceful conditions.

"In this connection, I am happy to inform the Council that, during the conversations I have had with the Polish representative, he has assured me, after explaining the measures taken by his Government, that the latter will make every effort to give the minority the feeling of confidence without which it will be impossible to establish that co-operation between the minority and the State which, according to the treaties and the resolutions of the League of Nations Assembly and Council, is a duty equally urgent for the State and the minority concerned. This is the method which must be adopted in order to achieve the result contemplated by Mr. Henderson, President of the Council when, in his speech at the Council's meeting on January 24th last, he appealed first to the majority population to realise that the suppression of the rights of the minority is not in accordance with its real interests, and, secondly, to the minority to realise that it is in its true interest to co-operate loyally with the Government of the country in which it lives.

"I think the Council will agree with these considerations and in that case I would propose that it should declare the examination of this question closed."

*The conclusions of the report were adopted.*

2908. Protection of Minorities in Upper Silesia: Appeal addressed to the Council under Articles 149 and following of the Geneva Convention of May 15th, 1922, relating to Upper Silesia: Appeal by the "Deutscher Volksbund" of June 5th, 1930, concerning the Non-admission to Minority Schools of the Voivodie of Silesia for the Year 1929-30 of Sixty Children formerly examined by M. Maurer, Educational Expert.

M. YOSHIZAWA reminded the Council that, at its meeting on May 23rd, 1931,<sup>1</sup> it had decided to postpone this item to the September session. He proposed that the report he had submitted at the meeting to which he had referred should be adopted.<sup>2</sup>

M. ZALESKI accepted the Rapporteur's conclusions, which were based on the advisory opinion from the Permanent Court of International Justice. He desired to state that the Polish Government had complied with that opinion and had informed the parents of the children mentioned in the petition that they would be admitted to the minority school without further formality.

As regards what might follow from the admission to the minority schools of children who did not speak the minority language, he would refer to his remarks before the Council on previous occasions, more especially on June 9th, 1928.<sup>3</sup> He reserved his right to revert to that point, if necessary.

Dr. CURTIUS accepted the report and expressed his keen satisfaction that a final settlement had at last been found for a dispute which had for years been engaging the attention of the international authorities concerned—in particular, the President of the Mixed Commission—and which was very important to the many members of the German minority in Polish Upper Silesia. He was glad to think that the Court's opinion, according to which the children in question could not be refused admission to the minority schools, would lead to the cancellation of all the penal measures taken against those responsible for their education, for not having sent to a Polish school children who, according to the opinion of the Court, should have been admitted to the minority school.

M. ZALESKI said that he could make no definite statement on Dr. Curtius's suggestion.

*The report submitted by the Rapporteur at the May session of the Council was adopted.*

2909. Protection of Minorities in Upper Silesia: Petition addressed to the Council under Article 147 of the Convention of May 15th, 1922, relating to Upper Silesia, from Dr. Prince of Pless, dated January 7th, 1931, concerning the Situation of his Father's Property in the Voivodie of Silesia (Poland).

M. YOSHIZAWA presented the following report:<sup>4</sup>

"The Council first dealt with this question at its session in January 1931,<sup>5</sup> and, at its meeting on May 23rd, 1931,<sup>6</sup> it decided to adjourn the consideration of the matter to its September session.

<sup>1</sup> See *Official Journal*, July 1931, page 1151.

<sup>2</sup> Document C.391.1931.I.

<sup>3</sup> See *Official Journal*, July 1928, page 946.

<sup>4</sup> Document C.580.1931.I.

<sup>5</sup> See *Official Journal*, February 1931, page 228.

<sup>6</sup> See *Official Journal*, July 1931, page 1151.

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It took note of a communication from the Polish Government, dated May 19th, stating that the points regarding the taxes levied on the property of the Prince of Pless, which were the subject of the petition addressed to the Council, had been examined by the Polish authorities with every consideration for the petitioner.

"In a communication dated September 4th, 1931 (document C.538.1931.I), the Polish Government informed the Council that 'all the time-limits for the payment of his (the Prince of Pless's) taxes had been extended', and that, in accordance with the report of a special commission established by the Ministry of Finance for examining the petitioner's complaints, the said Ministry, 'under Article 31 of the Income Tax Law, had annulled the decisions of the Commission of Enquiry appointed to examine the question of the Prince of Pless's income tax for the years 1925 to 1929'. In the same communication, the Government informed the Council that 'the Ministry of Finance had ordered a further enquiry with a view to modifying certain figures which had previously been included in the list of taxable income'. Lastly, the Government stated that the Prince of Pless had 'expressed his personal thanks to the Under-Secretary of State in the Ministry of Finance for the considerate attitude of the Polish Government', and in this connection it enclosed the French translation of a letter addressed on September 3rd, 1931, to M. Zawadzki, Under-Secretary of State in the Ministry of Finance.

"I have been informed by the Secretary-General that a new communication from the petitioner dated September 12th, 1931, concerning this last stage in the affair has just been communicated to the Polish Government for any observations it may wish to make in accordance with the procedure in force, and that the Polish Government, in reply to this communication, has informed the Secretary-General of its intention to submit those observations in due course—i.e., within the time-limit fixed by the Council's resolution of September 8th, 1928. In these circumstances, the information at our disposal cannot yet be considered complete, and, for the moment, I can only propose to the Council that the consideration of the matter should be adjourned till its next session."

*The conclusions of the report were adopted.*

2910. **Protection of Minorities in Poland: Petitions concerning the Situation of the Ukrainian Minority in Poland.**

M. YOSHIZAWA, speaking as Rapporteur, observed that, in consequence of a proposal by the British, Italian and Norwegian representatives, members of the Minorities Committee which had examined these petitions and the Polish Government's comments in accordance with the Council's resolution of October 25th, 1920, the item relating to this question had been placed on the Council's agenda on the previous day. Before making any recommendation, he would like time to reflect and to go in detail through the large number of papers on the subject. He would therefore request the Council to take no action for the moment, but merely to adjourn this matter to its next session in January 1932.

*The Rapporteur's proposal was adopted.*

2911. **Air Transport Co-operation: Relations between the Organisation for Communications and Transit and the Universal Postal Union.**

M. ZALESKI presented the following report and draft resolution<sup>1</sup>:

"The Council has taken cognisance of the letter from the Chairman of the Advisory and Technical Committee for Communications and Transit (Annex 1330) concerning the relations between the Communications and Transit Organisation and the Universal Postal Union in connection with the work undertaken by the Communications and Transit Organisation in the sphere of air transport co-operation.

"The Council has always attached the greatest importance to this work relating to the international organisation of air transport. It has not forgotten that the efforts of the Transit Organisation were undertaken in consequence of a recommendation unanimously voted by the Sub-Committee of Experts on Civil Aviation of the Preparatory Commission for the Disarmament Conference. The Council is further aware that it is impossible to study the organisation and operation of air transport without giving due prominence to postal traffic. The Air Transport Co-operation Committee of the Transit Organisation must not, and does not, intend to take the place of the postal administrations or of the Universal Postal Union in questions within their province; but, in order to carry out its task, it must obtain from the postal organisations particulars as to their requirements and the necessary information with regard to their traffic, etc. On the other hand, it is clear that the postal organisations are alone responsible for decisions in questions such as postal charges. Co-operation in some form or other between the postal administrations and the Air Transport Co-operation Committee of the League of Nations appears indispensable.

"The Council will also approve the intention of the Air Transport Co-operation Committee to avoid any overlapping with the work of other existing organisations, such as the Universal

<sup>1</sup> Document C.579.1931.VIII.

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Postal Union. Co-operation between the Universal Postal Union and the Transit Organisation on the same lines as the present co-operation between the Transit Organisation and all the other unions seems to be the only means of preventing the Transit Organisation from being compelled to obtain for itself the opinion of the postal administrations or the advice of experts in postal questions.

"The Council therefore trusts that direct contact will be established without delay between the Universal Postal Union and the Communications and Transit Organisation in order that the important work undertaken may be carried out as satisfactory and speedily as possible, through mutual goodwill and combined efforts.

"I have the honour to submit the following resolution for the adoption of the Council:

"The Council,

"Attaching the greatest importance to the work undertaken by the Communications and Transit Organisation with regard to the international organisation of air transport;

"Noting that the Communications and Transit Organisation has never proposed in this connection to deal with exclusively postal problems within the province of the Universal Postal Union, but that, on the other hand, it cannot effectively carry out its work without knowing the requirements of the postal administrations interested in air traffic;

"Trusts that direct contact will be established for this purpose without delay between the Universal Postal Union and the Communications and Transit Organisation, and that the methods of co-operation for the purpose of avoiding all duplication which exist between the Communications and Transit Organisation and all the other unions dealing with questions of communications will be applied between the Communications and Transit Organisation and the Universal Postal Union;

"Requests the Secretary-General of the League to communicate the Council's views on this subject to the Universal Postal Union through the bureau of the Union;

"Requests the Chairman of the Advisory and Technical Committee for Communications and Transit to take all suitable measures for carrying on the work of the Organisation and to report to the Council, in time for its next session, with regard to the action taken on this resolution."

*The draft resolution was adopted.*

SECOND MEETING (PUBLIC).

*Held at Geneva on Tuesday, September 22nd, 1931, at 10.30 a.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General. France was represented by M. MASSIGLI and Poland by M. SOKAL.

2912. **Appeal from the Chinese Government under Article 11 of the Covenant.**

M. SZE. — I will not take up the time of the Council by reading the note (Annex 1334, Section I) which I had the honour, on behalf of my Government, to communicate to you through the Secretary-General yesterday.

I wish first of all to thank you for convening this special meeting to-day and, with your permission, I will read two cable messages I received from Nanking last night. The first telegram, dated September 21st, 1931, is as follows<sup>1</sup>:

"Kirin Changchun Railway seized: Japanese announce it will be managed by South Manchuria Railway which latter has sent 130 employees to Kirin to take over Chinese line. Yingkow, Antung, Changchun, Fushun and many other towns have been seized by Japanese who have cut all telegraph, telephone and wireless, hence difficult for Government to get complete news. Japanese Stock Exchange in Tokio has closed. Japanese troops also seized Huangkutun, Santungchiao and seized railway quarters Peiping-Mukden railway there,

<sup>1</sup> This telegram and all subsequent ones transmitted by the Chinese representative to the Council during the session are reproduced in Annex 1334.

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driving out all employees. Also seized many locomotives, cars belonging railway. On entering Mukden, Japanese have seized besides chief of staff, eleven important members of Fengtien provincial government. They have entered Marshal Chang Hsuehliang's private residence and have systematically looted all contents. Leinshanwan occupied by Japanese marines. Japanese military administration of Kwantung has moved into Mukden. Two more divisions being sent into Manchuria from Korea. United Press report to-day from Mukden, *inter alia*: 'With Japanese in complete control of communications throughout South Manchuria to-day disquieting reports were current regarding disturbances and possibility of conflict. With difficulty are propaganda, unfounded rumour being sifted from welter of Japanese reports, official and unofficial. At present virtually all news from this area of crisis emanates from Japanese sources.'

The second telegram, dated also September 21st, 1931, reads as follows:

"Special to China Press from Peiping 20th:

"Various reports received here from different centres in Manchuria indicate that by far greatest destruction of Chinese property and lives took place at Changchun which city it is feared now half in ruins. Following bombardment of city by Japanese troops last evening fire broke out in several sections and a later despatch received here this afternoon states that while Japanese are in complete control of situation here conflagration continues unchecked. Magistrates' office, bureau of foreign affairs, bureau public safety and several other public buildings have gone up in flames while numerous other small private buildings have likewise been razed to the ground. Death-roll includes Brigadier Commander Fu whose unit was garrisoning Changchun and vicinity at time of Japanese invasion. Approximate casualties among Chinese soldiers and civilians estimated 600 while over 1,000 now under detention by Japanese military. Entire region Wanpaoshan has been occupied by Japanese troops. How Yung-teh who leased his holdings to Korean farmers and who was for some time storm centre of Wanpaoshan controversy has been liberated by Japanese authorities now in control of Changchun. Changchun Commissioner Public Safety, Special Border Guards Commander, Chairman Preparatory Municipal Committee and several officials reported killed."

I would add that the places mentioned in the cable despatches which have been occupied by Japanese troops, and are still in their occupation, are located in an area as extensive as the United Kingdom of Great Britain, Northern Ireland and the Irish Free State together.

The messages I have read undoubtedly give a very gloomy picture of the situation. Gloomy as it is, I am afraid it is only an incomplete picture, because, as I stated in my communication of yesterday to the Secretary-General, the Japanese troops have seized, in places under their occupation, Chinese means of communication. It therefore becomes increasingly difficult, if not impossible to obtain accurate, prompt and full information.

A further point I wish to emphasise is that the situation is much graver than at the time I wrote my note to the Secretary-General yesterday.

It must appear from the facts mentioned in the cables which I have read to you that it has become a serious question whether the application of other articles than Article 11 of the Covenant may not be required. It is to be hoped, however, that, owing to prompt and effective action on the part of the Government of Japan, this will not become necessary.

In conclusion, I would recall the steps which, in my letter to the Secretary-General, I requested the Council to take—viz.:

"To prevent the further development of a situation endangering the peace of nations; to re-establish the *status quo ante*, and to determine the amounts and character of such reparations as may be found due to the Republic of China."

It is, of course, with reference to the first and second steps that immediate action is imperatively required.

M. YOSHIZAWA. — I am the first to deplore the unfortunate incidents that have occurred in Manchuria. I intend to reply to the Chinese representative's statement after I have received instructions from my Government. Meanwhile, I should like to offer a few observations which will, I think, clear up the position and help to determine the scope of the problem before us.

To form a clear idea of the situation we must look at the area where that incident has occurred. Manchuria is, as you are aware, a vast territory where we have enormous interests and rights guaranteed by numerous treaties. Our nationals there number some hundreds of thousands. That is a fact which calls for note.

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In this vast region, the Chinese authorities have an armed force of nearly 220,000 men, whereas we, in virtue of the treaties, have garrisons aggregating about 10,000 men. At Mukden alone, China has an army of 24,000 men, whereas we have a garrison of only one battalion. The incident mentioned occurred in the neighbourhood of Mukden where the comparative strength of the forces is 500 to 24,000 men.

The Chinese representative has alleged that the incident took place without provocation on the part of the Chinese troops. That is a mere affirmation and we cannot accept it without clear proof. According to official information in our possession, the incident was caused by the destruction by Chinese troops of part of the Japanese railway near Mukden. Hence it was as a result of this act of destruction—such acts are unhappily frequent in those parts—that the small Japanese garrison force was obliged to take up arms. It was necessary to occupy important points in certain towns in order to prevent further incidents and to protect the South Manchuria Railway and the life and property of our nationals resident in the district. I should like to point out in this connection that the contention that the Chinese troops offered no resistance is not in accordance with the facts. The dead and wounded among our troops in one city alone, Changchun, number over 150. The position has, however, become calmer.

It should be observed that this regrettable incident is not an isolated event. We must go back to earlier occurrences which led to the creation of the atmosphere which gave rise to the present incident. As I have already said, we have vast interests and rights recognised by international treaties in Manchuria. For years we have unfortunately been faced on the part of the Chinese with activities that are calculated to imperil our interests and endanger our rights, which are based on international undertakings. Further, deplorable incidents like the murder of Staff-Captain Nakamura by Chinese soldiers have occurred since the beginning of the year and thus created a feeling of tension and given rise to circumstances which are likely to disturb the good understanding between our two peoples. The recent incident may be regarded as an explosion due to this tense situation, which has been becoming worse for some time past.

In its letter to the Secretary-General, the Chinese delegation refers to the possibility of a demand for reparation for losses caused in consequence of these incidents; any such claim is unintelligible to us, since in our view the Chinese troops are responsible for the incident. It is, to my mind, unjust to make any such claim until the Council has finished discussing the merits of the case which have been brought before it under Article 11 of the Covenant.

As regards the demand in the Chinese Government's letter for the re-establishment of the *status quo ante*, that is a question which, in my opinion, cannot be properly settled except on the spot, and by taking into consideration the various factors existing in each locality. I cannot therefore express any opinion on this point until I have obtained my Government's views.

The unfortunate occurrence which is the cause of the present discussion is an eminently local one. Immediately after the incident, the Japanese Government sent a formal order to the commander of our forces in Manchuria to take the necessary steps to prevent the troubles from spreading. My Government has no intention of aggravating the position or of provoking further collisions. It is far from our idea to make war on the Chinese Republic.

According to the information in my possession, my Government and the Chinese Government are unanimous concerning the need for preventing everything that might aggravate the situation, so that a settlement may be found more easily. According to the particulars I have just received, a proposal has been made from the Chinese side that the solution should be sought by direct negotiation between the two Governments. The Japanese Government, I am told, has welcomed this proposal. Premature intervention in these circumstances would only have the deplorable result of needlessly exciting Japanese public opinion, which is already over-excited, and thus impede the pacific settlement of the situation. I am firmly convinced that a pacific settlement can be achieved by direct negotiations between the two Governments.

In conclusion, I wish to say that I will acquaint the Council with my Government's views as soon as I have received the instructions I am expecting at any moment. In the circumstances, I must ask the Council to adjourn the matter to its next meeting.

M. SZE. — The representative of Japan, in the statement which he has just read to you, said that he had not yet received instructions from his Government to make a definite reply, and that the views which he expressed were his own. While I do not wish to take up too much of your time, I feel it is my duty to make a preliminary reply, reserving my answer in detail.

The first point touched on by the representative of Japan referred to the accuracy of my statements. As far as accuracy in regard to facts is concerned, I am prepared, on behalf of my Government, to agree to an enquiry being carried out by a Commission appointed by the League, and I am willing to leave the matter in the hands of an impartial Commission.

The Japanese representative referred to certain cases, the case of Nakamura and others, as being responsible for the present incident. There is no need for me to tell the Council that such references are quite irrelevant. If there are other controversies besides the one before us now, there are means provided in the Covenant itself to which we can resort—diplomatic means,

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or, failing them, judicial means, or, finally, an appeal to the Council. This is all specified clearly in the document before us, the Covenant of the League of Nations.

Reference has been made to defensive measures, but such measures cannot be pleaded in justification, because the Council has itself on previous occasions clearly specified that no nation may plead defensive measures, and on those occasions the representative of Japan endorsed the declarations of the President of the Council, M. Briand, of the Rapporteur, Sir Austen Chamberlain, and others. I will not take up your time by quoting the relevant passages, but I may perhaps be permitted to state that they may be found in the Minutes of the thirty-sixth extraordinary session of the Council, held in Paris from Monday, October 26th, to Friday, October 30th, 1925.<sup>1</sup>

The Japanese representative alleged that the Chinese had proposed direct negotiations. But how can we enter into diplomatic negotiations when a large portion of our territory is under military occupation by that country and, further, when that very country has resorted to means other than diplomatic negotiations? I do not think that any self-respecting State can agree to open diplomatic negotiations for the solution of a situation so long as a considerable portion of its territory is under forcible military occupation by the party which requests a diplomatic settlement. The representative of Japan, in taking up that position, practically questioned whether the matter was within the competence of the Council or not. I will not deal with that point now, because there is not the least doubt that the matter is within the competence of the League. Cases of a far less serious nature than this have been taken up, examined and adjusted by the Council.

I do not wish to occupy more of your time, but I would like to express my appreciation of the assurance given by the Japanese representative that his Government has no idea of war. I cannot, however, disguise my impression that we are very close to war and that immediate steps are imperatively necessary and must be taken by the Council. I may also add that the *status quo ante* must be restored before negotiations are possible.

In any case, as I stated in my communication to the Secretary-General yesterday, the Government of China is fully prepared to act in conformity with whatever recommendations it may receive from the Council, and to abide by whatever decisions the League of Nations may, in the circumstances, adopt.

M. YOSHIZAWA. — I wish to refer to certain points in the Chinese representative's observations. In the first place M. Sze has said that, in my opening speech, I stated that I had received no instructions from my Government, and that the information which I had furnished to the Council was my own. What I meant was that I had not yet received instructions from my Government as to the line of policy which it proposed for the settlement of this incident. I did not intend to imply that the information I submitted had not been furnished by my Government. All the information I have given the Council this morning is official in character, and has been communicated to me by my Government.

Secondly, the Chinese representative said that communications had been cut off and that reports from Manchuria were very meagre. In reply to that, I would say that the first news regarding this incident came from Peiping, and I presume that the telegram from Peiping was based upon information transmitted from Manchuria. Subsequently, telegrams appeared day after day in the Press, and all this information was presumably supplied by Chinese reporters in Manchuria. I cannot, of course, say definitely whether all communications in Manchuria are intact, but I do not think it can be said that information from Manchuria in regard to the incident is meagre.

Thirdly, M. Sze said that I had implied that the consideration of the question did not come within the competence of the Council. That is not the case. What I did say was that the incident was one which might be settled by direct negotiation between the two Governments. As I pointed out in my earlier statement, not only the Japanese Government, but the Chinese Government as well is inclined to settle the question in this way. I have received official information by telegram from my Government to the effect that one of the highest officials in the National Government at Nanking spoke to the Japanese Minister to this effect. He proposed to our Minister that the incident should be settled by certain means, which I hope to be able to communicate to the Council in due course. I trust, however, that I may be permitted not to refer to them for the time being. According to the latest telegram received, my Government would seem ready to accept this proposal, though I have not yet been informed whether an answer has so far been communicated to the Chinese National Government in that sense. I am, however, able to report to the Council that my Government is ready to accept the suggestion. The remark I made in my earlier speech was therefore based upon facts.

My own view is that we must make every effort to settle this unhappy incident by direct negotiation between the two Governments. I never said that the question did not fall within the competence of the Council; I only asked the Council to adjourn the matter until its next meeting, when I hope to be in receipt of definite instructions from my Government.

<sup>1</sup> See *Official Journal*, November 1925, Part II.

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M. SZE. — I think I have understood the Japanese representative's meaning correctly. I understood from the first that he was not in a position to reply to my letter because he had not yet received instructions from his Government. I further understood that he intended to make certain observations. I did not say that these were personal observations, but perhaps we can let the matter rest there. I may have been misunderstood owing to the fact that we are not using our own language.

With reference to the Japanese representative's remark regarding statements made by a Chinese official, I should point out that, at the present moment, there are no direct negotiations in progress. Moreover, I doubt whether a person can make statements in the name of his Government when he is not authorised to do so. In this connection, I may say that, during the last few days, I have again and again heard statements attributed to the Chinese delegation; but, on enquiry, it has been found that neither I nor any other of the Chinese delegates has made them. I do not accuse anyone of purposely fabricating statements. I simply mention the fact that, in the course of conversation, things may be alleged which have never actually been said.

I do not wish to take up more of the Council's time beyond saying that, as I stated in the letter submitted to you on behalf of my Government through the Secretary-General, the case is left with the Council.

M. YOSHIZAWA. — Although I am not in receipt of instructions indicating a line of policy for the settlement of this incident, I am nevertheless in a position to reply to the remarks made by M. Sze. I am speaking in my official capacity, and all that I have said has been based upon official information supplied by my Government. I may add that I will acquaint the Council at its next meeting, which I will ask the President to convene at a very early date, with such information as I may receive.

The Chinese representative said that he doubted whether a person who was not authorised to do so could make statements such as those to which I have referred. On this point I would inform the members of the Council that the official in question is a man holding one of the most important portfolios in the National Government of China, and there is no reason why the Japanese Minister should regard his statement of policy as of no official importance. After mature consideration, the Japanese Government is inclined to express its agreement with the suggestions made by this very responsible person.

Viscount CECIL. — I shall have the assent of all my colleagues in saying that this is undoubtedly a matter of considerable seriousness and gravity, and it is not made less so by reason of the present condition of the world, when it is of vital interest to every country to avoid anything in the nature of political disturbance in any part of the world.

I therefore venture, at the very outset, to present that view of the case to my colleagues from Japan and China and to beg them to do their very utmost to avoid anything which can seriously disturb the peace of the world.

Though the matter is serious, it has some aspects which are encouraging.

In the first place, if I may be allowed to say so, it is a fortunate matter that the dispute should have arisen between the two countries in question. Japan has always been one of the great pillars of the League. From the very outset she has been a Member. She has taken the greatest interest in all its proceedings. She has, I believe, although this is a smaller matter, the largest society in support of the League of Nations of any Member of the League, except possibly the country which I have the honour to represent. China also has taken great interest in the League, and it is only a few days ago that she was unanimously elected as one of the non-permanent Members of the Council. We can therefore feel perfectly certain that both Governments will act fully and unreservedly in the spirit of the Covenant and will recognise their obligations, both direct and indirect, which arise from that instrument.

I am quite sure I shall have the warmest assent from my Japanese colleague in that statement, because Japan has always been pre-eminent amongst the nations of the world in her strict and rigid adherence to all international obligations.

Having said this, I do not think there is any question arising at this moment of any settlement of the merits of the dispute between the two parties. We are not in possession of the facts necessary to form an opinion. There is a very natural difference between the accounts given to us by the representatives of the two countries as to both the origin and the extent of the incident. It would obviously be quite impossible for us to decide exactly what the facts may be, since the two of our colleagues most interested are not agreed upon them, and we shall have to consider what other steps it may be necessary or possible for us to take in order to elucidate to the full what has happened.

In the meantime, there are, I think, certain preliminary steps which we may hope to take. This is not the first international dispute of this nature. There have been several in which clashes of arms have taken place and where there has been, I hope, no question of a resort to war, as we are assured by our Japanese colleague and our Chinese colleague is the case at this moment. The Council has now established what I think may be regarded as a settled procedure in these matters.

The first thing that has always been done has been for the Council, through its President, to issue an earnest appeal to both sides not to do anything to aggravate the position and to avoid further fighting of all kinds. Our Japanese colleague has already given an assurance that his country

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will do everything it can to avoid this, and, although I am not sure that I heard any specific assurance from our Chinese colleague to the same effect, the whole tenor of what he has said goes to show that he is ready to give the same assurance.

Another step has been taken, I think, in every case. Where it has been established that the troops of either party have entered the territory of the other, it has been customary for the President to issue an earnest appeal to the troops of both sides to withdraw from the territory of the other party and to avoid anything which might lead to a clash.

Subject to anything which may be said, I hope that our President may feel it possible to issue an appeal in that sense. Obviously, each case differs, and it may be necessary to word that appeal in one form in one case and in another form in another case; it may be necessary to take some precautions in one case which would be unnecessary in another. On all those details of form I am quite content to trust to the discretion and judgment of our President, in communication with the two parties.

I do feel, however, rather strongly that any troops which are on the territory belonging to the other party ought to be withdrawn without delay. That is the course which has been taken in previous cases, and I hope we shall not make any difference in our dealings with one country rather than another.

There are two other matters I would like to mention. In the first place, our Chinese colleague has referred to certain statements which have been made in the Council, indicating the general principles which the Council thinks ought to be adopted in cases of this kind. I have before me the statement made by the then President, M. Briand, at the session of the Council held in Paris in October 1925.<sup>1</sup> The statement reads:

" . . . He had understood the representative of Greece to indicate that all these incidents would not have arisen if his country had not been called upon to take rapid steps for its legitimate defence and protection. It was essential that such ideas should not take root in the minds of nations which were Members of the League and become a kind of jurisprudence, for it would be extremely dangerous. Under the pretext of legitimate defence, disputes might arise which, though limited in extent, were extremely unfortunate owing to the damage they entailed. These disputes, once they had broken out, might assume such proportions that the Government which started them, under a feeling of legitimate defence, would be no longer able to control them.

" The League of Nations, through its Council, and through all the methods of conciliation which were at its disposal, offered the nations a means of avoiding such deplorable events. The nations had only to appeal to the Council. It had been shown that the criticisms which had been brought against the League of Nations to the effect that its machinery was cumbersome and that it found it difficult to take action in circumstances which required an urgent solution, were unjustified. It had been proved that a nation which appealed to the League when it felt that its existence was threatened, could be sure that the Council would be at its post ready to undertake its work of conciliation."

This statement was approved by my predecessor, Sir (then Mr.) Austen Chamberlain, on behalf of the British Empire, by Viscount Ishii, speaking for Japan, by M. Scialoja, speaking for Italy, and by a number of other members of the Council. I think it may be regarded now as the *locus classicus* as to the policy and procedure of the Council in cases of this kind.

One other matter I ought to mention. We are all aware that there are certain treaty obligations—or international instruments, let me call them—beyond the League of Nations, which affect this dispute; for instance, the Pact of Paris and the Treaty regarding Principles and Policies to be followed in Matters concerning China, signed by the United States and other Powers. In both these instruments the United States of America are very closely interested—in the first place, as one of the promoters of the Pact of Paris, and, in the second, as one of the signatories of the latter treaty. It seems to me that we should do well in these circumstances to communicate to the United States a statement of all the proceedings of this Council, and of all the discussions which have taken place within it. The United States Government will then be fully informed of what we are doing and will be able to take any action it may think right in connection with this matter.

The PRESIDENT observed that it was hardly possible for the Council to adopt a resolution on the question before it at once, and he would therefore ask for time to prepare a draft resolution.

*The President's proposal was adopted.*

<sup>1</sup> See *Official Journal*, November 1925, page 1709.

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## THIRD MEETING (PUBLIC).

*Held at Geneva on Tuesday, September 22nd, 1931, at 3.30 p.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General. France was represented by M. MASSIGLI and Poland by M. SOKAL.

## 2913. Appeal from the Chinese Government under Article 11 of the Covenant (continuation).

M. YOSHIKAWA fully endorsed the noble sentiments to which Lord Cecil had given expression at the previous meeting and which had prompted the conclusion of various important international agreements, among them the League Covenant and the Briand-Kellogg Pact. The Japanese Government adhered loyally to the terms of those international agreements and conventions. Not only had it respected them in the past, but it would continue in the future to observe in all respects the stipulations contained in them.

At the same time, M. Yoshizawa wished to explain as briefly as possible the conditions in Manchuria, where Japan had enormous interests. Apart from the South Manchuria Railway, there were, in Manchuria, more than a million Japanese nationals, and Japanese investments there were estimated at 2,000 million yen. Unfortunately, there were hundreds of outstanding questions which had not yet been settled between the two Governments, and, since the beginning of the present year, the situation had been aggravated by the tension existing between the Japanese residents and the local authorities and people. The relations between the two peoples had become so acute that it was difficult for those who lived in Europe to appreciate them.

Notwithstanding a series of unfortunate incidents, the Japanese Government was doing its utmost to settle all these various questions in the friendliest possible manner. M. Yoshizawa would not enumerate the incidents in question; but, if need be, he would explain them more fully to his colleagues on the Council. The unfortunate incident now engaging the Council's attention might be viewed from that angle, and that was a point which he desired to lay before the Council for its consideration.

M. SZE, referring to Lord Cecil's suggestion concerning assurances as to the withdrawal of troops, drew attention to the following paragraph in his note to the Secretary-General:<sup>1</sup>

" To these acts of violence the Chinese soldiers and populace, acting under instructions from the Chinese Government, have made no resistance, and have refrained from conduct which might in any way aggravate the situation."

The language of that paragraph was quite clear and explicit; but M. Sze was sure that when the members of the Council had seen the telegrams which he had received since the previous meeting they would have no hesitation in agreeing with him that the situation in Manchuria was becoming worse and worse every minute, and that it required their immediate attention. Time was the essential element in the situation; not a minute must be wasted.

M. Sze would repeat again the request he had made that morning, that the Council should order the immediate withdrawal of the Japanese troops, which had now gone beyond the limits at which they had been stationed previously. Many Chinese, among them innocent women and children, had been killed. Some of the details contained in the telegrams he had received were, without any exaggeration, of the most revolting character.

With regard to the Japanese representative's request for an adjournment, M. Sze would repeat that the adjournment should not be for too long, and that, if possible, the discussion should be continued the next day.

With regard to the question, raised by the Japanese representative, of direct negotiations between the two Governments, he had received since the morning a message, which would be distributed, which had cleared up the situation.

The Japanese representative had repeated his assurances of Japan's desire for an amicable settlement with China. There was nothing the Chinese Government and the Chinese nation desired more than that all questions outstanding, not only with Japan, but with any nation in the world, should be settled in an amicable way. China, as a Member of the League, was bound, by the agreements she had signed, to submit every difference for settlement by peaceful means.

<sup>1</sup> Annex 1334, Section I.

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M. Sze thanked Lord Cecil for reading the quotation from the Minutes of a previous Council session with reference to so-called defensive measures. He repeated that, if there were questions outstanding between China and Japan, methods for settlement were provided in the Covenant, in more than one article and in more than one way; but he wished to emphasise once more that the question at present before the Council was that of the present invasion of Chinese territory. No other questions could be discussed by the Council at the present time.

He hoped that the request he had made that morning—that a Commission of Enquiry should be sent by the Council at the earliest possible moment—would receive the Council's immediate attention and assent. Every step must be taken at once if the Council's authority was to be effective.

M. Sze added, in conclusion, that, according to the despatches he had received, the area of Chinese territory under occupation was being extended. That must be stopped immediately and the troops withdrawn.

The PRESIDENT observed that his colleagues and himself had listened with keen attention to the statements of the Chinese and Japanese representatives. They noted the Japanese representative's request that the discussion of the question should be postponed till the next meeting.

The President asked the Council to authorise him:

- (1) To make an urgent appeal to the Chinese and Japanese Governments to refrain from any action which might aggravate the situation or prejudice the peaceful settlement of the problem;
- (2) To endeavour, in consultation with the Chinese and Japanese representatives, to find adequate means of enabling the two countries to withdraw their troops immediately, without the lives of their nationals and the safety of their property being endangered.

He asked the Council to decide that the Minutes of all the meetings of the Council, and the documents relating to the question, should be forwarded to the Government of the United States of America for its information.<sup>1</sup>

He proposed that the two parties concerned should be asked to meet immediately after the meeting of the Council, but he would also ask permission to associate certain Members of the Council in those proceedings.

Dr. CURTIUS said he believed and hoped that unanimity could be reached in the Council in favour of the decision the President had proposed. When he said unanimity, he included the two parties to the dispute. If the Council arrived at such a unanimous decision, he thought his colleagues would agree that that decision could only be regarded as a first step towards the peaceful settlement of the question. At a moment when world economic and political conditions were extremely difficult, the Council was called upon to settle a highly complex dispute. That was a duty which it could not evade. He therefore thought that the Council should not rest content with this provisional measure, this first step, but should go further in the matter and take other steps in the direction of a final settlement.

It was of the greatest importance for all the Members of the Council to uphold the Council's authority in that matter and to show the whole world that such conflicts could be amicably settled in the Council. It was from that standpoint that he would accept the President's proposal, which, he hoped, would receive unanimous approval.

M. MASSIGLI desired to associate himself with what Dr. Curtius had just said, which expressed the sentiments of all present. The steps proposed were only the first, indeed, the very first. It was the Council's absolute duty to exert all its authority to secure, as speedily as possible, a provisional settlement of a question which had already been developing for several days, and in order that the necessary solutions might be considered in an atmosphere of restored confidence and calm.

In such a matter as the present, time was an essential factor. There was no time to be lost. The Members of the Council were undoubtedly aware of the difficulties encountered by the delegations concerned in communicating quickly with distant Governments and obtaining the information and instructions which were necessary in order to enable them to discuss the matter at the Council table. When, however, the President held his meeting with the parties concerned, it would be advisable for him to urge the representatives of Japan and China to do their utmost to place the Council quickly in possession of the necessary information to bring the matter to a close. It was essential that the next meeting should take place fairly soon; otherwise, the Council might find itself in an infinitely more delicate position, which would add to its difficulties in accomplishing its fundamental mission.

M. BRAADLAND supported the President's proposal. The facts of the matter before the Council were not yet sufficiently well established to warrant him in holding any opinion as to the actual merits of the dispute. He desired, however, to express the keen anxiety he felt at the occurrence of such an incident between two Members of the League. He was firmly convinced

<sup>1</sup> The correspondence exchanged with the Government of the United States of America in connection with this matter is reproduced in Annex 1334 (see Sections II, V and VI).

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that a complete solution would speedily be found for the problem, in accordance with the spirit of the Covenant and the Council's past decisions.

The responsibilities of the League and of all its Members must remain unimpaired. He trusted that, when the Council met again, it would receive communications which would enable it to congratulate the two Governments concerned and the League of Nations itself on the fact that real progress had been made towards a final settlement.

M. GRANDI said that the representatives of Germany, France and Norway had so perfectly expressed his own views that he could do no more than repeat what had already been said. He desired, however, to associate himself, on behalf of his Government, with the remarks of the previous speakers, and to support the President's proposal.

At the same time, he would earnestly appeal to the two parties in the hope that, thanks to their goodwill, a solution might be found, a solution which would not merely satisfy both parties, but would be of the highest importance to the whole world.

M. SOKAL said that a great responsibility rested on the Council in the matter which had been laid before it; but it was to be hoped that, with the goodwill that the Governments directly concerned had already shown, the Council would find a solution.

He likewise accepted the President's proposal and trusted that the Council would be able to settle this dispute with all possible speed.

M. SZE understood that all the members who had spoken since the President had submitted his proposal agreed that time was an essential element in the situation, and that the resolution was only the first of a series of steps to be taken. He also understood—he hoped correctly—that, in the consultations which would take place between the present and the next meeting, the work would be within the Council—that was to say, there was no question of direct negotiation between the Chinese Government and the representative of Japan. Subject to these remarks, M. Sze approved the proposal.

He wished, however, to explain that he did so because he thought the proposal a good one so far as it went, even though it did not expressly and definitely provide for steps to be taken immediately by the Japanese Government for the purpose of fully re-establishing the *status quo ante*. Thus, not only would further loss of life and destruction of property be prevented, but the way would be paved for an impartial examination of all the events since September 18th, under the auspices and control of the League, and with a view to determining and apportioning the blame and the reparation to be made. He hoped and expected that the action authorised by the resolution would be promptly followed by such other acts on the part of the Council as the circumstances demanded. Finally, he trusted that the Council would be in a position to resume its discussion on the following day.

M. YOSHIKAWA said he also highly appreciated the sentiments by which his colleagues were animated in the interests of the settlement of the dispute. He expressed his sincere thanks for the attention with which the Council had examined the matter before it.

Various speakers had referred to the date on which the Council should meet again to consider the question. For his part, M. Yoshizawa might say that he was making every effort to supply the Council with fuller information, so as to enable it to discuss the matter in greater detail; but he could not, at the moment, say whether he would be in a position to ask the President to convene another meeting on the following day. He would, of course, make the necessary request to the President as soon as he was in receipt of definite instructions from his Government.

Viscount CECIL accepted the President's proposal as a first step, as Dr. Curtius had so properly termed it. With regard to the date of the next meeting, it was, of course, useless for the Council to meet unless it could take some action; but, if the information given by the Chinese representative was correct, very grave incidents were still taking place in Manchuria, and obviously there must be no avoidable delay.

He thought, therefore, that the decision as to the next meeting must be left to the President, and he ventured very respectfully to appeal to his Japanese colleague to hasten as much as he possibly could the necessary instructions he was awaiting from his Government.

M. YOSHIKAWA, in reply to Lord Cecil, repeated that he was making every possible effort to obtain further information from his Government, and he would not fail to submit a more comprehensive report at the earliest possible moment.

He understood Lord Cecil to have said that, if the statement made by the Chinese representative were correct—that statement included a report of the slaughter of hundreds of men, women and children—the Council could not hesitate to meet as soon as possible and even earlier than M. Yoshizawa might ask. He hoped, however, that this interpretation was not correct.

Viscount CECIL said his meaning was that, in view of what the Chinese representative had said, the matter was extremely urgent, as M. Yoshizawa would undoubtedly agree, and that he hoped that the instructions which the Japanese representative was awaiting from his Government would arrive at the earliest possible moment.

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The PRESIDENT, speaking also as representative of Spain, associated himself with his colleagues, remarks. He could assure the Council that the question would be investigated with the utmost diligence, and the French representative's suggestion regarding the necessity of obtaining information would be borne in mind.

M. GARAY said that the American countries represented on the Council could not view without concern a question which affected the peace of the world. In view of the regrettable events that had taken place in the Far East, they felt that it was the Council's duty, in a spirit of world co-operation, to take all necessary steps, in conformity with the League Covenant and the other treaties, to secure the immediate cessation of hostilities, to prevent any resumption of the offensive by either party, and to bring about a restoration of peace in all those countries which at the moment deserved every sympathy on account of the deplorable calamities they had recently suffered. He trusted that the situation would again become normal as soon as possible.

*The Council authorised the President to take the action which he had proposed.*

#### FOURTH MEETING (PUBLIC).

*Held at Geneva on Friday, September 25th, 1931, at 5.15 p.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General. Germany was represented by Count BERNSTORFF, France by M. PETSCHÉ and, later, by M. MASSIGLI, the Irish Free State by Mr. LESTER, Japan by M. SAWADA and, later, by M. YOSHIZAWA, Peru by M. BARRETO, Poland by M. SOKAL and Yugoslavia by M. CHOUMENKOVITCH.

#### 2914. Report by the Financial Committee on the General Financial Situation.

M. Suvich, Chairman of the Financial Committee, came to the Council table.

M. BRAADLAND presented the following report:<sup>1</sup>

"At the close of its forty-second session, which was of unusual importance owing to both the number and the gravity of the questions dealt with, the Financial Committee made a short report to the Council on the general situation (Annex 1325 b). The Committee explains that the situation is now totally different from that which existed at the time when various financial reconstruction schemes were launched under the auspices of the League. In each of the countries in question, a period of local inflation and rising prices had preceded the financial reconstruction; we now witness a fall in prices in all parts of the world, with a consequent increase in financial obligations of the State at a moment when economic life has great difficulty in bearing additional burdens.

"The Financial Committee declares that 'it cannot hide from itself and does not wish to hide from the Council that, necessary as undoubtedly are the individual methods of reconstruction which they have discussed in particular cases, their success is closely dependent on the early solution of a general world price problem which did not exist in the earlier cases'. The Financial Committee repeats the warnings recently given by the Committee appointed by the London Conference to deal with the German situation and by the Committee on Credit Problems and urges the pressing necessity in the interest of all countries of immediate action.

"As the general financial situation has during these last days formed the object of a discussion in the Second Commission of the Assembly, I propose that the Council should simply take note of this part of the Financial Committee's report."

*The Council noted the report of the Financial Committee.*

#### 2915. Request by the Austrian Government for an Examination by the League of Nations of its Economic and Financial Difficulties: Report of the Financial Committee.

M. Pflügl, Representative of Austria, came to the Council table.

M. BRAADLAND presented the following report and draft resolution:<sup>2</sup>

"On September 4th,<sup>3</sup> the Council referred to the Financial Committee a letter received from the Austrian Government in which the Council was requested to proceed to an examination of Austria's economic and financial difficulties with a view to finding means of remedying them.

<sup>1</sup> Document C.598.1931.II.A.

<sup>2</sup> Document C.600.1931.II.A.

<sup>3</sup> See *Official Journal*, November 1931, page 2033.

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"The Financial Committee immediately took up the study of this question and got into touch with the representatives of the Austrian Government. As the Financial Committee remarks, the budgetary situation of Austria to-day is far better than it was in 1922, when the financial reconstruction scheme was undertaken. The situation is one, however, which demands prompt and energetic action. The report of the Financial Committee is before you (Annex 1325 b) and I need not recapitulate its contents. The Committee is to be congratulated on the rapidity with which it has accomplished the first part of its work, in which it was greatly facilitated by the fact that the Deputy Secretary-General had visited Vienna immediately after the letter referred to above was received.

"Owing to a falling-off in revenue and the financing of investments by short-term borrowing, the Austrian Government is faced with a deficit and with the repayment of short-term debt obligations which cannot be paid from the Treasury reserves. The difficulties of the Creditanstalt, which I need not recall here in detail, led the Government to undertake obligations, in order to save the situation of that bank, the extent of which cannot be determined until the value of the bank's assets can be more closely ascertained. Finally, the difficulties of the Creditanstalt and the general world crisis weakened the situation of the National Bank, which, fortunately, at the beginning of the crisis, was in an exceptionally strong position and was therefore able to meet the storm.

"The Austrian Government is squarely facing the situation. The Chancellor of the Confederation has made a declaration, given in full in the Financial Committee's report, which shows the firm decision of the Government to take the necessary measures. The Financial Committee, which has studied in detail the plan of reforms proposed by the Government, states that, in its opinion, this plan 'should, if energetically carried out, put the Austrian budget on a sound basis, in better relation to the actual conditions in Austria, and materially assist in strengthening Austria's economic situation'.

"The Council will no doubt desire to wish all success to the Austrian Government in the task it has undertaken. The difficulties of this task should not be minimised, but they are clearly not insuperable, and I have no doubt that the Government will face them with courage and determination and win the support from all sides that such determination deserves.

"The Austrian Government desires to establish collaboration with the Financial Committee and to receive in Vienna a representative or representatives of the Committee, in agreement with whom the detailed execution of the plan will be elaborated. The Committee is therefore asking the Council to authorise it to send a representative or representatives to Vienna and to give to the Austrian Government such assistance as may be within its power.

"The Council will no doubt desire to agree to this request. I propose, therefore, that it should adopt the following resolution:

"The Council,

"Approves the report of the Financial Committee on the request of the Austrian Government contained in its letter of August 7th, 1931;

"Takes note of the declaration of the Austrian Chancellor and of the plan of reforms contained therein and congratulates the Austrian Government on the determination it is showing to cope with the situation;

"Authorises the Financial Committee to co-operate with the Austrian Government with regard to the execution of the plan of reforms, to send a representative or representatives to Vienna, in agreement with whom the detailed execution of the plan of reforms will be elaborated, and to give to the Austrian Government such assistance as may be within its power."

M. Braadland added that he felt sure that all the members of the Council would agree that the Deputy Secretary-General should continue to give his personal assistance in the work undertaken on behalf of Austria.

M. GRANDI had pleasure in associating himself with the Rapporteur's observations. He congratulated the Austrian Chancellor on the position he had taken up in the matter of the restoration of his country's finances.

M. Grandi shared the feeling of confidence expressed by the Financial Committee with regard to the plan of reforms proposed by the Austrian Government. He hoped that the Financial Committee's co-operation with the Austrian Government would lead to valuable results.

He could not place too much stress on the importance of speedy improvement in the Austrian financial situation, both in the interest of Austria herself and in the general interest.

M. PETSCHÉ concurred in what the Rapporteur had said. On behalf of the French Government he congratulated the Austrian Government on the attitude it had adopted in the difficult circumstances through which Austria was passing.

The measures explained by the Chancellor, M. Buresch, in the Financial Committee for improving the financial position were drastic. They would, however, enable Austria to overcome difficulties which, while they affected all countries, were particularly serious in Austria.

The Austrian people could rely on the fullest sympathy in its efforts to improve the financial and economic situation of the country, and to restore prosperity.

Viscount CECIL associated himself, on behalf of the British Government, with the Italian and French representatives. The collaboration between the League and Austria at an earlier

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stage of the League's career had been one of the most satisfactory and successful incidents in its whole history. He was proud to recollect that his predecessor and relative, Lord Balfour, had taken a large share in those efforts. The Austrian Government had no need of the assurance that it had the warmest wishes of the British Government for its future prosperity and welfare.

Count BERNSTORFF joined in the wishes expressed by previous speakers. He trusted that the co-operation between the League and Austria would prove entirely successful.

M. SOKAL, speaking on behalf of the Polish Government, endorsed the hopes expressed by the previous speakers.

M. CHOUMENKOVITCH associated himself, on behalf of the Yugoslav Government, with the statements of the Italian, French, British, German and Polish representatives.

M. MATOS joined very cordially in the views of those who had spoken before him.

M. PFLÜGL, representative of Austria, said that his Government's decision to appeal to the League with a request to examine the economic and financial difficulties by which Austria was at present beset and to seek the means of dealing with the situation had been due to its firm determination to maintain a balanced budget in all circumstances and to the situation which the Financial Committee had just examined.

The League had responded promptly to Austria's appeal. The happy decision taken by M. Avenol, then Acting Secretary-General, to go immediately to Vienna in person, accompanied by his assistants, had made it possible, with the Council's sanction, to draw up in the course of the same month, in close co-operation between the Government and the Financial Committee, a plan for the financial restoration of Austria. The main lines of that plan were set forth in the Federal Chancellor's statements to the Financial Committee, and were reproduced in the report before the Council.

The task which the Austrian Government had undertaken and to which M. Pfügl hoped the Council would give its support was an arduous one. It had been begun at a time when international economic and financial relations were in an exceptionally disturbed state, and, as a result, had become considerably more difficult. The Austrian people, however, were conscious of the needs of a particularly critical moment in Europe. They were actuated by an indomitable resolution to survive the crisis and would not grudge any sacrifices they were asked to make. The success of their efforts would be their salvation; in this time of general discouragement, it would be an example to all, and, M. Pfügl ventured to say, a matter for satisfaction on the part of those who had helped them.

The encouraging words pronounced by the Italian, French, British, German, Polish, Yugoslav and Guatemalan representatives would be warmly appreciated in Austria. It was at times like the present that the peoples drew near to one another.

On behalf of his Government, M. Pfügl expressed his deepest thanks to the Council, to the Rapporteur, to M. Avenol, to the Financial Committee, and to all the organs of the Secretariat which had taken part in this work, as well as to the Adviser of the National Bank, for the prompt and effective investigations which, with their high competence, they had immediately carried out.

M. Pfügl could not omit to refer to the special economic situation in which Austria was placed and which was at the root of the financial difficulties with which she was faced at present. That situation had been dealt with by the League long before the present European crisis had arisen, and since then it had constantly become more acute. The Austrian people placed their hopes in the early solution of this problem, for such a solution would greatly assist them in their efforts.

It only remained for him to inform the Council, on behalf of the Austrian Government, of the constitutional guarantees which had already been obtained for the execution of the programme of measures contained in the Federal Chancellor's statement which was before the Council.

The Council of Ministers had approved the programme unanimously. The Chamber (Nationalrat) being adjourned, the Federal Chancellor had submitted his report on this statement to the principal Commission of the Chamber (Hauptausschuss) at a meeting on Tuesday, September 22nd. The report had been adopted by all the members of the Government majority.

As regards the main figures in the programme, M. Pfügl had been instructed to say that they had been approved unanimously by the principal Commission. He referred, in particular, to the reduction of 35 million schillings in the difference between receipts and expenditure for the current year; the reduction, in the 1932 budget, of a maximum of 1,900 million schillings on the Government expenditure by economies on salaries and pensions, and on material expenditure; the repayment of short-term debts to the amount of 100 million schillings by drawing on the 1932 budget receipts, a similar withdrawal for a similar purpose from the 1933 budget receipts, and, lastly, the fixing of the 1932 budget receipts at a sum of at least 2,000 million schillings.

The draft laws for giving effect to these decisions would be submitted to the Chamber as soon as it met again; this meeting would take place very shortly.

M. SUVICH said that the Financial Committee would certainly be gratified to learn that the reconstruction plan had been approved by the Austrian Government and by the principal Commission of the Chamber by a large majority, and in part unanimously.

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It was, of course, understood that the plan was an organic whole and was to be carried out in every particular.

M. BRAADLAND was sure that all the members would agree in thanking the Austrian representative for the information he had just given to the Council and in congratulating the Austrian Government on its endeavours to put on foot its programme of financial reforms and reconstruction.

*The draft resolution was adopted.*

M. Pfügl withdrew.

2916. Request by the Hungarian Government for an Examination by the League of Nations of the Financial Situation of Hungary: Report of the Financial Committee.

M. Pelényi, representative of Hungary, came to the Council table.

M. BRAADLAND presented the following report and draft resolution:<sup>1</sup>

"On September 7th<sup>2</sup>, the Council referred to the Financial Committee the request of the Hungarian Government for an examination to be made into the financial situation of the country by means of an expert enquiry. The Financial Committee has made a preliminary study of the situation with the assistance of representatives of the Hungarian Government and of the Hungarian National Bank. The Committee gives in its report (Annex 1325 b) certain figures concerning the budget situation, and shows that the Government is taking energetic measures to restore budgetary equilibrium.

"There are, the Committee adds, however, other aspects of the question that demand a more thorough enquiry than it is possible to make at Geneva. As the Hungarian Government's request was only received while the Committee was sitting, it was impossible to make any investigation on the spot, as was done in the case of Austria. The Committee therefore proposes to send a delegation to Budapest to make an enquiry as requested by the Hungarian Government. As it may be necessary to take prompt action to deal with the situation before the next session of the Council, the Committee asks the Council to give it permission to take such action, of which the Council would, of course, be kept informed. The Committee contemplates, in particular, the elaboration with the Hungarian Government of a definite plan for the amelioration of the financial situation in Hungary, and also perhaps the publication of a report on the Hungarian financial position.

"For the reasons explained in the Committee's report, I consider that we should grant to the Financial Committee the authorisation it asks for and propose the following resolution:

"The Council,

"Approves the report of the Financial Committee on the request of the Hungarian Government for an examination to be made into the financial situation of that country;  
"Authorises the Financial Committee, while keeping the members of the Council informed, to take such action as may be required to deal with the situation, and to publish, should such a course prove opportune, its report on the question before the next session of the Council."

M. GRANDI announced the Italian Government's agreement to the proposal, made by the Financial Committee and the Rapporteur, to accept the request formulated by the Hungarian Government for a fuller enquiry into the financial position of Hungary. He also accepted the draft resolution submitted for the approval of the Council.

In the interests of Hungary and in the general interest, it was most important to consider without delay measures to bring about an improvement in the financial situation of that country. The measures which the Hungarian Government and Parliament had already taken were a good beginning and the best augury for the success of the proposed work of co-operation. The Italian Government took that opportunity of reaffirming its friendly sentiments towards Hungary.

M. PETSCHÉ, associating the French Government with the Rapporteur's statements, expressed the hope that measures would shortly be adopted which would result in an improvement in the financial situation of Hungary. The Hungarian people could rest assured that their efforts were regarded with the fullest sympathy.

Viscount CECIL said he was in entire agreement with the statement of the Rapporteur and those of the representatives of Italy and France.

Count BERNSTORFF associated himself with the good wishes and hopes expressed by the previous speakers.

M. SOKAL also supported the draft resolution submitted by the Rapporteur, and, while associating himself on behalf of Poland with the statements that had been made, he reserved

<sup>1</sup> Document C.599.1931.II.A.  
<sup>2</sup> See *Official Journal*, november 1931, page 2059.

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such observations as his Government might desire to make until the time when the question came up before the Council at its next session.

M. PELÉNYI, representative of Hungary, thanked the Council for its decision, and the Rapporteur, the Financial Committee and the Secretariat for their work. He also desired particularly to thank the representatives of Italy, France, the British Empire, Germany and Poland for their friendly observations.

He assured the Council that the Committee of Enquiry which was to go to Hungary would receive the warmest welcome from the Government and the people of Hungary.

*The draft resolution was adopted.*

M. Pelényi and M. Suvich withdrew.

2917. Report of the Organisation Committee of the International Agricultural Mortgage Credit Company.

M. Regard, Chairman of the Organisation Committee, came to the Council table.

M. BRAADLAND presented the following report and draft resolutions:<sup>1</sup>

"The Council has before it the report of the Organisation Committee of the International Agricultural Mortgage Credit Company (Annex 1331).

"1. As the Organisation Committee states in its report, the Convention for the creation of that company has been signed up to date by eighteen Governments, the nominal contributions of which to the special reserve amply cover the sum of 25 million Swiss francs fixed by the Convention. Nevertheless, it is desirable that Governments which intend to sign the Convention should do so before the period of signature comes to an end on September 30th. The Council will doubtless agree with the proposal of the Organisation Committee to make a special appeal to those Governments.

"Amongst the signatory Governments, two have so far obtained preliminary ratification. In most other countries it has been impossible to ratify the Convention on account of the parliamentary recess.

"As it would be desirable for the Company to be created without delay, the Organisation Committee proposes that the Council should ask the signatory Governments to accelerate the ratification procedure in order that the Convention may in any case come into force before the end of this year. The Organisation Committee also proposes that the Council should draw the attention of the Governments to the provisions in the Convention for fiscal exemptions in favour of the Company. The Council will no doubt desire to adopt these proposals.

"2. In May<sup>2</sup> the Council asked the Organisation Committee to consider in what form it would be possible to contemplate the accession of States not members of the League to the Convention establishing the International Agricultural Mortgage Credit Company.

"In its report, the Organisation Committee points out that the accession of such States is not possible under the present text of the Convention, and that, in order to make such accession possible, the Convention would have to be modified. The Convention itself contains a procedure for its modification; it can be revised by a Conference of the contracting Governments convened by the Council of the League, with the agreement of the Company. Practically, such a revision can only take place when the Convention is definitely in force. Theoretically, it would not be impossible to modify the Convention before that time; but, in the present circumstances, such a procedure would inevitably entail considerable delay in its ratification and coming into force. I accordingly propose that the Council should adopt the Organisation Committee's conclusions and, while again urging the putting into force of the Convention in its present form at as early a date as possible, should transmit the Organisation Committee's conclusions to the Commission of Enquiry for European Union with a request to examine the conditions under which the necessary procedure to make possible the subsequent accession of Governments not members of the League might be put into operation.

"3. Under Article 23 of the Convention<sup>3</sup>, the Council of the League has to appoint the President and the Vice-President of the company. The Organisation Committee asks that the Council should make those nominations during the September session, as it is difficult for the Organisation Committee to appoint the other members of the Board of Directors as long as the President and Vice-President have not been appointed.

"I see no objection to this request of the Organisation Committee, and, if the Council agrees, I shall submit proposals as to these nominations at a private meeting.

"I have the honour to propose the following resolutions:

"1. The Council draws the attention of the European Members of the League to the appeal made by M. Briand last May, in the Commission of Enquiry for European Union,

<sup>1</sup> Document C.566(1).1931.II.A.

<sup>2</sup> See *Official Journal*, July 1931, page 1139.

<sup>3</sup> See *Official Journal*, July 1931, page 1437.

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to unite their efforts to ensure the success of the International Agricultural Mortgage Credit Company.

"2. The Council urges the signatory Governments to accelerate as much as possible the procedure of ratification in order that the Convention may come into force before the end of this year.

"3. The Council draws the attention of the signatory Governments to the possibility offered by Article 9 of the Convention, of making, at the moment of ratification, special declarations concerning fiscal exemptions which the Governments may be willing to concede to the Company.

"4. The Council transmits to the Commission of Enquiry for European Union the Organisation Committee's report with the request to examine the conditions under which the necessary procedure for the subsequent accession of Governments not members of the League might be put into operation."

M. REGARD desired first of all to thank the Council for the very great honour it had done him by inviting him to come to the Council table.

He thought he should supplement, in one particular, the report submitted by the Organisation Committee of the International Agricultural Mortgage Credit Company. Since the report had been submitted to the Council, three new signatures had been affixed to the Convention, those of Sweden, Lithuania and Denmark, which brought the number of signatory States up to twenty-one.

As the result of twenty-one signatures, the contributions to the special reserve now amounted to 31 million Swiss francs, whereas under the Convention the special reserve was fixed at only 25 millions. A proportionate reduction in the contribution of each of the signatory States would therefore have to be made.

The PRESIDENT, speaking as Spanish representative, was glad to announce that, in his capacity as Minister for Foreign Affairs of Spain, he would shortly sign the Convention.

*The draft resolutions were adopted.*

M. Regard withdrew.

2918. Appeal from the Chinese Government under Article 11 of the Covenant (continuation).

The PRESIDENT said that the members of the Council had received copies of the communications which the Chinese and Japanese Governments had addressed to him in answer to the telegrams he had had the honour of sending to them on behalf of the Council (Annex 1334, Sections III and IV). The Chinese Government's reply had reached him on the previous day and the reply of the Japanese Government that day.

He was sure that he was expressing the feelings of all his colleagues when he asked the representatives of China and Japan to transmit to their Governments the Council's thanks for the promptness with which they had replied to its appeal.

He proposed that the Council should note the two replies. He felt that the Council had every reason to be satisfied with the Japanese Government's statement that it "had withdrawn the greater part of its forces to the railway zone and that they were concentrated there". That improvement in the situation should be emphasised.

M. YOSHIZAWA said that the night before he had had the honour to communicate to the Council the Japanese Government's reply to the message which the President had forwarded to that Government. That morning he had received and transmitted to the members of the Council his Government's statement concerning the incidents in Manchuria. In view of the importance of these documents, he asked the President to be good enough to have them read.

(a) LETTER FROM M. YOSHIZAWA TO THE PRESIDENT OF THE COUNCIL, DATED SEPTEMBER 24TH, 1931.<sup>1</sup>

Acting on instructions received from my Government, I have the honour to acquaint Your Excellency with the reply of my Government to the telegram of September 22nd which Your Excellency was good enough to forward to it.

1. As regards the first point mentioned in the message, the Japanese troops, since the beginning of the present events, have been careful to act only within the limits necessary to ensure their own safety, the protection of the railway and the safety of Japanese nationals. The Japanese Government has firmly pursued the object of preventing an extension of the incident and the aggravation of the situation; it is profoundly desirous of ensuring the peaceful settlement of this problem as rapidly as possible, by negotiations between the two countries, and it has the firm intention not to depart from this line of conduct.

2. As regards the second point in the message, the Japanese Government desires to state that it has withdrawn the greater part of its forces to the railway zone and that they are concentrated there. Outside that zone, only a few troops are, as a precautionary measure, quartered

<sup>1</sup> Document C.607.M.245.1931.VII.

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in the town of Mukden and at Kirin, and a small number of soldiers have been placed at certain points, these measures not constituting any military occupation.

The Japanese forces are being withdrawn to the fullest extent which is at present allowed by the maintenance of the safety of Japanese nationals and the protection of the railway. The Japanese Government, which intends to withdraw its troops to the railway zone in proportion as the situation improves, feels confident that the Council will, in this matter, trust the sincerity of its attitude.

(Signed) YOSHIZAWA.

b) LETTER FROM M. YOSHIZAWA TO THE SECRETARY-GENERAL DATED SEPTEMBER 25TH, 1931.<sup>1</sup>

I have the honour to communicate a declaration made by the Japanese Government on September 24th 1931, regarding the incidents in Manchuria. I would ask you to be good enough to forward this declaration to the President and Members of the Council.

(Signed) YOSHIZAWA.

*Statement issued by the Japanese Government on September 24th 1931, in regard to the Recent Incident in Manchuria.*

"(1) The Japanese Government has constantly been exercising honest endeavours in pursuance of its settled policy to foster friendly relations between Japan and China, and to promote the common prosperity and well-being of the two countries. Unfortunately, the conduct of officials and individuals in China for some years past has been such that our national sentiment has frequently been irritated. In particular, unpleasant incidents have taken place one after another in the regions of Manchuria and Mongolia, in which Japan is interested in especial degree, until the impression has gained strength in the minds of Japanese people that Japan's fair and friendly attitude is not being reciprocated by China in a like spirit. Amidst the atmosphere of perturbation and anxiety thus created, a detachment of Chinese troops destroyed tracks of South Manchuria Railway in the vicinity of Mukden, and attacked our railway guards in the midnight of September 18th. The clash between the Japanese and Chinese troops then took place.

"(2) The situation became critical, as the number of Japanese guards stationed along the entire railway did not then exceed 10,400 while there were in juxtaposition some 220,000 Chinese soldiers. Moreover, hundreds of thousands of Japanese residents were placed in jeopardy. In order to forestall an imminent disaster, the Japanese army had to act promptly. The Chinese soldiers garrisoned in neighbouring localities were disarmed, and the duty of maintaining peace and order was left in the hands of local Chinese organisations under the supervision of Japanese troops.

"(3) These measures having been taken, our soldiers were mostly withdrawn within the railway zone. There still remains some attachments in Mukden and Kirin, and a small number of men in a few other places, but nowhere does a state of military occupation as such exist. The reports that the Japanese authorities have seized Customs or Saltgabelle Office in Yingkou, or that they have taken control of Chinese railways between Ssuningkai and Chenchiatun or between Mukden and Sinmintun are entirely untrue; nor has the story of our troops having ever been sent north of Changchun or into Chientao any foundation in fact.

"(4) The Japanese Government, at a special Cabinet meeting of September 19th, took the decision that all possible efforts should be made to prevent an aggravation of the situation, and instructions to that effect were given to the commander of the Manchurian garrison.

"It is true that a detachment was despatched from Changchun to Kirin on September 21st, but it was not with a view to military occupation. It was sent only for the purpose of removing menace to the South Manchuria Railway on the flank. As soon as that object has been attained, our detachment will be entirely withdrawn. It may be added that, while a mixed brigade of four thousand men was sent from Korea to join the Manchurian garrison, the total number of men in garrison at present still remains within the limit set by treaty, and that fact cannot therefore be regarded as having in any way added to the seriousness of the international situation.

"(5) It may be superfluous to repeat that the Japanese Government harbours no territorial design in Manchuria. What we desire is that the Japanese subjects shall be enabled to engage safely in various peaceful pursuits, and be given an opportunity of participating in the development of that land by means of capital and labour. It is the proper duty of a Government to protect the rights and interests legitimately enjoyed by the nation or individuals. The endeavours of the Japanese Government to guard the South Manchuria Railway against wanton attacks should be viewed in no other light. The Japanese Government, true to its established policy, is prepared to co-operate with the Chinese Government in order to prevent the present incident from developing into a disastrous situation between the two countries, and to work out such

<sup>1</sup> Document C.609.M.246.1931.VII.

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constructive plans as will once for all eradicate causes for future friction. The Japanese Government would be more than gratified if the present difficulty could be brought to a solution which will give a new turn to the mutual relations between the two countries."

\* \* \*

M. YOSHIZAWA then read the following statement:

"I am glad to see that these documents and particulars which I have already communicated to the Council confirm in every respect the statements I made on my own responsibility at its meeting on September 22nd. I feel certain that they have cleared the atmosphere, which up to now has been obscured by alarming and exaggerated reports. In this connection I wish to make an indignant protest against the abominable accusations made against the Japanese troops. Those accusations are radically opposed to the noble traditions of our army and the strict discipline which prevails.

"The official information which I have communicated to you reduces the incidents in Manchuria to their proper proportions and will make it possible to examine the question in the atmosphere of calm and deliberation which its importance merits.

"The origin of the present incident—namely, the destruction of a part of the South Manchuria Railway line on the night of September 18th by a troop of Chinese soldiers—must necessarily call attention to the position of the Japanese forces in that region. Under the treaties, Japan possesses the important railway line which crosses regions frequently disturbed by political strife and attacks by bands of plunderers. For the purpose of protecting this line, around which is grouped a large Chinese and Japanese population, and safeguarding the native and foreign undertakings which have sprung up since the railway was built, the treaties provided for a zone on either side of the railway to be guarded by 15 soldiers per kilometre—that is to say, rather more than 15,000 men for the defence of 1,200 kilometres of track and several hundred thousand Japanese nationals scattered along the zone, while near them are stationed Chinese forces overwhelmingly superior in number.

"When the incident of September 18th occurred, the Japanese command, having regard to the dangerous atmosphere which I have mentioned, immediately took the protective measures incumbent upon it, and to do this it was obliged to check the movement of superior forces and to prevent the outbreak of popular demonstrations. An operation of this kind must necessarily be fairly far-reaching in scope and must be carried to a certain point if it is to be effective. It is none the less a protective measure and does not constitute aggression or occupation, as alleged in the first reports which have now proved to be incorrect.

"From the very first, the Japanese Government instructed the General in command of the troops at all costs to prevent the incident from spreading. Although 4,000 men had to be brought to the railway zone immediately, the total number of troops protecting it did not reach the number provided for in the treaties. They only went outside the railway zone in cases of urgent necessity, and, as soon as circumstances permitted, were brought back. The situation has now improved sufficiently to enable the greater part of our forces to be withdrawn, and the desires of the Council have thus been anticipated.

"To-day, the only troops outside the zone are detachments at Kirin and in the town of Mukden, and at a few small observation posts. The Japanese Government has stated, and repeats, that it is its intention to continue withdrawing the troops as soon as tranquillity has been sufficiently restored to enable it to do so without danger to its nationals. Moreover, I am in a position to state that it is absolutely incorrect that Japanese forces have been landed at Chefou, Tsingtao or other places actually in China. No troops—not even marines—have been landed, and our consular authorities are relying on the Chinese local authorities to protect our nationals.

"The Japanese Government repeats its earnest desire for a peaceful settlement of the incident by direct negotiation. As you are aware, a member of the Nanking Government at the very outset advocated a means of direct negotiation, and my Government accepted this proposal, which was then withdrawn by its author. The reason given on the Chinese side was that the course of events had changed the situation. In my opinion, the improvement in the situation to which I have just referred militates in favour of the reconsideration of the idea underlying the Chinese proposal.

"I need not dwell on the Council's mission nor on the action which the League should take in the event of difficulties between its Members. Its essential mission is to bring about a pacific settlement of the dispute. The method may vary according to the circumstances, but one point is clear—namely, that it is necessary to respect the wishes of the parties. If the latter, or one of them, clearly express their views as to the choice of procedure, it seems to me that it is the duty of the Council—which is, moreover, confirmed by practice—to respect their desires and to allow the parties in conflict the time necessary to achieve the proposed object, which is the settlement of the problem. In the present case it seems to me that the Council, in view of its nature, would do well not to intervene prematurely, as by so doing it might run the risk of adversely affecting the situation which already shows signs of improvement. I would repeat that my Government is prepared immediately to enter into negotiations with the Chinese Government with a view to a satisfactory settlement of the incident."

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M. SZE asked that the reply from the Chinese Government to the President's communication should be read.

(c) TELEGRAM FROM THE CHINESE GOVERNMENT DATED SEPTEMBER 23RD, 1931.<sup>1</sup>

I have the honour to acknowledge the receipt of your telegram conveying to me the decision reached by the Council of the League of Nations at its yesterday's meeting regarding the appeal of the Chinese Government to deal, in accordance with the Covenant of the League, with the situation in China created by the action of Japanese troops. While expressing the appreciation of the Chinese Government of the prompt response thus made by the Council, I am confident that the decision you have communicated to me is only the first and preliminary step leading to the definite settlement of the question and that no time will be lost in the adoption of measures for giving complete satisfaction to the aggrieved party.

In regard to first point, the Chinese Government declares that it welcomes and fully accepts the recommendations of the Council to abstain from any action liable to aggravate the situation or prejudice the pacific settlement of the question. In the face of every provocation the Government has taken all possible precautions to this end. It will suffice to quote a passage from the proclamation issued to the Chinese nation by the President of National Government:

"As we have entrusted our case to the League, the National Army has received the strictest orders to avoid all possibility of clash with the invaders. We exhort the entire nation to maintain dignified calm."

As regards the second point, the Chinese Government specially welcomes the decision of the Council to the effect that the troops on both sides should return immediately to their original positions. No measures contrary to the letter or spirit of this decision have been taken by China, nor have any movements of troops taken place save those necessitated by the firm decision of the Government to offer no resistance to the aggressive movements of the Japanese troops. The Chinese Government is gratified to learn that Your Excellency is, on behalf of the Council, guiding the search for the most effective means of ensuring the immediate withdrawal of the Japanese troops. I earnestly request most prompt action in this regard, as the situation is growing in gravity with every hour and the effective application of the Council's decision brooks absolutely no delay.

The Chinese Government will assume full responsibility for the protection of life and property as soon as we regain control of the areas evacuated by the Japanese troops.

The Chinese Government notes with satisfaction the third and last paragraph of the Council's decision, which authorises you to forward the Minutes of the meetings of the Council and all documents concerning this affair to the United States of America.—Chengting WANG, Minister for Foreign Affairs of the National Government of the Republic of China, September 23rd 1931.

\* \* \*

M. SZE spoke as follows:

China has placed herself unreservedly in the hands of the League and has agreed to accept any recommendations or directions which the Council may make. Relying with confidence on the League, China has made every effort to prevent an aggravation of the situation, and to that end has issued orders to its military forces and civilian population not to resist, with the result that Japanese military forces are now in occupation of important places in Manchuria, many of them at considerable distances from the scene of the original outbreak of violence. China heartily approves the action of the Council in sending, through the President, the letter of September 22nd, to the Governments of China and Japan, urging them to take no steps that might aggravate the situation and declaring that the Council would, by consultation with the Chinese and Japanese representatives on the Council, endeavour to find adequate means of enabling the two countries forthwith to withdraw their troops, without the safety of their nationals and their property being endangered.

In reply to that letter, my Government has said that it is fully prepared to follow these recommendations, and has declared that the Chinese Government would assume full responsibility for the protection of life and property as soon as it regained control of the areas evacuated by the Japanese troops. In its reply, my Government expressed itself as confident that the action of the Council, as evidenced by the letter, was but a first and preliminary step leading to the definite settlement of the question, and that no time would be lost by the Council in adopting measures for giving complete satisfaction to the aggrieved party. My Government is strongly of the opinion that, if the matter is to be kept within the operation of Article 11 of the Covenant, the next and immediate step which the Council should take is to secure the complete withdrawal of troops to the positions or stations occupied by them prior to September 18th, the *status quo ante* thus being re-established.

<sup>1</sup> Document C.596.M.238.1931. (Annex 1334, Section III).

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In conformity with earlier precedents established by the Council, my Government has thought it desirable that a Commission of neutral members should be appointed by the Council and empowered to observe the modes in which, and the times at which, the troops are withdrawn, and to report thereon to the Council.

It appears to my Government that, in conformity with precedent, the next and immediate step on the part of the Council should be to point out to the Government of Japan that, unless there is an immediate withdrawal, Japan will place herself in opposition to the categorical obligation assumed by her under the first paragraph of Article 15 of the Covenant, to submit to the Council disputes which are likely to lead to a rupture and which are not submitted to arbitration or judicial settlement, and it need hardly be observed that, if Article 15 is brought into operation, the procedure to be taken by the parties to the dispute and by the Council or the Assembly, if the question is referred to it, is no longer a matter of discretion, but is stated definitely and with particularity.

If it should be claimed by the Government of Japan that the local conditions are such that the troops cannot be withdrawn without leaving her resident nationals and their property in a perilous situation, it may be pointed out—as already stated—that the Government of China has given an assurance that lives and property will be protected. As to the ability of the Government of China to do this, it may be pointed out that, although indignation against the Japanese, because of the acts of the Japanese troops, is intense throughout China, there have been no reports that Japanese living in China, in regions where there are no Japanese troops, have been molested. The general obedience rendered by both the military and civilians to the proclamation of the Chinese Government, urging them to do nothing to aggravate the situation, is itself strong evidence of the control possessed by the Government over its people.

I ask your permission to make a preliminary reply to certain observations made by the Japanese representative. He has been good enough to place before us letters and statements which deserve careful study: but, after a first glance at these documents, I should like to give my first impressions, reserving the right to give a fuller reply at a subsequent meeting.

Before proceeding, I wish to have it clearly understood that any remarks I make should not be taken as meaning that I am discussing the merits of the dispute between us. That is not the question which is before the Council at the present moment.

The statement read to us by the Japanese representative conceded that there is now a considerable occupation of Chinese territory in Manchuria by Japanese troops. He also conceded that there had been bloodshed, and that places in Manchuria where there is not even the claim of a treaty right by the Japanese Government are still occupied.

The Japanese representative questions the accuracy of some of the statements I had the honour to submit to you. As I stated a day or two ago, the fact that the accuracy of some of my statements is contested, and that I, too, have contested the accuracy of some of the Japanese representative's statements, is the very reason why a neutral impartial commission should be sent to enquire into them.

Since the military occupation of important parts of Manchuria by the Japanese, it has been very difficult for the Chinese Government to collect news. The last sentence but one of despatch No. 18,<sup>1</sup> which I have circulated, reads as follows:

"Only foreign members Sino-Foreign Press delegation allowed enter Mukden but must obtain permission from military before proceeding places and forbidden take photos".

Despatch No. 22<sup>1</sup> contains the following passage:

"At Chingwangtao Japanese soldiers searching all passengers on Peking-Mukden trains special attention being paid those travelling eastwards. Press representatives being closely scrutinised".

Chingwangtao is a seaport on the Peking-Mukden railway inside the Great Wall.

The Japanese representative has not questioned the accuracy of those two telegrams. All the information which the Chinese Government has received from Manchuria, meagre as it is, has thus passed through a sort of censorship.

At a time such as this, there are bound to be exaggerated statements on both sides, but I am quite prepared to give weight to Press news, because at times like the present Press news, especially from sources other than Chinese or Japanese, can be regarded with considerable reliance.

The Japanese representative has again mentioned defensive measures. Lord Cecil has already read to you an extract regarding defensive measures, and I have also dealt with this question briefly. I will not, therefore, deal with it further at the moment.

<sup>1</sup> Document C.604.M.242.1931.VII (Annex 1334, Section IX. Communications Nos. 19 and 23).

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The Japanese representative has said that Japanese are now occupying Mukden and Kirin. These are two very important cities, as they are both capitals of provinces of Manchuria. He has stated in connection with the withdrawal of troops, "There still remain some detachments in Mukden and Kirin, and a small number of men in a few other places . . . ."

This is a very interesting statement and I wonder whether the Japanese representative would tell us what he considers "a small number of men" and what are the "few other places".

He has said that the measures taken were necessary for the protection of Japanese lives and property. If you will permit me to say so, it is a dangerous principle to assert that, in order to protect nationals and their property in a foreign country, a large number of troops may occupy so many places, destroy so much property and kill so many innocent people. In every country in the world there are nationals of other countries. Is this principle going to be the new principle for the world? This question deserves the closest attention, not only of the Members of the Council, but of the other nations.

There are several points which I could answer immediately, but I prefer to leave them to a subsequent meeting. I wish at present to reiterate the request made the other day that, as the situation is so grave, a Commission of neutral observers should be sent by the Council immediately.

I should like to add another point which I think is necessary in order to avoid any possible misunderstanding. The Japanese representative offered to China direct negotiations, and he also mentioned direct negotiations at our last meeting in connection with conversations held with a member of the Cabinet of Nanking. You will probably recall that one of the cabled despatches I submitted to you, cable No. 19, dealt with that subject<sup>1</sup>. With your permission I will read it:

*Telegram received by the Chinese delegation from Nanking, dated September 23rd, 1931.*

"Government's statement.

"M. Shigemitsu, the Japanese Minister to China, called on M. T. V. Soong, Vice-Chairman of the Executive Yuan, on Saturday morning, September 19th, at Shanghai, and in the course of a private discussion when through the seizure by Japanese troops of wireless, telegraph and telephone lines in Manchuria information available was mainly from Japanese sources which seemed to point to a purely local clash and envisaged the feasibility of setting up without delay a mixed 'Sino-Japanese Commission' to investigate the facts of an isolated incident in order to prevent it from embittering friendly relations between the two nations.

"Meanwhile the warlike character of the Japanese military operations became known, the invasion continued and the National Government appealed to the League of the Council, which fixed the debate for Tuesday, September 22nd, at 10 a.m. Geneva time, and 5 p.m. Nanking time.

"On the same day, Tuesday, September 22nd, at noon Nanking time, 5 a.m. Geneva time, the Japanese Consul-General in Nanking called officially on M. T. V. Soong to declare that the Japanese Government would be glad to constitute Commission referred to in the private conversations between M. Shigemitsu and M. T. V. Soong on the morning of Saturday, September 19th. M. T. V. Soong informed the Japanese Consul-General on behalf of the National Government that the invasion of Chinese territory by the Japanese troops made any direct negotiations absolutely impossible."

That last sentence still holds good.

M. YOSHIZAWA said that he had already replied in a previous statement to the accusations brought by the Chinese representative against Japan.

Viscount CECIL said that he would like to indicate briefly how he understood the actual position in which the Council was placed.

As he understood it, the matter had been brought before the Council under Article 11 of the Covenant, and therefore he did not understand the reference of the Chinese representative to Article 15, which could be invoked, as the Chinese representative was aware, by the procedure indicated therein, but which had not been invoked in the present case. The duty of the Council, as Lord Cecil had always understood it and as was expressed clearly in Article 11, was to "take any action that may be deemed wise and effectual to safeguard the peace of nations". That was the Council's duty. It had not to settle the dispute or pass any judgment on the action of the parties, or, indeed, to do anything but safeguard the peace of nations. It was only when peace had been safeguarded, for that was primarily the duty of the Council, that any question as to the settlement of the actual dispute could arise.

Lord Cecil agreed with his Japanese colleague that, primarily, the question of the dispute was a matter for the parties and not for the Council to deal with, unless it came before the latter under Article 15, or unless the parties had signed some general arbitration treaty, or what was called the General Act; in that case they were bound by their contractual agreement. But at the present stage the business of the Council, acting under Article 11, was to safeguard the peace of nations.

<sup>1</sup> Document C.604.M.242.1931.VII (Annex 1334, Section IX, Communication No. 20).

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That, at any rate, was his reason for accepting the proceedings at the previous Council meeting, when it urged both parties to refrain from action which would aggravate the dispute and to withdraw, as soon as possible, any troops that had penetrated into the territory of the other, apart from their treaty rights. Such seemed to him to be the duty of the Council, which would have failed in its duty if it had not taken that course.

It was with the greatest pleasure that he had recognised from the statement made by his Japanese colleague that, in point of fact, even before receiving the Council's communication, the Japanese troops were being withdrawn. The Japanese representative would contradict him if he said anything inaccurate, but Lord Cecil understood that that was his statement, and, so far as he knew, the Chinese representative did not dispute the fact. The Chinese representative said that there were still troops occupying the territory of China which the Japanese Government was not entitled to under treaty obligations, and it was clear that the Council would desire — and the Japanese Government too, he hoped — that those troops should be withdrawn as rapidly as possible. That was the obvious precaution which the Council ought to take to preserve the peace of nations.

Both sides admitted that the process of withdrawal was in progress, and there was every reason to hope that the duty of the Council to safeguard the peace of nations might in a short time be regarded as having been fully accomplished. If the Council entertained any doubts on the question, it would have to consider what its duty was under those circumstances.

He had submitted these observations merely to make quite clear what he took to be the duty of the Council in the matter, and what he had always believed to be the general understanding on that point.

The PRESIDENT said he would confine himself to making a brief statement.

The Japanese forces in the railway zone were being withdrawn, and, if on both sides efforts were made to alleviate the situation, the Council might hope for a satisfactory settlement of the problem. It must rely first and foremost on the firm determination of the two parties concerned, on their loyalty and on their sincere desire not to aggravate the situation. On the one hand, it would certainly wish to appeal to the Japanese Government to withdraw its troops as rapidly as possible within the railway zone. On the other hand, it would note the Chinese representative's statement that, in accordance with the pledge given in his Government's telegram of September 23rd, the latter would assume responsibility, as and when the Japanese troops withdrew, for the safety of Japanese subjects and the protection of their property outside the said zone.

The Council would no doubt desire to be kept informed of the measures taken by the two parties in response to the appeal which the President had just made to them.

Under the circumstances, he proposed to postpone the discussion of the question; furthermore, in view of the importance of the statements the Council had just heard, he thought his colleagues would like to have time to study them. The Council would meet as soon as the President had had time to consult his colleagues.

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

#### FIFTH MEETING (PRIVATE, THEN PUBLIC)

*Held at Geneva on Monday, September 28th, 1931, at 5 p.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General. France was represented by M. PETSCHÉ, then by M. MASSIGLI, Germany by Count BERNSTORFF, the Irish Free State by Mr. LESTER, Italy by M. SCIALOJA, Peru by M. BARRETO, Poland by M. SOKAL and Yugoslavia by M. FOITICH.

#### 2919. Appointment of Rapporteurs.

The SECRETARY-GENERAL submitted the following draft list of Rapporteurs for 1931-32:<sup>1</sup>

- |                                  |         |
|----------------------------------|---------|
| 1. Financial Questions . . . . . | Norway  |
| 2. Economic Questions . . . . .  | Germany |
| 3. Transit Questions . . . . .   | Poland  |

<sup>1</sup> Document C.626.1931.

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4. Health . . . . .	Irish Free State
5. International Law . . . . .	Italy
6. Finances of the League of Nations . . . . .	Guatemala
7. International Bureaux . . . . .	China
8. Mandates . . . . .	Yugoslavia
9. Minorities . . . . .	Japan
10. Armaments . . . . .	Spain
11. Saar . . . . .	Italy
12. Danzig . . . . .	Great Britain
13. Intellectual Co-operation . . . . .	France
14. Opium . . . . .	Yugoslavia
15. Traffic in Women and Children . . . . .	Panama
16. Humanitarian Questions . . . . .	Peru
17. Child Welfare . . . . .	Irish Free State
18. Refugees Questions . . . . .	Peru

The draft list was approved.

2920. Appointment of the President and Vice-President of the International Agricultural Mortgage Credit Company.

M. BRAADLAND presented the following report: <sup>1</sup>

"In my report on the work of the Organisation Committee of the International Agricultural Mortgage Credit Company (document C.566.1931.II.A (1)),<sup>2</sup> I informed the Council that, in accordance with the wish of the Organisation Committee, I should submit to a private meeting my suggestions regarding the selection of a President and Vice-President for the prospective Company.

"The holders of these positions must be able to meet two requirements. Their administrative duties make it necessary that they should possess a wide technical knowledge of mortgage credit business; and, further, the fact that the Company will have to seek capital in the money market makes it essential that their financial authority and general reputation should be such as to inspire confidence in possible lenders. In these circumstances I venture to suggest to my colleagues the names of the two following persons, who seem to me to meet the requirements of the situation in every way:

"As President:

"M. REGARD, Deputy-Governor of the *Crédit foncier de France*. Chairman of the Organisation Committee of the International Agricultural Mortgage Credit Company.

"As Vice-President:

"M. DI NOLA, Director-General of the *Istituto italiano di Credito Fondiario*; honorary Director-General at the Department of National Economy; President of the Economic Committee of the League of Nations.

"I may add that M. REGARD and M. di Nola have both taken a very active share in the work of the delegation of the Financial Committee for Agricultural Credit, and in that of the Organisation Committee of the International Company."

The Council approved the nominations proposed by the Rapporteur.

2921. Resignation of the Commissioner of the League of Nations for the Settlement of the Refugees in Bulgaria.

M. BRAADLAND presented the following report: <sup>3</sup>

"In the report which my predecessor submitted to the Council on January 23rd, 1931,<sup>4</sup> on the resignation of the League Commissioner in Bulgaria, I stated that I was not in a position to make a definite proposal regarding the successor of M. Charron as Commissioner for Refugee Settlement and Technical Adviser to the National Bank. The Council then authorised its President to make the necessary appointment on the advice of the Rapporteur and a Sub-Committee of the Financial Committee.

"In his report (document C.241.M.107.1931.II.A), the President of the Council informed you that, on the Financial Committee's recommendation, he had approved the appointment of M. Jean Watteau to be adviser to the National Bank. The Financial Committee did not feel called upon to propose the appointment of a new Commissioner for the Settlement of Refugees as the work contemplated by the Protocols of September 8th, 1926, and March 10th, 1928, was

<sup>1</sup> Document C.601.1931.II.A.

<sup>2</sup> See page 2278.

<sup>3</sup> Document C.620.1931.II.A.

<sup>4</sup> See *Official Journal*, February 1931, page 217.

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almost completed. On its advice, M. Charron was requested to continue to act as honorary Commissioner. It was understood that the Financial Committee should reconsider the question at its September session.

"The Financial Committee at its recent session came to the conclusion that the best solution was to ask M. Charron to continue to perform the duties which he has discharged since March 31st as honorary Commissioner. M. Charron has kindly accepted this responsibility, and I am asking the Council to approve his maintenance in office and to tender him its warmest thanks."

The conclusions of the report were adopted.

2922. Agricultural Credits: Advance of Funds by the League to the Organisation Committee of the International Agricultural Mortgage Credit Company.

M. MAROS presented the following report and draft resolution: <sup>1</sup>

"My colleagues have before them the Secretary-General's note. They will see that it is not proposed to incur expenditure beyond the amount voted by the Council in May last but to enable the Secretary-General, in 1932, to advance funds to the Organisation Committee of the International Agricultural Mortgage Credit Company in case these should be required before the next session of the Council.

"I would therefore propose the adoption of the following resolution:

"The Council:

"Recalling the resolution which it adopted on May 22nd, 1931, authorising the Secretary-General to advance sums up to a maximum of 50,000 francs to the Organisation Committee of the International Agricultural Mortgage Credit Company;

"Empowers the Secretary-General, in accordance with Article 33 of the Financial Regulations, to advance in 1932 from the Working Capital Fund an amount not exceeding the balance which will remain unspent at the end of this year out of the 50,000 francs already voted by the Council."

The draft resolution was adopted.

2923. Date of the Next Session of the Economic Consultative Committee.

M. MAROS presented the following report: <sup>2</sup>

"My colleagues have seen the resolution adopted by the Assembly on September 26th, 1931, on the motion of the Fourth Committee, which reads as follows:

"The Assembly:

"Impressed by the difficult situation through which most of the States Members of the League are passing, and by the possible effects of that situation on the finances of the League; and

"Convinced that in the present circumstances it is important that the whole of the funds provided in the budget for the present financial year should not be expended:

"Requests the competent officials of the three organisations of the League to limit to the utmost possible extent the expenditure incurred between now and the end of the year; and

"Makes a strong appeal to the Council and the Governing Body of the International Labour Office to endeavour to postpone or cancel the sessions of conferences and committees convened or contemplated for the last quarter of this year, provided always that such postponements or cancellations do not interfere with the essential work of the League."

"Certain meetings, which could be suspended without Council authority, have already been suspended, but the suspension of the following meeting, which has been proposed, would seem to require the assent of the Council—Session of the Economic Consultative Committee.

"In agreement with the Rapporteur for Economic Questions, the German representative, and with the Chairman of the Consultative Committee, I venture to propose to the Council the cancellation of this meeting, which will result in a saving estimated at 79,500 francs."

M. PETSCHÉ, while appreciating the soundness of the reasons advanced against convening the Economic Consultative Committee at the present stage, pointed out that since its formation the Committee had held only one session, that its members had then put forward very valuable suggestions and that it might perhaps be advantageous not to regard as final the decision which the Council was about to take. The Council perhaps might study the position, again next January, for it

<sup>1</sup> Document C.587.1931.X.

<sup>2</sup> Document C.628.1931.X.

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might be thought paradoxical that, at a time of grave economic depression throughout the world, independent experts should not be convened to examine the crisis.

*The conclusions of the report were adopted.*

2924. Request for Assistance submitted by the Liberian Government: Composition of the Council Committee.

M. SOKAL presented the following report:<sup>1</sup>

"The Council decided, at its sixty-second session,<sup>2</sup> to appoint a small Committee from among its members to study the problem raised by the Liberian Government's request for assistance. This Committee was composed of the representatives of the British Empire, France, Germany, Italy, Liberia, Poland, Spain and Venezuela.

"As our colleague M. Zumeta has left the Council, we must appoint a new member to replace the representative of Venezuela on the Council Committee, and, if my colleagues agree, I am prepared to make a proposal."

He proposed that M. Zumeta should be replaced by the representative of Panama on the Council Committee.

*The proposal of the Rapporteur was adopted.*

2925. Invitation to be addressed to the Government of the Hejaz to take Part in the General Disarmament Conference.

The PRESIDENT presented the following report and draft resolution:<sup>3</sup>

"On May 22nd,<sup>4</sup> 1931, the Council adopted a resolution specifying which States non-Members<sup>5</sup> of the League of Nations were to be invited to the General Disarmament Conference.

"In consequence of the letter of September 14th from H.E. the Minister of the Hejaz and Nejd in London, which has been communicated to you (Annex 1332), I have the honour to propose to you the adoption of the following resolution:

"The Council requests the Secretary-General to invite the Government of the Hejaz to the Disarmament Conference convened at Geneva for February 2nd, 1932."

*The draft resolution was adopted.*

(The Council went into public session.)

2926. Assault on Dr. C. T. Wang, Chinese Minister for Foreign Affairs: Communication by the President.

The PRESIDENT said that his colleagues on the Council would have learnt with deep emotion of the attack made on the distinguished Foreign Minister of China, Dr. C. T. Wang, by Chinese students, who, to judge by the telegram containing the news, had been misinformed as to the efforts being made to find a successful issue for the incident which the Chinese Government had brought before the Council.

The President felt certain that he would be expressing the unanimous wish of his colleagues if he asked the Chinese representative to transmit the Council's warmest sympathies to Dr. C. T. Wang.

Speaking in his personal capacity, he would venture to call to mind a resolution submitted by the Spanish delegation at that year's Assembly concerning the grave disturbance to international relations that might be caused by the circulation of false news. He had no definite particulars as to the Press telegrams which, without any justification at all, had given rise to such deep resentment on the part of the students in Nanking. He would, however, say that at various times during the week his attention had been drawn to inaccurate reports that had reached distant capitals as to the conciliatory measures being pursued by the Council in wholehearted co-operation with the representatives of two great nations which had always been devoted to the ideals of the League.

He would venture to make an appeal to the Press attending the present discussion. He was certain that the members of the Press would appreciate the fraternal spirit in which that appeal was addressed to them.

<sup>1</sup> Document C.618.1931.VII.

<sup>2</sup> See *Official Journal*, February 1931, page 219.

<sup>3</sup> Document C.611.1931.IX.

<sup>4</sup> See *Official Journal*, July 1931, page 1129.

<sup>5</sup> These States were as follows: Afghanistan, Brazil, Costa Rica, Ecuador, Egypt, Turkey, United States of America, Union of Soviet Socialist Republics and Mexico. The latter country has meanwhile become a Member of the League of Nations.

The question upon which the Council was engaged was a particularly delicate one, for which it was seeking a solution in close agreement with the two parties. He would therefore exhort journalists of all countries to co-operate with the Council by giving world public opinion accurate information. In a situation of such difficulty everyone must keep calm and work for peace.

Misinterpretation of the action taken by the Council, which was working first and foremost for the pacification of men's minds, should be avoided. The Council would not abandon the efforts it was making with the representatives of the two parties until it had assured itself that all danger to peace could be regarded as at an end, and that the way was open to a satisfactory settlement in a calmer atmosphere than that of the last few days.

The SECRETARY-GENERAL suggested that the Council should authorise him to send to the League offices in Tokio and Nanking for publication a short résumé of its meetings on this particular question.

M. YOSHIKAWA expressed his deep emotion at the news of the assault made on Dr. C. T. Wang. He greatly admired both the ability and the amiable personal character of Dr. Wang, who had been his personal friend for many years. His sympathy was particularly deep in that he was at the moment engaged with M. Sze in a debate on a serious matter. He heartily approved the statement made by the President and also the Secretary-General's suggestion.

M. SZE would not fail to convey the President's message to Dr. Wang immediately. He greatly appreciated, and he was sure Dr. Wang would greatly appreciate, the sentiments which the President had expressed both on his own behalf and on that of the members of the Council. He would add that, since the report of the attack on Dr. Wang, he had received official information that the Government was making every effort to calm popular feeling.

With reference to the Secretary-General's suggestion, it was hardly necessary to say that the Chinese Government always welcomed, and would continue to welcome, accurate, complete and prompt news regarding, not only the present question, but other activities of the League as well.

On behalf of Dr. Wang he would express his sincere thanks to the Japanese representative for his kind words. He could assure M. Yoshizawa that the admiration and respect which he had expressed for Dr. Wang were mutual. Dr. Wang had the same admiration and respect for him.

2927. Appeal from the Chinese Government under Article 11 of the Covenant (continuation).

M. YOSHIKAWA made the following declaration:

The unfortunate situation to which the Council has given its attention for several days past is happily improving. I wish to say that I have very much appreciated the efforts made by the Council to ensure peace.

At previous meetings of the Council I have clearly explained the line of conduct followed by the Japanese Government, and have given to my colleagues, on its behalf, an assurance of its determination to continue withdrawing its forces, as and when the return to peaceful conditions makes such withdrawal possible without danger to its nationals.

The Chinese Government, through its representative on the Council, has been good enough to declare that it assumes responsibility for the safety of Japanese nationals and for the protection of their property. I am very glad to take note of the Chinese Government's readiness to assume that responsibility. Unfortunate experiences compel us, however, to recognise that the goodwill of the Chinese Government has not always been able to make its voice heard in the provinces, and that numerous regrettable incidents have occurred. The Powers have thus often found themselves compelled to land and maintain troops or war vessels in China. In this respect the situation in Manchuria is particularly serious. It must, moreover, be borne in mind that the Chinese and Japanese populations in and around the railway zone are closely mixed. The situation cannot be compared in any way with that existing between two neighbouring countries with separate populations divided by a well-defined frontier. It is therefore essential before cancelling the measures taken to assure the protection of our nationals, to make certain that the local authorities are in fact in a position to maintain order, and that the departure of our protecting forces would not involve any danger for our nationals.

I desire particularly to bring to the knowledge of the Council the fact that pressing appeals for protection by our troops are being received by the Japanese Government from its nationals in North Manchuria and in Chientao, near the Korean frontier. In spite of the anxiety which it feels on their behalf, the Japanese Government, being anxious, in accordance with the assurance that it has given to the Council, to do nothing which might aggravate the situation, has felt obliged to take no action on those appeals.

I am furthermore happy to be able to inform you that the withdrawal of our troops continues, and that the number of our effectives at Kirin has been still further reduced since my communication of Friday last. Apart from Kirin and Mukden there are now, outside the zone, only small posts at Hsinmingtung and at Chengshiatung, for the protection of our nationals against attack by Chinese soldiers and brigands who are at the moment plundering those districts.

There is no need for me to emphasise the fact that my Government has made every effort to supply the Council with the most reliable and accurate information regarding the present situation. It has indeed no object in concealing the facts, and at present every facility is being given in



Manchuria for foreign officers, as for instance Colonel Thornhill, British Military Attaché at Peiping, and for newspaper correspondents, etc., to ascertain the true state of affairs.

My Government will not fail to keep the Council very closely in touch with the situation and with all steps taken to bring about a rapid solution. In the present circumstances any further measures of this nature appear to be unnecessary.

In conclusion, I desire to declare once more that the Japanese Government has no territorial designs on Manchuria, and that it maintains its determination, of which practical proof has been given during the last few days, to withdraw its forces within the railway zone in so far as effective provision is made for the safety of its nationals and their property. It is my earnest hope that it will be able to carry out this intention to the full within the shortest possible time.

M. SZE: I have listened with great interest to the Japanese representative's statement, and am glad to learn that Japan is continuing to withdraw her troops from the positions occupied since September 18th, 1931. I should, of course, have been much happier had the Japanese representative been able to tell us that all the troops had been withdrawn, or at least to have given a date when the last soldier would be withdrawn.

Before going any further, may I request the Japanese representative to give the Council information with reference to the attacks made by aeroplanes armed by Japanese officers on trains on the Peking-Mukden Railway? There seem to have been at least four attacks, which took place last Thursday and Friday. Those attacks were made on trains carrying ordinary passengers—Chinese and foreign—and according to the information I received, at the points where the attacks were made, the aeroplanes came down fairly low and used their machine-guns. There were no Chinese soldiers in the neighbourhood and none on the trains.

Another point on which I would beg M. Yoshizawa to enlighten the Council is this. The troops being withdrawn from the places which they have been occupying since the night of September 18th, I presume the *status quo ante* in those places has been completely restored; that is to say, the persons whom the Japanese military authorities arrested or detained have been released and the property, etc., seized from the people, returned or begun to be returned to its owners.

As regards Japanese nationals in China, so far, I think, neither the Japanese representative nor myself has received any report that any Japanese nationals have been attacked. There is no doubt a great deal of feeling, but that we can well appreciate. In fact, some people have expressed their admiration for the wonderful restraint of the Chinese nation under present conditions.

The Japanese representative mentioned at a previous meeting the desire of his country to maintain the most friendly relations with China. I can assure him that China desires to live on the most friendly terms, not only with Japan, but with all the nations of the world, and the fact that China has in recent years commenced a very active collaboration with the League is a testimony of that desire, since the League stands for those ideals of peace, justice and right for which China has always stood. The desire of China to maintain the most friendly relations with Japan is the same as that of Japan to maintain friendly relations with China, but the most important element in relations between nations, as between individuals, is good-will and mutual appreciation. I do not wish to be misunderstood; the President and members of the Council will bear me out when I say that, throughout this debate before the Council, I have never uttered a single harsh word to the Japanese representative.

M. Yoshizawa mentioned in his statement that the number of troops in occupation of positions since the night of September 18th, 1931, has now been reduced, and that only certain limited posts are now occupied. If I understood his statement correctly, he mentioned two posts, Hsinmingtung and Chengshiatung. Are there no other places at present occupied by Japanese troops?

M. YOSHIKAWA said his statement referred to Kirin, Mukden, Hsinmingtung and Chengshiatung.

M. SZE asked the intentions of the Japanese Government with reference to those posts, and how soon the troops would be withdrawn.

One very important point on which everyone was agreed was that there was a desire on the part of the Japanese Government for the speedy completion of the withdrawal of the troops; that was also the desire of the Council and of China. But there remained the question as to how the withdrawal was to be carried out, because, as the representative of Japan had stated, some posts still remained occupied. The Chinese point of view was well known to the Council. It was that a neutral commission of enquiry should be sent, and that Japan should accept that, as she had now accepted the Chinese assurance to protect Japanese life and property. But as he was anxious to be conciliatory and to meet the representative from Japan more than halfway, he proposed that the Council should help the parties to reach an agreement as to arrangements on the spot, which would make it possible to fix an early date for the completion of the withdrawal of troops, and render it unnecessary for the Council to send a commission of enquiry from Geneva.

The reports that had been communicated to him stated that in some of the stations Japanese troops had disarmed the Chinese railway guards on the Peking-Mukden Railway, which had rendered the task of those guards—whose duty it was to protect the railway, the stations and passengers as well as Japanese nationals and property in the neighbourhood—extremely difficult. He hoped therefore that in his reply the Japanese representative would refer to that point also.

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M. YOSHIKAWA replied that the most important points raised by the Chinese representative seemed to be the immediate withdrawal of the troops within the railway zone, and the commission of observers. He was convinced that he had fully explained, not only in his statement that day, but also last Friday, the reason for which the Japanese Government was unable to agree to those two suggestions.

The Chinese representative had alleged, *inter alia*, that Chinese women and children had been massacred by the Japanese army. That statement he had denied in the most formal manner at the Council table on Friday. The whole of his information was based on telegrams received from the Japanese Minister for Foreign Affairs at Tokio.

The Chinese representative had also made other accusations against the Japanese army, but M. Yoshizawa was sure that the Japanese army had never done anything of the sort. As soon as he received any information of that kind, he would not fail to inform, not only the Chinese representative, but the other members of the Council.

M. SZE said that, if he understood the Japanese representative correctly, the Japanese Government could not agree to the Chinese demand for immediate evacuation. M. Sze was not quite sure that he did say so in so many words, but he protested in the strongest possible terms against the continued occupation of Chinese territory by Japanese troops.

With regard to observers, he had said that he would prefer that a commission of neutral observers should be sent to the spot, but, in order to be conciliatory, he had suggested that the Council should help the parties to come to an agreement as to arrangements on the spot which would make it possible to fix an early date for the completion of the withdrawal, thereby rendering unnecessary the sending of a commission of enquiry.

With reference to the telegrams which he had circulated and to which the representative of Japan had taken exception, M. Sze had said at an earlier meeting that there were bound to be inaccuracies in the telegrams he circulated, just as he contested some of the statements the Japanese representative had circulated; for instance, one circulated that day as to the cause of the existing situation in Mukden. But the fact that there was a difference in the statements issued by the two representatives or their respective Governments proved conclusively the necessity for the early despatch of a neutral mission to ascertain the true facts. China was perfectly willing to accept and welcome such a commission.

M. YOSHIKAWA observed that he had already replied to M. Sze's suggestion that a date for the completion of the evacuation might well be fixed.

M. Yoshizawa was prepared to telegraph at once to Tokio M. Sze's second suggestion for the organisation of a Sino-Japanese commission on the spot with a view to facilitating the evacuation.

M. SZE said that the Council, having received the appeal from China and China having entrusted her case to the Council, he expected that the commission would report to the Council in order that the latter might be informed of the speedy and complete withdrawal of the troops.

He would venture to ask whether the Japanese representative was in a position to answer his other questions with reference to the release of the Chinese officials and civilians who had been arrested and detained by the Japanese troops and whether their property had been restored.

With regard to M. Yoshizawa's statement concerning the reason for which Japanese troops had been retained in certain places, M. Sze observed that Japanese citizens in China far from Japanese soldiers had suffered no molestation. It was the presence of Japanese soldiers that created the tension against which the Government of Japan alleged it to be necessary to provide military protection. A vicious circle was thus created.

M. YOSHIKAWA said that, owing to the lack of details, he would have to ask for information with regard to the questions just asked by the Chinese representative.

He desired, however, to ask whether M. Sze had in mind a commission composed only of Japanese and Chinese or a commission including members of other nationalities as well.

M. SZE replied that, in view of the fact that the Japanese representative had, on previous occasions and again at the present meeting, questioned the accuracy of reports, and that there were matters on which the representatives of the two countries did not agree, it was possible that the same thing might happen—although M. Sze hoped it would not—in arranging for the withdrawal of the troops. In those circumstances and as the Council was assisting the two parties, M. Sze considered that it should appoint a neutral representative or representatives who might be able to help in settling any differences and also in removing any possibility of a misunderstanding.

With regard to the question of a complete withdrawal, the Japanese representative had said that, while his Government had withdrawn the troops from Chientao in the province of Kirin, it had left several hundreds of Japanese police there. The presence of uniformed policemen was liable to aggravate the situation and thus the Council might find it necessary to take steps to safeguard peace and to preserve friendly relations between the two countries. M. Sze therefore

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considered that this point too should be examined and arrangements made for Chinese police to take the place of the Japanese.

M. YOSHIKAWA replied that in his first statement he had fully explained his Government's position with regard to evacuation and the commission of observers. He had said at the end of his statement: "In these circumstances all measures other than those mentioned above are unnecessary". He was therefore unable to agree to the Chinese representative's suggestion with reference to the sending of the commission to Manchuria, if that commission was to be composed on the lines indicated by M. Sze in his last remarks.

M. SZE pointed out that he had never used the words "a Commission of Observers". He had said that the Council would help the parties to arrange a conciliation. He had not suggested a commission to proceed from Geneva, because there were neutrals on the spot who would help the two parties to arrive at an amicable settlement. As the Japanese representative had said that Japan was anxious to live in the most friendly relations with China, he would most certainly welcome someone to help in the removal of any possible misunderstanding that might have arisen.

Viscount CECIL thought the suggestion made by the Chinese representative an interesting one, and hoped that his Japanese colleague would be able to give it further consideration.

If he understood the Chinese suggestion rightly, it was that there should be some kind of committee or meeting formed in Manchuria, consisting essentially of Chinese and Japanese representatives. The Chinese representative had also suggested that the League might do something to help the two parties to come to an agreement. If M. Yoshizawa thought that suggestion of use, the Council might begin by bringing the Chinese and Japanese together, to see if they could arrive at an agreement.

As Lord Cecil had said at the last meeting, the chief business of the League was to promote an agreement between the parties after they had succeeded—if they did succeed—in avoiding all danger of the dispute degenerating into a war. In saying that, Lord Cecil had not meant to suggest that the League was not interested in seeing such an agreement being made. On the contrary. Since the League's business was to bring about peace and agreement, it was intensely interested in an agreement being reached between the parties, but according to all the previous practice of the League, it had always been left to the parties to come to an agreement if they could do so. He hoped that his Japanese colleague would consider carefully whether a meeting of Chinese and Japanese might not be of service in arranging at least evacuation and other matters of that kind. If that meeting should prove fruitless, the Council would then have to consider if anything else could be done by it to bring about an agreement.

In conclusion, Lord Cecil suggested that, in order to avoid misunderstanding, the Chinese representative might put his proposal in writing.

M. SZE would gladly conform to the request to put his suggestion in writing (Annex 1334, Section VIII). He would, however, point out that he had said that the Council could help the parties to come to an agreement by arrangements on the spot. He had not said that China or Japan alone could arrange matters, but that the Council could arrange them and that the Council might see fit to select its representative on the spot.

Viscount CECIL thought that in that case the Council would be unable to carry the matter further at the present stage.

M. YOSHIKAWA repeated that he was quite ready to submit Lord Cecil's suggestion for consideration by his Government, but, if that suggestion was to be supplemented by the further suggestion made by the Chinese representative, he would be unable to do so. He appreciated the motives with which Lord Cecil had made his suggestion. Japan had no intention of making war upon China.

M. Yoshizawa added that the Japanese Government was endeavouring to bring about a happy solution of the affair at the earliest possible date and for that reason he welcomed any suggestion which would pave the way to it.

He interpreted Lord Cecil's suggestion to mean that the Chinese and Japanese would endeavour to come to an agreement without help from outsiders. If that interpretation were correct, he would not fail to transmit the suggestion to his Government.

M. SZE said that there seemed to be some misapprehension on the part of the representative of Japan. He, M. Sze, had made a proposal which Lord Cecil had sought to restate in his own words, and this version by Lord Cecil M. Sze had corrected.

Viscount CECIL regretted that there should be any possible misunderstanding in the matter. He had thought in the first place that his Chinese colleague's suggestion applied to the questions of the method, time, etc., of the evacuation, and nothing else.

It was true that M. Sze had added that he thought the League could help the parties to come to an agreement. The only difference was that it was now suggested that the Chinese and Japanese should meet and try to come to an agreement. If they did not do so, the Council would be no worse off than it was at present, and it could then say what further steps could be taken. Lord Cecil merely wished to make it quite clear that he was referring solely to the question of

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evacuation, and that he was not dealing with other questions at the moment. It would, however, be difficult to carry the matter farther at the present meeting.

The PRESIDENT did not think that there was any advantage in discussing the matter further at that meeting. The statements which had been made would need to be carefully studied by the members of the Council. He would summon another meeting shortly, but, as the Assembly was closing on the following day, the Council would no doubt agree that he should explain the situation to it. He therefore proposed to ask permission of the President of the Assembly to speak on the following day in order to give an impartial report on the question, and on the manner in which the Council had so far carried out its duties under Article XI of the Covenant.

#### 2928. Tribute to the Memory of Count Skrzynski.

The PRESIDENT felt sure that he would be interpreting the unanimous feelings of his colleagues in expressing to the representative of Poland the Council's deep sympathy in the loss which Poland and the League had suffered in the death of Count Skrzynski.

Count Skrzynski, who was a former President of the Council, Minister for Foreign Affairs, and had been three times first delegate to the Assembly, was one of the hopes of Poland and a devoted labourer for peace.

M. SOKAL said he was much touched by the sympathetic words of the President concerning the tragic death of Count Alexander Skrzynski, a Polish statesman whose name was closely bound up with the important work done by the League for the consolidation of peace. He sincerely thanked the President and all the members of the Council for that tribute, which he would not fail to bring to the knowledge of his Government.

#### SIXTH MEETING (PUBLIC, THEN PRIVATE).

*Held at Geneva on Tuesday, September 29th, 1931, at 4 p.m.*

Present: All the representatives of the Members of the Council, and the Secretary-General. France was represented by M. MASSIGLI, Germany by Count BERNSTORFF, the Irish Free State by Mr. LESTER, Italy by M. ROSSO, Peru by M. BARRETO, Poland by M. SOKAL, and Yugoslavia by M. FOTITCH.

#### 2929. Claim brought by the Finnish Government against the Government of the United Kingdom, in Connection with Finnish Ships used during the War by the Government of the United Kingdom.

M. Holsti, representative of Finland, came to the Council table.

At the request of the Rapporteur, *this item was postponed to the next session.*

M. Holsti withdrew.

#### 2930. Co-operation of Women in the Work of the League of Nations: Resolution adopted by the Assembly on September 24th, 1931.

The PRESIDENT presented the following report:<sup>1</sup>

"The Assembly, at its meeting of September 24th, adopted the following resolution:

"The Assembly:

"Convinced of the great value of the contribution of women to the work of peace and friendly relations between the peoples, which is the principal aim of the League of Nations:

"Requests the Council to examine the possibility of increasing the collaboration of women in the work of the League of Nations.

<sup>1</sup> Document C.632.1931.

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"I am sure that the members of the Council are aware that the big women's organisations have for years been working to spread knowledge of the activities of the League.

"The women of every country have given their support to the efforts to introduce instruction on the activities and organisation of the League of Nations into the schools. They have done their best to promote mutual understanding between peoples; they are already taking an active part in the League's work in several of its committees, and a number of countries have sent them as delegates to the Assembly.

"I think, however, that the members of the Council will agree with me that the Assembly wishes to extend this collaboration still further, and that it is desirable in such an important matter to leave sufficient time to allow of a careful examination of the various possibilities which may arise.

"The first step seems to me to be to obtain from various women's organisations suggestions as to how effect can best be given to the Assembly's desire, and I therefore propose that the Secretary-General should be authorised to consult these organisations and prepare a report on the subject for the next Assembly."

Viscount CECIL approved the report. He felt, however, that a report to be submitted to the next Assembly on what the women's organisations could do to help the cause of disarmament would be rather late, and he would therefore ask whether the Secretary-General could prepare a report with regard to that aspect of women's co-operation in time for the next Council session in January.

Count BERNSTORFF supported Lord Cecil's proposal. He, too, had been approached by several women's organisations in connection with the disarmament question.

M. SZE associated himself very warmly with Lord Cecil's proposal.

M. SOKAL noted that, according to Lord Cecil's proposal, the first report should be presented to the Council in January. As the Disarmament Conference would begin on February 2nd, it would be difficult to do anything before that date, even if action were taken at the end of January.

M. Sokal drew attention to the fact that there was one way of making it possible for the women's organisations to take part in the Disarmament Conference. The Polish delegation had submitted a proposal to the Third Committee whereby the Governments were invited to appoint representatives of women's associations on their delegations. As this proposal had not been adopted, M. Sokal supported the Rapporteur's proposal, but thought that the women's organisations might be informed that the Disarmament Conference desired to avail itself of their co-operation from the beginning.

The SECRETARY-GENERAL thought that the question of women's co-operation might be divided into two parts: first, co-operation in connection with the Disarmament Conference, and secondly, by general collaboration in the work of the League. The Secretariat could ask for observations on the first aspect of the question so as to be in a position to present a report to the Council in January, while on the second it would be able to present a report to the next Assembly.

*The conclusions of the report and the procedure proposed during the discussion were adopted.*

2931. Co-operation of the Press in the Organisation of Peace: Resolution adopted by the Assembly on September 24th, 1931.

The PRESIDENT presented the following report and draft resolution:<sup>1</sup>

"My colleagues will remember that on September 24th, 1931, the Assembly adopted a resolution concerning the spreading of false news through the Press, the text of which is as follows:

"The Assembly:

"Considering that the organisation of peace demands an international spirit freed from all prejudices and misconceptions;

"Convinced of the necessity of ensuring that Press information shall be as impartial and complete as possible;

"Requests the Council to consider the possibility of studying, with the help of the Press, the difficult problem of the spread of false information which may threaten to disturb the peace or the good understanding between nations."

"I need not draw my colleagues' attention to the importance of this problem, which is urgent in the interests of international relations, and at the same time extremely delicate from the point of view of the maintenance of the liberty of the Press and the independence of journalists.

"The Third Committee unanimously considered that this question should be studied by the Government Press Bureaux, in close co-operation with Press circles.

<sup>1</sup> Document C.637.1931.IX.

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"The Conference of Representatives of Government Press Bureaux, which the Danish Government intends shortly to convene at Copenhagen, might in this respect make a valuable contribution towards the solution of the problem which is before the Council to-day.

"The Danish Government is to be congratulated on this highly opportune step. At the same time the Third Committee also realises that it is essential to approach the principal Press associations, some of which, indeed, have already devoted attention to this question. Without their advice and cordial co-operation, success in this matter is quite impossible.

"I would therefore suggest that we ask the Secretary-General to consult, through the Secretariat, the Press associations which took part in the Press Conference of 1927 and any other Press organisations which may regard themselves as interested.

"I am sure that, once in possession of the results of the Copenhagen Conference and the enquiry organised by the Secretariat, the Council will be in a position to submit to the next Assembly a useful report on this question, which is of great importance to international relations.

"I have the honour to move the following resolution:

"The Council:

"Being convinced that the dissemination of inaccurate news is capable of disturbing international relations;

"And holding that false reports cannot be suppressed without the assistance of Governments, on whom it is incumbent to correct them without delay, and of the Press, whose co-operation is essential;

"Takes note of the happily inspired action taken by the Danish Government in summoning a Conference of Representatives of Government Press Bureaux at Copenhagen this winter, and welcomes the opportunity that this meeting will afford for an exchange of views on the question of the dissemination of false news;

"Further, requests the Secretary-General to consult on this delicate question the Press associations previously approached when preparations were being made for the 1927 Conference, and to receive any suggestions made by such Press organisations as may regard themselves as interested;

"And expects to be able to lay before the next Assembly a report on the results of the Copenhagen Conference and of the Secretary-General's enquiry."

*The draft resolution was adopted.*

2932. Slavery: Appointment of a Committee of Experts: Resolution adopted by the Assembly on September 25th, 1931.

Viscount CECIL presented the following report and draft resolution:<sup>1</sup>

"On September 25th, 1931, the Assembly adopted the following resolution:

"The Assembly:

"Requests the Council to appoint for one year a small Committee of Experts to examine the material upon slavery which has been supplied or transmitted by Governments since the signature of the Convention of 1926. This Committee will submit to the Council suggestions with a view to recommending to the next Assembly the measures of assistance which the League of Nations could render to those countries which have agreed to abolish slavery and which request such assistance."

"Further, on the proposal of its Fourth Committee, the Assembly included in the budget for the financial year 1932 an appropriation of 10,000 francs for the execution of this resolution.

"I imagine the Council will wish to comply with the Assembly's request and proceed to appoint the Committee of Experts referred to in the resolution.

"As regards the Committee's terms of reference, these require further definition on certain points. In the first place it should enquire to what extent the Slavery Convention has been successful in putting an end to slavery and what obstacles exist to further progress in this direction. Next it should consider and report, on the basis of the documents submitted to it, by what methods assistance can be rendered to States desirous of receiving it with the object of putting an end to slavery within their territory, and whether any modifications of the existing machinery of the League would be desirable with this object. The method of work of the Committee must be left to be determined by that body. It will no doubt give full consideration to the precedents of 1924.

"It will be unnecessary for the Committee to enquire into the question of public or private compulsory labour, which has been entirely separated from the problem of slavery.

<sup>1</sup> Document C.631(1).1931.VI.

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" As regards the financial aspect of the question, you are aware that the total sum of 11,500 francs appropriated for slavery in the budget for the financial year 1932 is not sufficient to cover the expenditure involved by the appointment of the Committee of Experts which we are asked to set up. You have, however, been informed that contributions from private sources, to an amount not yet stated, are to be offered to the League to make up this sum. I am now able to announce that promises of contributions to the amount of 10,000 francs have already been received. Other contributions may follow, so that it cannot yet be stated what will be the total funds at the Council's disposal, if the offers of private funds are accepted. It is of course understood that the receipt of funds from private sources will confer on the donors no right to influence in any way the deliberations of the Committee.

" I am sure the Council will agree that we have no time to nominate the members of the Committee of Experts at this session. But, in view of the financial difficulties, their number should be kept as small as possible. Your Rapporteur might be asked to submit any suggestions that may be of use in this matter at the Council's session in January 1932.

" If the Council shares my view, it might to-day adopt the following resolution:

" ' The Council:

" ' Takes note of the Assembly's resolution of September 25th, 1931, and decides to appoint the small Committee of Experts referred to in that resolution at its session in January 1932. It requests its Rapporteur, the representative of Great Britain, to submit at its January session a report containing any suggestions that may be of use in this matter.

" ' The Committee should examine the documents submitted to it and report to what extent in the light of these documents the Slavery Convention has been successful in putting an end to slavery and what obstacles, if any, exist to further progress in this direction. The Committee should further consider and report by what methods assistance can be rendered to those States which have expressed a desire to receive it for the purpose of suppressing slavery within their territory and whether any modifications of the existing machinery of the League would be desirable with this object. ' "

The SECRETARY-GENERAL said that the experts of the Secretariat estimated the total cost of the Committee at 25,000 francs. He therefore very much hoped that the other contributions mentioned in the report would amount to 3,500 francs so as to enable the Committee to carry out its work fully and adequately.

Viscount CECIL agreed that it was most desirable to obtain the additional sum. At the same time some of those with whom he had been in contact thought that the expense might not be quite so high as the experts of the Secretariat believed.

*The draft resolution was adopted.*

2933. Work of the Commission of Enquiry for European Union during its Fourth and Fifth Sessions.

The PRESIDENT thought the Council would wish to note the communication from the Vice-President of the Commission of Enquiry for European Union (Annex 1333), approve the Commission's resolutions and authorise the Secretary-General and the technical organisations to carry them into effect. The Council would also wish to authorise the Secretary-General to give effect to the Assembly's request that an invitation should be addressed to the Government of the United States of America to be represented, if it should deem it expedient, on the special Committee to consider a pact of economic non-aggression.

The President also asked the Council to approve the two resolutions mentioned in the communication in question concerning:

1. The invitation to the Governing Body of the International Labour Office to take the necessary steps to convene a technical conference on international placing upon the terms specified;
2. The invitation to the organisations of the League of Nations to get into touch, upon the terms specified, with the Commission of Enquiry for European Union.

The President further pointed out that the Vice-President of the Commission of Enquiry, availing himself of his discretionary powers, had added Yugoslavia to the two Committees and Hungary to the special Committee to study the extension of the preferential regime to agricultural products other than cereals. It had seemed desirable to add these States, which were interested in the questions that were to be studied.

*The proposals of the President were adopted.*

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2934. Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish Refugees: Resolution adopted by the Assembly on September 25th, 1931.

M. Max Huber, President of the Governing Body of the Nansen International Office for Refugees, came to the Council table.

M. BARRETO presented the following report:<sup>1</sup>

"At its meeting on September 1st, 1931,<sup>2</sup> the Council decided to refer the report of the Inter-Governmental Advisory Commission for Refugees to the Assembly, and not to consider certain problems mentioned therein which fell within the Council's jurisdiction until the Assembly had given a decision.

" On September 25th, the Assembly, on the proposal of its Sixth Committee, passed a number of resolutions relating to the refugee problem, the last two of which are as follows:

" ' The Assembly:

" ' Recommends that the Belgian Government be invited to nominate a delegate to the Inter-Governmental Advisory Commission for Refugees.

" ' And requests the Council to communicate to the Governments the recommendations adopted by the Inter-Governmental Advisory Commission for Refugees at its fourth session concerning certain facilities for the refugees.

" I am sure you will agree that the Council should endorse these resolutions and instruct the Secretary-General to carry them into effect.

" The Council will also doubtless wish to ask M. Max Huber, President of the Governing Body of the Nansen International Office for Refugees, to take part in the work of the Inter-Governmental Advisory Commission in an advisory capacity, as suggested by the Commission."

*The conclusions of the report were adopted.*

2935. Refugees in China: Communication from the Delegate of Paraguay to the League of Nations.

M. BARRETO read the following letter from the delegate of Paraguay to the League of Nations:<sup>3</sup>

" I have the honour to refer to the moving appeal made by the delegate of China to the League of Nations, through the Sixth Committee, concerning the desperate situation of the Russian refugees at Harbin. In consequence of this appeal, the twelfth Assembly at its plenary meeting on the 25th instant decided to invite the Nansen International Office for Refugees to devote particular attention to the precarious situation of more than 100,000 Russian refugees living in China, in order to find employment for them in other countries.

" In response to this humanitarian appeal, the Government of the Republic of Paraguay has instructed me to inform your Excellency that it is prepared to receive on its territory a thousand of these refugees of German origin (Mennonites and Lutherans), who would appear to be particularly well adapted for colonisation, provided, however, that the cost of transport and establishment of these refugees is met out of special funds. The refugees might then establish themselves in the Chaco, where there already exist flourishing Mennonite settlements.

" The cost of transport from China to the Paraguayan Chaco would amount to £47,250 sterling, taking normal prices as a basis. The Nansen Office has already obtained the promise of a substantial reduction in the fares from the shipping company which would have to undertake the transport. In addition to cost of transport there would be the cost of settlement which would amount roughly to £11,250. Numerous private charitable organisations and several religious communities are prepared to contribute towards these expenses, but their contributions by themselves would not be sufficient; they are not in a position to cover the total costs.

" I have the honour therefore urgently to appeal to the League of Nations to take steps to consider the most appropriate means to this end. Consequently, I request your Excellency on behalf of my Government to be so good as to lay this matter before the Council at its next session. The situation of the Harbin refugees is so serious that any such assistance, prompted by the highest motives of humanity, cannot any longer be delayed.

(Signed) R. CABALLERO DE BEDOYA,

*"Delegate of Paraguay to the League of Nations."*

<sup>1</sup> Document C.619.1931.

<sup>2</sup> See *Official Journal*, November 1931, page 2032.

<sup>3</sup> Document C.629.1931.

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M. SZE observed that in recent years there had been a large number of foreign refugees in China. While China welcomed all those who sought her hospitality, she found that on account of language difficulties and differences in customs, some of the refugees had difficulty in earning their livelihood. The Government did its utmost to help those who deserved help, but the means at its disposal were rather limited. The Chinese Government believed in the right of all people to move from place to place in accordance with their legitimate desires, and therefore M. Sze supported, on behalf of his country, the request contained in the communication from the delegate of Paraguay.

Count BERNSTORFF pointed out that, as the letter stated, some thousand refugees of German origin (Mennonites and Lutherans) were affected. He therefore desired to express his sincerest thanks to the Rapporteur for bringing this question before the Council, and to Paraguay, which had given proof of its humanitarian spirit and of the generous hospitality which had always been a characteristic of that country. He also expressed his gratitude to China, whose representative had supported the proposal and whose Government had given temporary hospitality to these unfortunate refugees in spite of the present position of that country. Count Bernstorff also thanked the Nansen Office and its officials.

M. BARRETO said that the Council would certainly wish to thank the delegate of Paraguay for the generous offer he had made on behalf of his Government to receive a thousand refugees of German origin at present at Harbin.

The Assembly had requested the Nansen International Office for Refugees to give specially careful consideration to the precarious condition of over 100,000 Russian refugees in China, with the object of finding work for them in other countries.

The communication from the delegate of Paraguay appeared to suggest that, thanks to the help of certain Governments, private organisations and a number of religious communities, the Office's efforts might be entirely successful.

The Council might accordingly ask the Secretary-General to forward the Paraguayan delegate's communication to the Nansen Office with a request that it be considered as soon as possible.

Speaking on behalf of his colleagues on the Council, he expressed the hope that the Office would meet with the necessary understanding and support in all circles for the successful achievement of its noble humanitarian task.

*The proposal of the Rapporteur was adopted.*

M. Max Huber withdrew.

2936. Question of the Nationality of Women: Resolution adopted by the Assembly on September 26th, 1931.

M. Rosso presented the following report: <sup>1</sup>

"On September 26th, 1931, the Assembly adopted the following resolution:

"The Assembly:

"Having examined with the greatest interest the report of the Secretary-General on the question of the nationality of women, presented in accordance with the resolution of the Council of January 24th, 1931, <sup>2</sup> and the report and proposals of the Committee of Representatives of Women's International Organisations which are annexed thereto:

"Notes the desire of the said Committee that steps should be taken to bring about the reconsideration of the Hague Nationality Convention, bearing in mind the principle of equality between men and women;

"Thanks the Committee of Representatives of Women's International Organisations for its report; and

"Requests the Council, in harmony with the recommendation No. VI of the Conference for the Codification of International Law held at The Hague, March-April 1930, to transmit to all Governments the report of the Secretary-General on the question of the nationality of women, including the report of the Committee of Representatives of Women's International Organisations, and the letter of the International Union of Leagues of Catholic Women of August 19th, 1931, together with the Minutes of the First Committee of the Assembly on this subject, and to request Governments to submit their observations on this subject (including their views regarding the Hague Nationality Convention) for reconsideration of the matter by the thirteenth Assembly, to which any observations which the above-mentioned Committee thinks fit to present will be communicated."

"In accordance with the Assembly's resolution, I propose that the Council should instruct the Secretary-General to transmit the documents mentioned in that resolution to the Governments of all the Members of the League and of the non-member States which were invited to the Hague

<sup>1</sup> Document C.615.1931.V.

<sup>2</sup> See *Official Journal*, February 1931, page 231.

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Conference for the Progressive Codification of International Law, requesting them to submit, before July 1st next, their observations on the general question of the nationality of women, including their views regarding the Hague Nationality Convention. In view of the decisions which the Assembly has taken as regards the necessity for avoiding, during the present economic crisis, any expenditure on printing which is not indispensable, I propose that the Secretariat should not print a special document containing the discussions of the First Committee on the nationality of women, since these discussions will appear in the Minutes of the Committee, which will be sent to the Governments as soon as possible."

Viscount CECIL understood that the Committee of Representatives of Women's International Organisations, mentioned in the Assembly resolution, was a private committee which was not paid for by the League, but had been working in connection with the League. Was it proposed to keep this Committee in being? In his opinion, it was very desirable that this should be done.

The SECRETARY-GENERAL thought that, in its report on this matter to the Assembly, the Council had expressed the hope that the Committee would continue in being in order that it could keep the Members of the League informed on any points on which it wished to express its views. The Committee was a private organisation.

*The conclusions of the report were adopted.*

2937. Economic Work of the League: Action to be taken on the Resolutions adopted by the Commission of Enquiry for European Union and by the Assembly.

Count BERNSTORFF presented the following report: <sup>1</sup>

"The Commission of Enquiry for European Union adopted, at its fourth session, a series of proposals relating to economic matters (Annex 1333), which provide for action by the Secretary-General and the League of Nations Economic Organisation.

"The Assembly approved these resolutions, and invited the Council to take action upon them.

"I will briefly indicate the resolutions which call for an immediate decision by the Council:

"(a) The Commission of Enquiry asks the Council to instruct the Economic Committee to study, on the basis of the preparatory work carried out by the Secretariat, and with due regard to the Governments' observations, the whole of the problems that arise out of the idea of 'economic rapprochement in Europe' as defined in the report of the Sub-Committee of Economic Experts set up by the Commission of Enquiry.

"(b) The Commission of Enquiry asks the Council to invite the Economic Committee to resume and continue its consultations concerning the most important branches of production. The nature of such consultations, and a number of commodities which might be considered, are specified both in the report of the economic experts and in that of the Second Committee of the Assembly.

"(c) The Commission of Enquiry has stressed the advantage of a careful enquiry into the possible effects of the various schemes for 'economic rapprochement in Europe' on the interests of extra-European States.

"Bearing in mind the apprehensions voiced on this subject at the Second Committee of the Assembly, the Council will doubtless desire to refer this matter forthwith to the Economic Committee for study.

"(d) The Commission of Enquiry has set up a special Committee to consider whether, and if so under what conditions, the extension of special facilities to agricultural products other than cereals may be contemplated. The products to be considered in the first place are tobacco and raisins.

"The Assembly, considering that such extension raises delicate questions of principle in regard to the most-favoured-nation clause, felt that it would be expedient that the conclusions of this special Committee should be examined by the Economic Committee before submission to the Commission of Enquiry.

"(e) The Commission of Enquiry requests the Council to invite the Economic Committee to examine the expediency of preparing a preliminary draft international convention concerning the import and export of animals, meat, and other products of animal origin.

"(f) The Assembly, holding it desirable to associate National Economic Councils, wherever they may exist, with the work of economic rapprochement, requests the Council to devise the most appropriate means of securing the co-operation of such Councils in the work of the League. I would add that, at the Second Committee of the Assembly, it was suggested that this object might be achieved by a suitable modification of the Economic Consultative Committee whose mandate expires at the end of the current year.

"It would, in my opinion, be necessary for the Secretary-General to examine in detail both aspects of the problem arising out of this resolution. Such an examination will enable me to make definite proposals on the subject at one of the next sessions of the Council.

<sup>1</sup> Document C.623.1931.II.B.

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"In conclusion, I propose that the Council authorise the Secretary-General and the League of Nations Economic Organisation to take action on the various proposals enumerated in this report."

*The conclusions of the report were adopted.*

2938. **Financial Work of the League: Resolutions adopted by the Assembly on September 26th, 1931.**

M. BRAADLAND presented the following report and draft resolutions:<sup>1</sup>

"I. My colleagues have seen the resolutions proposed by the Second Committee and adopted by the Assembly with regard to the financial work of the League of Nations (document A.88.1931.II.A). Two of these resolutions call for special action by the Council.

"II. The second resolution passed by the Assembly reads as follows:

"(2) It welcomes the decision of the Council laying down the conditions on which the Financial Committee should be prepared to consider applications from States which are desirous to obtain the assistance of the League;

"And requests the Council to follow closely the evolution of events and to take all measures necessary to assure that, at any moment, the decisions demanded by the situation may be taken without delay, and that the League of Nations may be in a position to render such service as may be demanded of it; and, in particular, to provide that the Financial Organisation of the League of Nations obtains the funds and the technical assistance necessary to permit it to afford to all States Members prompt and effective assistance whenever such assistance be sought, whether by means of delegations or advice or by any other means."

"This resolution emphasises a point which the events of the last few weeks have brought into the foreground—namely, the urgency with which certain action may be called for and the necessity of a procedure by which essential measures may be taken immediately without waiting for the Council to be convened or for the Financial Committee to meet.

"In order that such decisions as the situation may demand may be reached without delay, it seems to me that the most suitable arrangement would be that your President, in agreement with your Rapporteur (and after consultation with the Chairman of the Financial Committee) should be empowered to propose to you—by telegram if necessary—any steps which he may think necessary.

"I therefore move the following resolution:

"The Council:

"In order to allow such urgent decisions as the situation may demand to be taken, authorises its President, in agreement with its Rapporteur on financial questions (and after consulting the Chairman of the Financial Committee) to propose to the individual members of the Council the adoption of such measures as he may think appropriate."

"III. The third resolution passed by the Assembly is worded as follows:

"(3) In view of the fact that the Commission of Enquiry for European Union and its Sub-Committee of Economic Experts have given favourable consideration to M. Francqui's proposal to establish an institution for long- and medium-term credits.

"It requests the Council of the League of Nations to instruct the competent organs of the League to examine, as soon as possible, with the assistance especially of M. Francqui, the proposal submitted by the latter to the Sub-Committee of Economic Experts, and, in the event of any practical scheme being recommended under the auspices of the League, to ensure that it will be open for all countries to participate on an equal footing."

"The proper procedure to carry out this resolution seems to me to be to refer M. Francqui's proposal to the appropriate body—namely, the Financial Committee.

"I therefore move the following resolution:

"The Council:

"Having considered the Assembly's resolution regarding the proposal submitted by M. Francqui to the Sub-Committee of Economic Experts, decides to request the Financial Committee to examine that proposal and asks it to secure the assistance of M. Francqui and of any other experts whose co-operation it may think necessary."

<sup>1</sup> Document C.630.1931.II.A.

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M. MASSIGLI, while approving the conclusions of the report, wished to emphasise the very great importance attaching, in his opinion, not only to the resolution concerning the Francqui Committee, but also to that under which the Council would invest the President with special powers to deal with urgent questions arising in the international financial sphere. That was an example of very flexible machinery set up by the Council, which might be found extremely useful in difficult circumstances.

Count BERNSTORFF, with reference to the second resolution, recalled the observations which the German representatives had put forward on several occasions, demonstrating the great importance attached by Germany to a study of this problem. He hoped that the Financial Committee, which had now been instructed to consider the whole question, would start work soon and submit to the Council definite proposals which would make it possible for the distinguished Belgian financier's scheme to be carried out promptly and effectively.

*The draft resolutions were adopted.*

2939. **Relief Measures and Epidemic Disease Control in the Flooded Areas of China.**

Mr. LESTER presented the following report and draft resolutions:<sup>1</sup>

"The Assembly has called our attention to the grave problems of relief and epidemic disease control resulting from the serious floods in the valley of the Yangtse River and elsewhere in China.

"The Assembly proposes that all States be asked to respond so far as is in their power, and in co-operation with the League of Nations, to the request for assistance in the flooded areas. The need for anti-epidemic measures is emphasised, in view of the international danger which would result from the prevalence of malaria, dysentery, cholera and typhus fever. We are asked to take the steps necessary to render international co-operation in these matters as effective as possible.

"There are two distinct problems facing the Government and people of China as a result of the disastrous floods.

"The first is the problem of relief.

"China has taken measures to cope with this problem by setting up a National Flood Relief Commission, by setting aside large sums for the purpose of relief, and by providing foodstuffs in large quantities for the people deprived of their livelihood.

"The Government of China has asked the Secretary-General of the League of Nations to recommend a League expert in relief work, preferably with experience in the Near East, to act as general director of the Headquarters of the National Flood Relief Commission. (The Secretary-General has addressed a note to the Council on this subject.)

"I am sure I am interpreting the views of my colleagues in expressing to the Government and people of China our sincere sympathy and our real admiration for the heroic manner in which they have set about to mitigate the sufferings of the flood victims.

"A number of countries have sent supplies, stores and other timely gifts to assist the sufferers. My colleagues will, I am sure, join me in the hope that the resolutions of the Assembly and of the Council will result in a greater flow of the supplies necessary to relieve the victims of this disaster.

"The second important problem is that of epidemic disease control. While the desire to assist in the relief of the flood victims must be shared by all, the prevention of epidemics is an international obligation, in view of the danger to all countries in the Far East and possibly elsewhere which would result from the prevalence of the diseases I have mentioned above.

"It will be recalled that under similar circumstances the Health Organisation was able to co-ordinate the action of National Health Administrations in their campaigns against typhus fever in the eastern part of Europe in 1921. Governments were asked to make contributions to a fund to finance this co-ordinated campaign, and many responded generously.

"We may well follow this precedent in the present situation. Fortunately, representatives of our Health Organisation are in China, and at the request of the National Health Administration they have already taken steps to co-ordinate the assistance proposed by various countries which desire to share in the anti-epidemic campaign. These representatives, who are in touch with the National Health Administration, are in a position to appreciate the requirements for anti-epidemic measures, and we are informed that these include epidemiologists, sanitary engineers, medical staff and equipment, mobile bacteriological laboratories, quinine, oral dysentery and cholera vaccines, cyanide fumigation apparatus, etc.

"In these circumstances I would propose to my colleagues the adoption of the following resolutions:

<sup>1</sup> Document C.624.1931.III.

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