

SERIES E.—No. 7

SEVENTH ANNUAL REPORT
OF THE
PERMANENT COURT OF INTERNATIONAL JUSTICE
(June 15th, 1930—June 15th, 1931)

PUBLICATIONS OF THE PERMANENT COURT
OF INTERNATIONAL JUSTICE

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A. W. SIJTHOFF'S PUBLISHING COMPANY—LEYDEN

INTRODUCTION.

The Court's Seventh Annual Report covers the period June 15th, 1930, to June 15th, 1931. The plan adopted is the same as that of the preceding Reports.

Amongst the matters with which it deals, the following should be noted: the new election of the whole Court in 1930 (pp. 17-18); list (p. 19) and biographical notes of judges elected in 1930 (pp. 21-41); organization of the Registry of the Court and "administrative results" (pp. 64-73); revision of the Court's Statute (pp. 90-104); modifications made in the Rules of Court in February 1931 (pp. 105-109); position with regard to the acceptance of the Optional Clause of the Court's Statute (pp. 158-161); the United States of America and the Court (pp. 165-179); applications from private persons received by the Registry between June 15th, 1929, and June 15th, 1931 (pp. 191-195).

Chapters IV and V are preceded, by way of introduction, by the General List (pp. 199-231), the creation of which has been decided upon by the Court (Article 28 of the Rules, modified text which came into force on February 21st, 1931); this introduction reproduces the particulars of the forty-three cases submitted to the Court since its establishment.

Chapters IV and V contain a summary of the order and the three advisory opinions given by the Court since June 15th, 1930.

Chapter VI is a further supplement to the Digest contained in the Third Annual Report (Chapter VI), incorporating in it decisions taken in 1930-1931; previous supplements had already appeared constituting Chapter VI of the Fourth, Fifth and Sixth Annual Reports. The analytical index which follows this Chapter covers the whole of the decisions contained either in the present Report or in previous Reports.

Chapter VII gives a list of the Court's publications; it mentions certain decisions taken by the Court in regard to this subject, and *inter alia* the decision to combine in a single series (A./B.) judgments, orders and opinions which had hitherto been divided into two series (A.: Judgments, and B.: Opinions).

Like that contained in the Third, Fourth, Fifth and Sixth Annual Reports, the bibliographical list given in Chapter IX is additional to that in the Second Annual Report. It is brought up to date to June 15th, 1931, and also makes good certain omissions in previous lists. The two indexes to the bibliography cover all six lists.

As a new edition of the *Collection of Texts governing the Court's jurisdiction* is to appear shortly¹ (the last edition—the third—having appeared on December 15th, 1926), it has been thought unnecessary to reproduce in Chapter X, as an addendum to the *Collection*, supplementary information or international instruments which have come to the knowledge of the Registry during the period 1930-1931. Accordingly, this Chapter only contains a list of the signatures and ratifications of the Protocol of Signature of the Court's Statute and of the Optional Clause, and the text of declarations accepting the Optional Clause affixed since the Sixth Annual Report².

It is to be understood that the contents of the volumes of Series E. of the Court's Publications, which are prepared and published by the Registry, in no way engage the Court. It should, in particular, be noted that the summary of judgments and advisory opinions contained in Chapters IV and V, which is intended simply to give a general view of the work of the Court, cannot be quoted against the actual text of such judgments and opinions and does not constitute an interpretation thereof.

The Hague, July 16th, 1931.

Å. HAMMARSKJÖLD,
Registrar.

¹ See on this subject, pp. 445-446, the introductory note to Chapter X.

² The complete list, in chronological order, of instruments governing the Court's jurisdiction is given as usual in Chapter III (pp. 118-156).

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CHAPTER I.

THE COURT AND REGISTRY.

I.

THE COURT.

(I) COMPOSITION OF THE COURT.

(See Sixth Annual Report, pp. 17-19.)

The period of office of the judges elected at the general election in 1921 or at bye-elections held subsequently expired on December 31st, 1930. Accordingly, on September 25th, 1930, the Assembly and Council of the League of Nations concurrently held a new election of the whole Court. New election
of the whole
Court.

On September 26th, 1930, the Secretary-General of the League of Nations sent to the President of the Court the following letter setting out the result of the election :

‘ Monsieur le Président,

I have the honour to inform you that the Assembly and Council of the League of Nations, at meetings held for the purpose on September 25th, 1930, elected the following fifteen persons¹ as judges of the Permanent Court of International Justice for the period of nine years beginning on January 1st, 1931 :

| | |
|-----------------------------------|-------------------------------|
| MM. Minéitcirô Adatci | (Japan) |
| Rafael Altamira y Crevea | (Spain) |
| Dionisio Anzilotti | (Italy) |
| Antonio S. de Bustamante y Sirven | (Cuba) |
| Jonkheer Willem J. M. van Eysinga | (Netherlands) |
| Henri Fromageot | (France) |
| J. Gustavo Guerrero | (Salvador) |
| Sir Cecil James Barrington Hurst | (Great Britain) |
| Hon. Frank B. Kellogg | (United States of America) |

¹ See p. 92 for the circumstances which led the Assembly to increase to fifteen the number of ordinary judges of the Court, which had previously been eleven.

| | |
|---------------------------|------------|
| MM. Demètre Negulesco | (Roumania) |
| Baron Rolin-Jaequemyns | (Belgium) |
| Count Michel Rostworowski | (Poland) |
| Walther Schücking | (Germany) |
| Francisco José Urrutia | (Colombia) |
| Wang Chung-Hui | (China). |

The Assembly and the Council of the League of Nations also elected the following four persons as deputy-judges :

| | |
|---------------------------|--------------|
| MM. Rafael Waldemar Erich | (Finland) |
| José Caeiro da Matta | (Portugal) |
| Miléta Novacovitch | (Yugoslavia) |
| Joseph Redlich | (Austria). |

I at once duly notified the persons above mentioned of the result of the elections, requesting them to be good enough to inform me before the 30th instant whether they are willing to accept appointment.

I have, etc.

(Signed) ERIC DRUMMOND,
Secretary-General."

On October 3rd, 1930, the Secretary-General of the League of Nations sent the following letter to the President :

"Monsieur le Président,

Further to my letter of September 26th, 1930 (ref. 3 C/22710/18120), I have the honour to inform you that the fifteen persons elected as judges of the Permanent Court of International Justice by the Assembly and Council on September 25th, 1930, for the period of nine years beginning on January 1st, 1931, have all accepted appointment.

The four persons elected the same day as deputy-judges of the Court have also accepted appointment.

I have, etc.

(Signed) ERIC DRUMMOND,
Secretary-General."

Replacement
of Mr. Hughes,
resigned.

Previous to this general election, the Assembly and Council had, on September 17th, concurrently elected a judge to replace Mr. Charles Evans Hughes, who had resigned, for the remainder of the latter's term of office, i.e., until December 31st, 1930¹. Mr. Frank B. Kellogg was elected and accepted his appointment.

¹ See Sixth Annual Report, p. 18.

(2) PRECEDENCE, THE PRESIDENCY AND VICE-PRESIDENCY.

(See First Annual Report, pp. 12-13.)

On January 16th, 1931, the Court elected M. ADATCI as President; and on January 17th, 1931, M. GUERRERO as Vice-President.

The list of judges in order of precedence¹ is as follows:

| <i>Judges :</i> | List of Judges. |
|-----------------------------------|-----------------|
| MM. ADATCI, <i>President</i> , | |
| GUERRERO, <i>Vice-President</i> , | |
| KELLOGG, | |
| Baron ROLIN-JAEQUEMYS, | |
| Count ROSTWOROWSKI, | |
| FROMAGEOT, | |
| DE BUSTAMANTE, | |
| ALTAMIRA, | |
| ANZILOTTI, | |
| URRUTIA, | |
| Sir CECIL HURST, | |
| MM. SCHÜCKING, | |
| NEGULESCO, | |
| Jonkheer VAN EYSINGA, | |
| WANG. | |
| <i>Deputy-Judges :</i> | |
| MM. REDLICH, | |
| DA MATTA, | |
| NOVACOVITCH, | |
| ERICH. | |

The first session held by the Court in its new composition began on January 15th, 1931. This session—which was the Twentieth (Ordinary) Session of the Court—was attended by the ordinary judges whose names are given above, with the exception of MM. Kellogg, de Bustamante and Wang, who were unable to sit. Solemn
inaugural
sitting.

¹ See p. 276 for the deletion by the Court of the provision of the Rules of Court giving precedence immediately after the President to the retiring President.

On January 20th, 1931, the Court held a public sitting at which the judges attending the session made the solemn declaration which is required of them before taking up their duties (Art. 20 of the Statute). In opening the sitting, the President, M. Adatci, delivered the following address :

“On January 10th, 1920, the Covenant of the League of Nations came into force ; it contemplated the creation of a Permanent Court of International Justice, the task of which would be to hear and determine any dispute of an international character which the Parties thereto might submit to it. It might also give an advisory opinion upon any dispute or question referred to it by the Council or Assembly.

Two years later, on February 15th, 1922, at a memorable sitting held in the same room in which we are now assembled, this Court was inaugurated. A new international institution was thus created, an institution which henceforward was to have an independent life of its own, and was to be the living embodiment of the conception of peace based on law.

The conception endures, and the institution remains, but men change. The judges who at a given moment have the great responsibility and honour of composing the Court—the guardians of this conception for a span of time which, in the life of the institution, will be but an instant—will above all be mindful of their duty of one day passing on to their successors, at all events undiminished and if possible increased, the heritage of confidence and authority which their predecessors, to their lasting merit, have succeeded in winning for the Court in public opinion.

To-day we have reached one of these moments when the guard changes. By the will of the creators of the Court, the term of office of the men who were the first to be called upon to compose it expired with the end of the past year. We have been appointed to continue the work which they began, in order that the life of the institution may be carried on now and in the future when the time comes for us to vacate our seats to others.

It is a sacred duty, the most difficult of all tasks. Accordingly, the creators of the Court, in their wisdom, wished to give the judges called upon to administer the law between nations, the moral support afforded by the recollection of a solemn declaration to be made in public and before taking up their duties—that they will faithfully discharge their task.

We, who to-day for the first time take our seats upon the Court, must now proceed to make this declaration, the pronouncement of which will enable us definitively to assume our task.”

The Registrar then read the communications from the Secretary-General of the League of Nations dated Septem-

ber 26th and October 3rd, 1930, notifying the President of the Court of the result of the new elections. He also read the following message from Sir Eric Drummond:

“On the occasion of the inaugural meeting held by the Court as newly composed, I feel that I shall be expressing the unanimous sentiment of the Members of the League of Nations and of the organs of the League in requesting you to greet in their name the members of this great international institution which experience has shown to be an indispensable factor in the organization of the world and the future of which is of the greatest moment to the community of nations.”

(3) BIOGRAPHICAL NOTES CONCERNING THE JUDGES AND DEPUTY-JUDGES.

M. MINÉITCIRÔ ADATCI, President.

M. Minéitcirô Adatci was born in the prefecture of Yamagata (Japan) on July 29th, 1870. He graduated in law at the Faculty of Law of Tokio in 1892 and was lecturer at the Free Faculty of Law from 1892 to 1893. He was appointed Secretary of Legation in 1893 and was Chargé d'affaires at Rome from 1893 to 1896, when he was transferred to Paris, where he was Chargé d'affaires in 1902. In 1903, he was appointed Counsellor at the Ministry for Foreign Affairs at Tokio and also Professor of Diplomatic History and International Law at the Faculty of Commercial Science of that city.

In 1906, he was appointed Director of the Legal Department and Director for questions of Protocol and Personnel, and at this date he received the highest law degree in Japan (*Hogaku-Hakushi*). In 1907 he returned as Counsellor of Embassy to Paris, where he was Chargé d'affaires in 1909 and 1910. He was Minister to Mexico from 1912 to 1915, and subsequently in 1917 to Belgium (Le Havre); in 1920 he was appointed Ambassador at Brussels and, in November 1927, Ambassador at Paris.

In 1904 and 1905, M. Adatci sat as judge of the Prize Courts of Sasébo and Yokosuka. In 1906, at Portsmouth, he was a member of the Committee which drafted the treaty of peace terminating the Russo-Japanese war; in 1906 he was a member of the governing body of the Japanese Red Cross and, in 1915 and 1916, he undertook missions in Russia. In 1919 he was deputy Japanese delegate at the Peace Conference at Paris. In 1920 he took an active part at The Hague in the drafting of the Statute of the Permanent Court of International Justice. He was first deputy-

delegate for Japan at the First Assembly of the League of Nations and subsequently Japanese delegate plenipotentiary at all other Assemblies; from 1927 to 1930 he represented Japan on the Council of the League of Nations, acting as rapporteur for minority questions. From 1922 to 1925 he represented the Japanese Government on the Governing Body of the International Labour Office and, in 1923, presided at the International Labour Conference. M. Adatci has also taken part in many international conferences or commissions, either as president or vice-president, or as delegate or member.

He has been a member of the Permanent Court of Arbitration since June 1924 and is also a member of many learned societies, including the Japanese Academy. He has been a member of the Institute of International Law since 1924, and was elected Vice-President for the session held by the Institute at Brussels; from 1922 to 1925 he was co-rapporteur for the Institute on the question of the amendment of the Covenant of the League of Nations.

M. J. GUSTAVO GUERRERO, Vice-President.

M. Guerrero was born at San Salvador (Salvador) on June 26th, 1876. He became Doctor of Law of the Faculties of Salvador and Guatemala in 1898. He entered the diplomatic service in 1902 and was successively Chargé d'affaires at Washington (1908), Minister Plenipotentiary to Italy (1912), then to Spain, to France and to the Vatican. He was appointed head of the delegation to the First Assembly of the League of Nations and to subsequent Assemblies, and has also represented Salvador at numerous international conferences, such as the Central American Conference which met at Washington in 1922, the Sixth Pan-American Conference of 1928, at which he presided over the Commission for Public International Law, etc.

M. Guerrero took an active part in the work of the League of Nations and served in the following capacities: Vice-President of the Conference on International Traffic in Arms, Ammunition and War Material; Vice-President of the Preparatory Commission for the Conference on the private manufacture of arms; President of the Committee for Political Questions of the Eighth Assembly of the League of Nations; Vice-President of the Legal Committee of the Communications and Transit Organization; President of the Legal Committee for questions between Poland and Lithuania. He acted as rapporteur to the Council of the League of Nations and also to the Assembly on numerous questions, including the super-

vision of the private manufacture of arms, the communications of the League of Nations at times of emergency, the agreement reached between the representatives of Great Britain, France, Italy and Roumania concerning the jurisdiction of the European Commission of the Danube, disputes between certain railway companies and governments, and the question of identity documents for persons without nationality, etc.

M. Guerrero was appointed a member of the Permanent Court of Arbitration at The Hague in 1926. He was recalled to his own country in 1927, where he served in the capacities of Minister for Foreign Affairs, Minister of Justice and Minister of Public Education. Having tendered his resignation, he returned to Europe and was appointed a member of the Committee of Three Jurists instructed to prepare a synopsis of the subjects of international law with a view to a general codification. Subsequently, at Paris, he presided over the Arbitration Tribunal upon the dispute between the Sopron-Koeszég Railway Company, Austria and Hungary. He represented Salvador on the Council of the League of Nations in 1926-1927 and, in 1929, was elected President of the Tenth Assembly of the League of Nations. Soon afterwards he presided over the Third General Committee of the Conference on the Treatment of Foreigners and, in March 1930, took part, as head of his delegation, in the First Conference on the Codification of International Law which met at The Hague. The first Committee of this Conference appointed him its rapporteur; he was also a member of the Drafting Committee.

Mr. FRANK B. KELLOGG, Judge.

Mr. Frank B. Kellogg was born at Potsdam, St. Lawrence County, New York State, on December 22nd, 1856. In 1865 he went to live in the State of Minnesota. In 1877 he was admitted to the bar and practised in Rochester (Minnesota) and St. Paul (Minnesota). He was Counsel for the Government in the following cases: the United States against the Paper Trust; the United States against the Standard Oil Trust, and the United States against the Union and Southern Pacific Railroad. In 1916 he was elected to the Senate and served from March 4th, 1917, to March 4th, 1923.

Mr. Kellogg was a delegate to the Universal Congress of Lawyers and Jurists at St. Louis in 1904, to the Fifth Pan-American Conference in Santiago, Chile, in March and April, 1923. In 1923 and 1924 he was Ambassador to Great Britain. From March 4th, 1925, to March 4th, 1929, he was

Secretary of State in President Coolidge's Cabinet and during March 1929 in that of President Hoover.

Mr. Kellogg is LL.D. of the following Universities: McGill University (Montreal), New York University (New York), Pennsylvania University (Philadelphia, Penn.), Georgetown University (Washington, D.C.), Harvard University (Cambridge, Mass.); St. Lawrence County University (Canton, N.Y.), Carlton College (Northfield, Minn.), Brown University (Providence, R.I.). He is also D.C.L. of Oxford University, England, and of Trinity College (Hartford, Conn.). In 1912 and 1913 he was President of the American Bar Association.

Baron ROLIN-JAEQUEMYS, Judge.

Baron Rolin-Jaequemys was born on January 23rd, 1863, at Ghent. He studied the humanities at Ghent and at Paris, and law and natural science at the Universities of Ghent and Brussels. He received the degree of Doctor of Law of the University of Brussels in 1884, and became Counsel before the Court of Appeal of Brussels. At the same time he was invited to take part in the management of the *Revue de Droit international et de Législation comparée*, which was founded at Ghent in 1869 by G. Rolin-Jaequemys (his father), D. Asser and J. Westlake, and of which Professor Rivier was subsequently chief editor. He was himself soon appointed chief editor of this review, and devoted himself actively to his duties in this capacity, until the publication of the review had to be suspended in August 1914.

In 1899, Baron Rolin-Jaequemys was delegate to the First Peace Conference at The Hague and acted as rapporteur of the second Committee which drew up the "International Regulations respecting the Laws and Customs of War on Land". Meantime, he had been appointed *Auditeur* to the *Conseil supérieur* of the Congo and then member of this body, which was at that time the Court of second appeal and of cassation of the independent State of the Congo. After the annexation of the Free State by Belgium, he became member of the *Conseil colonial*. In September 1914, he instigated the foundation at Brussels of the "Agency for the assistance of prisoners of war", which was based on Article 14 and the following articles of the "International Regulations respecting the Laws and Customs of War on Land"; this Agency functioned throughout the war, keeping prisoners of war in Germany in touch with their families in occupied Belgium and also in the contiguous French departments which were likewise occupied, and ensuring that assistance of every kind sent to such prisoners by or on behalf of their families, as also correspondence between them, was duly received.

In 1919, Baron Rolin-Jaequemyns served as Secretary-General of the Belgian delegation to the Peace Conference at Versailles. In 1920 he was Secretary-General of the International Conference at Spa. At the same time, he was appointed Belgian High Commissioner for the occupied territories of the Rhineland. He resigned this post in 1925, on his appointment as Minister of the Interior and of Health. On May 2nd, 1928, he was appointed a member of the Permanent Court of Arbitration, and subsequently he became a member of various arbitration and conciliation commissions instituted by international conventions. In 1928, 1929 and 1930, he took part as Belgian delegate, and on several occasions as rapporteur, in the proceedings of the Assembly of the League of Nations and in commissions set up at Geneva to study the questions of arbitration, security and disarmament.

Baron Rolin-Jaequemyns is the author of a number of articles which have been published more particularly in the *Revue de Droit international et de Législation comparée*. In 1891 he was elected associate member of the Institute of International Law, of which he became a member in 1896; in 1923, he presided at the Institute's session at Brussels.

Count ROSTWOROWSKI, Judge.

Count Michel Jean César Rostworowski is a member of a family belonging to the Kingdom of Poland (formerly attached to the Russian Empire). He was born on August 27th, 1864, at Dresden (Saxony), where his family had settled following the troubles resulting from the Polish Revolution of 1863.

From 1874 to 1884 he studied at the gymnasium and then at the University of Warsaw; subsequently, from 1884 to 1888, at the University of St. Petersburg, where he took his degree in law and where he also attended the course of lectures of the Faculty of Philosophy (Historical Section). From 1889 to 1891 he worked at the *École des Sciences politiques* at Paris, which he left with a "highly distinguished" diploma. He accomplished his third and fourth years of law at the University of Cracow from 1891 to 1893, and took his degree there as Doctor of Law. In 1894 he studied at Berne (Switzerland) and at Vienna (Austria). In 1896 he was appointed Privat-Dozent at the University of Cracow and acquired Austrian nationality. In 1903 he was appointed extraordinary professor of the Law of Nations and of Constitutional Law at the University of Cracow; later, in 1908, he was made ordinary Professor in the same subjects. In 1910 he was appointed Director of the School of Political Science founded by him at Cracow. In 1912-1913 he was dean of the

Faculty of Law at Cracow. In 1925 and 1926 he was rector of the University of that city.

Since 1920, Count Rostworowski has been a member of the Codification Commission of the Polish Republic and, *inter alia*, joint rapporteur for two bills concerning private inter-provincial and international law. He was Polish delegate to the Fifth and Sixth Hague Conferences for the Codification of Private International Law (1925 and 1928), to the Geneva Conference regarding the adherence of the United States to the Court's Statute (1926), and has several times been a member of the Polish delegation to the Assembly of the League of Nations.

Since 1923, Count Rostworowski has been a member of the Permanent Court of Arbitration. He sat as judge *ad hoc* on the Permanent Court of International Justice on four occasions: in 1925 and 1926 for the Chorzów case, in 1928 for the case concerning Minority schools in Upper Silesia, and in 1929 for the case concerning the Oder Commission. He is a member of conciliation commissions between Poland and Sweden, Belgium and Finland, Belgium and Spain, France and Denmark and between Switzerland and Luxemburg.

He is also a member of the Institute of International Law, of the International Law Association and of the International Institute of Public Law.

M. HENRI FROMAGEOT, Judge.

M. Fromageot was born at Versailles on September 10th, 1864. He studied successively at Paris, Leipzig and Oxford; he is Doctor of Law of the Faculty of Law at Paris and obtained the first gold medal of the Faculty of Law at Paris and the first gold medal at the general competitive examinations of the Faculties of Law (1891).

M. Fromageot who, besides being Legal Adviser to the Ministry for Foreign Affairs, is also a member of the Prize Court, a member of the Permanent Court of Arbitration and of the Conciliation Commission between Switzerland and Denmark, has taken part as arbitrator, agent or counsel in numerous international arbitrations and commissions of enquiry, amongst others: the case of the blockade of Venezuela (1903), the case of the perpetual leases in Japan (1903-1905), the Dogger Bank incident (1905), the case of the Russo-Turkish war indemnity (1910), the *Carthage* and *Manouba* cases (1912), the case concerning Church Property in Portugal (1914-1919), the case of the Mining Concessions in Morocco (1920-1921). From 1913 to 1922, he was President of the Anglo-American Arbitral Tribunal for Pecuniary Claims.

M. Fromageot has attended, as French governmental delegate, assistant delegate, technical delegate or expert, numerous international political, legal or technical conferences, amongst others the Second Peace Conference at The Hague, the Naval Conference in London, the Maritime Law Conferences at Brussels, the Peace Congress at Paris, the Washington Naval Conference, the Conferences of Spa, Boulogne, San Remo, Cannes, Genoa, London, Lausanne, Locarno, etc., as also the sessions of the Assembly, Council and commissions of the League of Nations since 1920. He has often been entrusted with legal or diplomatic missions by the French Government.

He has published various works on Civil Law, on Commercial Maritime Law, on Comparative Law and International Law.

M. Fromageot, who sat as judge *ad hoc* for the French Government in the cases of the Serbian and Brazilian loans in 1929, was elected judge of the Permanent Court of International Justice on September 19th, 1929, to replace M. André Weiss, deceased, for the unexpired portion of the latter's term of office.

M. ANTONIO S. DE BUSTAMANTE, Judge.

M. Antonio S. de Bustamante was born at Havana (Cuba) on April 13th, 1865. He began his education at Havana, continued it at Madrid, where his family went to live upon his father's appointment as member of the Spanish Senate, and completed it at Havana where, in 1884, he received the degree of Doctor of Administrative Law and, in 1885, that of Doctor of Civil and Canon Law. He has been a member of the bar of Havana since 1884 and Professor of International Public and Private Law at the University of that city since 1892; from 1902 to 1918 he was Senator of the Republic of Cuba.

In 1907, M. de Bustamante was President of the Cuban delegation to the Second Hague Peace Conference. In 1919 he was President of the Cuban delegation to the Peace Conference at Paris. In 1927 he was President of the Cuban delegation to the meeting held at Rio de Janeiro of the Committee of American Jurists appointed by the Pan-American Conferences to codify International Law. In 1928 he was President of the Cuban delegation to the Sixth Pan-American Conference which met at Havana, and was elected President of the Conference.

M. de Bustamante holds or has held a number of important offices, including the following: President of the International Academy of Comparative Law of The Hague (of which he was a Vice-President and founder in 1922); President of the Cuban International Law Society of Havana (of which he was a founder in 1915); President of the Cuban

National Committee of Intellectual Co-operation of Havana; honorary dean and former dean of the Faculty of Law of Havana. He is a member of the Academy of the Spanish language (correspondent), of the Academy of Legislation and Jurisprudence of Madrid (correspondent); of the Brazilian Society of International Law (honorary), of the American Society of International Law (honorary), of the National Academy of Arts and Letters of Havana (Former President and founder, 1909). Furthermore, he is Director of the Pan-American Academy of International Law of Havana (founder, 1929), a member of the board of the American Institute of International Law of Havana, honorary *bâtonnier* and former *bâtonnier* of the *Ordre des avocats* (President of the Bar Association) of Havana and honorary member of the *Ordre des avocats* of Brazil.

M. de Bustamante is doctor *honoris causa* of the Faculties of Law of San Marcos at Lima and of Columbia at New York; he is a member of the Institute of International Law and of the American Institute of International Law. Since 1908 he has been a member of the Permanent Court of Arbitration.

Amongst the works published by M. de Bustamante, the following may be mentioned:

Programas de las Asignaturas de derecho internacional público y privado; El orden público; Le canal de Panama et le droit international; Tratado de derecho internacional privado; La segunda conferencia de la Paz de El Haya; La Cour permanente de Justice internationale; Proyecto de Código de Derecho internacional privado; The Progress of Codification under the Auspices of the Pan-American Union; El Código de derecho internacional privado y la VI Conferencia pan-americana; El Mar territorial.

Most of these works have appeared in English, Spanish and French. The Code of Private International Law (the "Bustamante Code") which on June 15th, 1931, was in force between Cuba, Panama, the Dominican Republic, Brazil, Peru, Haiti, Costa Rica, Guatemala, Nicaragua, Honduras, Chile and Salvador, was officially published by the League of Nations in 1930.

From 1922 to 1930, M. de Bustamante was judge of the Permanent Court of International Justice.

M. RAFAËL ALTAMIRA, Judge.

M. Altamira was born at Alicante (Spain) on February 10th, 1866. He took his degree in law at the University of Valencia and became Doctor of Law of the University

of Madrid in 1887. His thesis for his doctor's degree was a "General History of Communal Property" published in 1890. From 1888 to 1897 he was Secretary of the National Pedagogic Museum. At various times during this period he was entrusted with the course of lectures for the degree of doctor at the Faculty of Law of Madrid as deputy for the jurist Ginez de los Rios, Professor of the philosophy of law. He took part in international educational congresses and in Hispano-American international congresses on history, archæology and American institutions. He gave courses of public lectures at the Pedagogic Museum and at the "Ateneo" of Madrid, *inter alia*, on the teaching of history and the teaching of law.

In 1897 he successfully competed for the professorship of the history of Spanish law at the University of Oviedo, where he remained until 1910. He occupied himself, amongst other things, with social problems and was consequently often called upon to act as arbitrator in various disputes between capital and labour. He instituted at the University of Oviedo the system of "university extension lectures", popular courses of lectures which attracted a large attendance from amongst the working classes in Asturias and Santander. In 1909 he was selected to give a series of lectures in South America, Mexico and Cuba, and he attended the Congress of American Historians at New York. On his return to Spain he was appointed Director General of Elementary Education, and took an active part in several congresses on education and the science of history. In 1913 he was appointed to the Diplomatic and Consular Institute as Professor of the history of modern colonization and of modern political history in America. In 1914 he resumed his functions at the University of Madrid (which he had abandoned owing to his appointment as Director General of Elementary Education in 1911), and was appointed to the newly created chair of "The civil and political institutions of America".

In 1919-1920, M. Altamira acted as Spanish arbitrator on the International Commission for Mining Disputes in Morocco. From 1916 to 1923 he was Senator, representing the University of Valencia. In this capacity he served on several legislative committees dealing with legal and social questions.

In 1920 M. Altamira was called upon to sit on the Committee of Jurists which prepared a draft Statute for the Court. He is an associate member of the Institute of International Law, doctor *honoris causa* of the Universities of Paris, Cambridge, Bordeaux, and of various other Spanish-American universities, and President of a section (comparative history of law) of the International Academy of Comparative Law. In 1920 he was elected President of the

Ibero-American Institute of Comparative Law; he directs the publication of a collection of works on modern comparative law, of which several volumes have been devoted to the League of Nations and to the Court and its decisions (*inter alia*: *La Sociedad de las Naciones y el proyecto de Tribunal permanente de Justicia Internacional*, and *El proceso ideológico del proyecto del Tribunal de Justicia Internacional*, of which M. Altamira is himself the author).

M. Altamira is also the author of legal and historical works, amongst which may be mentioned (in addition to the "History of Communal Property"): *Derecho consuetudinario español*; *Historia del Derecho*; *Ideario político, español e internacional*; *La Dictadura tutelar, y otros ensayos*; the *Littérature pacifiste moderne*; *Colección de textos para el estudio de la Historia y de las instituciones de America* (of which the first four volumes constitute the *Colección de Constituciones vijentes de los Estados americanos*).

From 1922 to 1930, M. Altamira was a judge of the Permanent Court of International Justice.

M. DIONISIO ANZILOTTI, Judge.

M. Anzilotti was born on February 20th, 1869, at Pescia (Lucca, Tuscany), obtained his degree as Doctor of Law at the University of Pisa in 1890 and practised as a barrister at the Court of Appeal of Florence until 1902. He was also Professor of Civil and Private International Law in that city. In 1902, he competed for and obtained the professorship of International Law at the University of Palermo. In 1904, he was appointed in the same capacity to the University of Bologna, and subsequently, in 1911, to the University of Rome, which appointment he still holds.

He was for a considerable period a member of the "Advisory Committee for Legal Questions" of the Ministry for Foreign Affairs at Rome. On many occasions he has acted as counsel to that Ministry: in particular, in 1913, in the "Carthage", "Manouba" and "Tavignano" cases before the Permanent Court of Arbitration. In 1919, he was legal adviser and technical delegate of his Government at the Peace Conference and, in 1920, was appointed Under-Secretary-General of the League of Nations and entrusted with the work preparatory to the constitution of the Permanent Court of International Justice.

M. Anzilotti is a member of the Royal Academy of Italy. He has been a member of the Permanent Court of Arbitration since 1916; he is also member or associate of a large number of learned Italian and international societies, amongst others, the Institute of International Law.

M. Anzilotti has published numerous legal works, amongst which special mention should be made of "The General Theory of the Responsibility of the State on International Law" (1902) and of his course of lectures on International Law. He founded and edits the *Rivista di Diritto internazionale*.

From 1922 to 1930, M. Anzilotti was a judge of the Permanent Court of International Justice, of which he was President from 1928 to 1930.

M. FRANCISCO JOSÉ URRUTIA, Judge.

M. Francisco José Urrutia was born at Popayan (Colombia) on April 12th, 1870.

He took his degree as Doctor of Law and Political Science in 1893, and was appointed Secretary of Legation in 1900. In 1906 he was Under-Secretary for Foreign Affairs and, in 1907, Minister for Foreign Affairs. He was elected a member of the Chamber of Representatives in 1911 and, in 1912, became Colombian Minister to Brazil. In 1913 he was once more Minister for Foreign Affairs. In 1914 he was appointed a Senator and, in 1918, became President of the Senate. In the same year he was accredited as Minister to Spain and Switzerland.

M. Urrutia was first Colombian delegate to the League of Nations from 1920 to 1930, and has represented his country at all Assemblies and on the Council (1926-1928), over which he presided at the session held in May-June, 1928. He has taken part in numerous committees or conferences, *inter alia*, the Communications and Transit Conference (1923); the Conference on the Suppression of Traffic in Obscene Publications (1923); the Conference on Trade in Arms and Ammunition (1925); the Diplomatic Conference held to consider the reservations placed by the United States Government upon adherence to the Statute of the Court and the amendment of that Statute, of which Conference he was elected first Vice-President (1929); the Conference on the Treatment of Foreigners (1929); the Conference for the Codification of International Law (1930). From 1927 onwards, he was President of the Permanent Legal Committee of the Communications and Transit Committee of the League of Nations.

In 1927, M. Urrutia became a member of the Permanent Court of Arbitration; he is also a member of a number of learned societies including the Institute of International Law, the American Institute of International Law, the American Society of International Law, the Diplomatic Academy, etc.

M. Urrutia has published a number of works including: *La Evolución del principio de arbitraje en America* (1908); *Comentarios de la Declaración del Instituto Americano de*

Derecho Internacional sobre derechos y deberes de las Naciones (1915); *Paginas de historia diplomática: Las primeras relaciones entre los Estados Unidos de America y las Republicas latino-americanas*; *Las Conferencias Pan-americanas* (1923); *Le continent américain et le droit international* (1928); *Lectures at the International Academy at The Hague* (1928).

Sir CECIL J. B. HURST, Judge.

Sir Cecil Hurst was born at Horsham on October 28th, 1870. He was educated at Westminster, and at Trinity College (Cambridge) where he graduated as LL.B. in 1892 after being placed in the first class in the Law Tripos. He was called to the bar in 1893. In 1902 he entered the Foreign Office in London as Assistant Legal Adviser, becoming Legal Adviser in 1918.

In 1907 he was one of the British technical delegates at the Second Peace Conference and was a member of the Drafting Committee of the Conference. In 1908 he was a British delegate at the International Naval Conference in London which framed the Declaration of London. In 1910 he was appointed by the King to be a member of the Commission to report on the Alsop claim referred to the arbitration of His Majesty by the Governments of the United States and of Chile. In 1912 he was appointed British Agent and Counsel for the Pecuniary Claims Commission established by the Governments of Great Britain and the United States by the treaty of 1910 to settle the claims outstanding between the two Governments. In 1919 he was a member of the British delegation to the Peace Conference in Paris and subsequently became the British member of the Committee of Legal Advisers to the Conference of Ambassadors. He was Counsel for Great Britain before the Permanent Court of International Justice in the cases of the *Wimbledon* (Judgment No. 1), *Mavrommatis*—jurisdiction question (Judgment No. 2), and the *Oder* (Judgment No. 16). In 1929 he was appointed a member of the Permanent Court of Arbitration and elected a judge of the Permanent Court of International Justice, for the unexpired portion of the late Lord Finlay's term of office.

Sir Cecil Hurst was made a C.B. in 1907, a K.C. in 1913, and a K.C.B. in 1920. In 1922 he was elected to be a Bencher of the Middle Temple. In 1924 he was made a K.C.M.G. and a G.C.M.G. in 1926. He received the degree of LL.D. *honoris causa* from the University of Cambridge in 1928.

Professor WALTHER SCHÜCKING, Judge.

Professor Walter Schücking was born at Münster (Westphalia) on January 6th, 1875. He was educated at the elementary school and at the "Gymnasium" of that city, and after having matriculated he studied law at the Universities of Munich, Bonn, Berlin and Göttingen. He became Doctor of Law in 1897, on completion of a thesis which was crowned by the Faculty of Law at Göttingen and which was entitled *Das Küstenmeer im internationalen Recht*. He then worked for two years at the District Court of Münster. In the autumn of 1899, he was appointed Professor of the history of German Law, of Public Law and of International Law at Göttingen. A year later he became extraordinary Professor at the University of Breslau. In 1903 he was definitively appointed titular Professor in the same subjects at the University of Marburg, where he had already lectured in 1902 and where he remained until April 1st, 1921.

After the end of the war, the German Republican Government appointed him President of a Commission for the consideration of claims respecting the treatment of prisoners of war in Germany. In 1919 he was elected by the democratic party to the National Assembly. In the same year he was one of the six deputies sent to Versailles for the peace negotiations. At the following elections he was elected to the Reichstag (1920-1928); giving up his chair at Marburg, he then settled at Berlin, where he was given the professorship of Public Law at the High School of Commerce. Since 1926, he has held the chair of Public and Private International Law at the University of Kiel; he is also Director of the Institute of International Law at that University.

M. Walther Schücking has been a member of the Permanent Court of Arbitration since 1921, and belongs to a large number of international and other learned societies. As member of the Reichstag, he was President of the German Group of the Interparliamentary Union for Arbitration and Peace, and presided at the plenary conference of that organization in 1928. In 1924, he was appointed by the Council of the League of Nations a member of the Committee for the Codification of International Law. M. Schücking sat on the Permanent Court of International Justice as judge *ad hoc* appointed by the German Government in the *Wimbledon* case (June-August, 1923) and in that of the *Minority schools in Upper Silesia* (March-April, 1928). In the spring of 1930, M. Schücking was a member of the German delegation to the First Conference for the Codification of International Law (at The Hague).

M. Schücking's scientific works mainly relate to the history of German law, public law, international law and politics. Amongst his numerous works on international law may be mentioned the following: *Organisation der Welt*, 1908; *Der Staatenverband der Haager Konferenzen*, 1912; *Das völkerrechtliche Institut der Vermittlung*, 1923; *Die Satzung des Völkerbundes* (in collaboration with H. Wehberg), second edition, 1924; *Le développement du Pacte de la Société des Nations* (Collection of lectures of the Academy of International Law, 1927), 1929. M. Schücking edits or contributes to the following publications: *Völkerrechtliche Monographien* (since 1914); *Veröffentlichungen des Instituts für internationales Recht in Kiel* (since 1927); *Zeitschrift für Völkerrecht* (since 1930). Furthermore, M. Schücking has assumed the supervision of the German edition of the Court's publications, which is published by the *Institut für Internationales Recht*, at Kiel.

M. DEMÈTRE NEGULESCO, Judge.

M. Negulesco was born at Bucharest on January 18th, 1875. He took his degree in mathematics and became Doctor of Law of the University of Paris in 1900. From 1901 to 1908 he was judge of the Court of Bucharest and in 1901 was appointed Professor at the Faculty of Law of that city; he still held the professorship of International Law at that Faculty in 1930. He is also Professor of the *Institut des Hautes Études internationales* of Paris.

He was elected a deputy in 1913 and was a delegate of the Roumanian Parliament to the Interparliamentary Conference held at The Hague in that year. In 1918 he founded the Roumanian League of Nations Association, and was a delegate to the Congress of London in March 1919. He was a delegate for Roumania to the First, Second and Sixth Assemblies of the League of Nations and took part in the work of the committee entrusted with the preparation of the Statute of the Permanent Court of International Justice, as also in that of the committee appointed to consider amendments to the Covenant. He also took part in the Conference concerning the adherence of the United States of America to the Court's Statute (1926), and in the First Conference for the Codification of International Law (1930), at which he was Vice-President of the Roumanian delegation.

M. Negulesco is an associate member of the Institute of International Law, a member of the International Law Association, member of the International Diplomatic Academy, President of the Roumanian Institute of International Law and co-director of the "Roumanian Review of International

Law" (*Revista de Drept International*). He is the author of numerous articles on international law, which have been published in Roumanian or foreign reviews.

M. Negulesco was a deputy-judge of the Permanent Court of International Justice from 1922 to 1930.

Jonkheer W. J. M. VAN EYSINGA, Judge.

Jonkheer van Eysinga was born on January 31st, 1878, at Noordwijkerhout. He became Doctor of Law of the University of Leyden in 1900 and Doctor of Political Science of the same University in 1906.

From 1902 to 1908, Jonkheer van Eysinga served in the Dutch Ministry for Foreign Affairs; in the latter part of this period he was Director of the Legal and Political Section. In 1907 he was assistant delegate to the Second Peace Conference. From 1908 to 1912 he was Professor of Public Law at the University of Groningen. In 1910 he was appointed Dutch Commissioner for the Navigation of the Rhine, and in 1912 Professor of Public International Law at the University of Leyden.

At the beginning of 1919, Jonkheer van Eysinga was a member of the Dutch delegation to the Conference held between the Peace Conference of Paris and certain neutral governments concerning the Covenant of the League of Nations and also of the Dutch delegation which dealt with the Belgian questions at Paris. He took an active part in the deliberations with regard to the adherence of the Netherlands to certain provisions of the Peace Treaty of Versailles relating to the Rhine. Jonkheer van Eysinga also took part at Paris in the preliminary work in connection with the transit organization of the League of Nations, and was the First President of the Advisory and Technical Committee of that organization. He represented the Dutch Government at the three general transit conferences (Barcelona, 1921, Geneva, 1923 and 1927), and was also a member of the Permanent Legal Committee of the Transit Organization. In 1925 he was President of the Committee of Jurists appointed by the Council of the League of Nations to give an opinion on the dispute between Danzig and Poland concerning the management of railways.

From 1920 onwards he was a member of the Dutch delegation to the Assemblies of the League of Nations.

In 1921, Jonkheer van Eysinga was a member of the arbitral tribunal which, presided over by M. Max Huber, decided a dispute between Germany and certain Dutch Banks holding mortgages in respect of ceded vessels (*scheepshypotheekbanken*).

In 1922-1923 he was a member of the Committee of Jurists appointed to examine and report upon the revision of the laws of war (The Hague). In 1926 he was President of the Conference concerning the adherence of the United States of America to the Court's Statute; in 1929 he was a member of the Committee of Jurists appointed to consider the revision of the Court's Statute and the adherence of the United States of America to that Statute; and in the same year he was appointed President of the Conference which dealt with these two questions. In 1930 he represented the Dutch Government at the Conference for the Codification of International Law at The Hague. He has been appointed member of a number of permanent conciliation commissions.

Jonkheer van Eysinga is a member of the Permanent Court of Arbitration; he is also a member of the Royal Academy of Science of Amsterdam. In 1923 and 1927 he lectured at the Academy of International Law at The Hague, and for four years he gave lectures to H.R.H. the Princess of the Netherlands on Dutch Constitutional Law and Public International Law.

He is the author of a number of books and articles.

M. WANG, Judge.

M. Wang was born in 1881 in the province of Kwang-Tung. He passed his examination in law at the Faculty of the University of Peiyang (Tientsin) in 1900. In 1901, while residing in Japan, he edited a paper which was the principal organ of the Chinese Revolutionary Society formed by Dr. Sun Yat-Sen. Subsequently, he studied law at the Universities of California and Yale in America. He became Doctor of Civil Law of the University of Yale, and later was called to the Bar in London in 1907. The years from 1907 to 1911 he devoted to a study of comparative law in Germany and France, and was Chinese delegate at the first International Conference for the Unification of Legislation concerning Bills of Exchange at The Hague.

M. Wang became Minister for Foreign Affairs in the provisional republican Government at Nankin and Minister of Justice in the first republican cabinet at Peking. From 1917 to 1920 he was President of the Commission for the Codification of Laws. He was also a member of the Supreme Court. He represented his Government at the Second Assembly of the League of Nations and at the Washington Conference for the Limitation of Armaments. In 1924 he was appointed by the Council of the League of Nations a member of the Commission for the Progressive Codification of International Law. He was Minister of Justice of the National Government (1927-1928).

Since 1928 he has been Counsellor of State of the National Government and President of the Judicial *Yuan*.

M. Wang has been a member of the Permanent Court of Arbitration at The Hague since 1928. He is also a member of the International Academy of Comparative Law. He has contributed to many Chinese, European and American legal reviews. He has written several works on constitutional and comparative law and has published an English edition of the German Civil Code.

From 1922 to 1930, M. Wang was a deputy-judge of the Permanent Court of International Justice.

M. JOSEPH REDLICH, Deputy-Judge.

M. Redlich was born on June 18th, 1869, at Hodonin (Moravia). He studied law, political science and modern history at the Universities of Vienna, Leipzig and Tübingen from 1886 to 1890. After receiving the degree of Doctor of Law of the University of Vienna in 1891, he entered the administrative and judicial service of the Austrian Empire in the Government of the Province of Moravia. He was attached to the Civil Court of Vienna and was *referendar* from 1891 to 1897. In 1901 he became supplementary Professor of the Faculty of Law and Political Science at Vienna and was appointed extraordinary Professor in 1907 and ordinary Professor of the University of that city in 1908.

In 1906 he was elected member of the Diet of Moravia and in 1907 he became a Deputy in the Austrian Parliament; in 1908 he was a member of the joint delegation for Austria and Hungary. M. Redlich remained a Member of Parliament until the dissolution of the Austro-Hungarian Empire in November 1918.

He went to Harvard University in 1906 as "Exchange Professor", and in 1910 he gave a series of lectures as "Godkin lecturer" at that University and at the John Hopkins University at Baltimore. In 1913 he went back to the United States to give a series of lectures.

In 1918 he was appointed Minister of Finance in Austria and in 1921 he represented the Austrian Republic at Washington. In 1926 he was made honorary Professor at the University of Vienna and appointed Professor of Comparative Public Law at the Faculty of Law of Harvard University. He has resided there since 1926.

M. Redlich has published numerous works, including the following: in 1901 a work on local government in England; in 1905 a work entitled *Law and procedure of the English Parliamentary System*; a work on legal education in America; from 1921 to 1926 a *Political history of Austria since 1848*; in

1924 a volume on the *Government of Austria and its internal administration during the world war*; this volume forms part of the collection of works on the Social and Economic History of the War, published by the Carnegie Endowment for International Peace; and in 1928 a biography of the Emperor Francis Joseph.

M. Redlich is a member of the European Council of the Carnegie Endowment for Peace; he has since 1920 co-operated in the foundation and activities of the Austrian League of Nations Union; he was given the freedom of the city of Vienna by the Municipal Council in 1930.

M. JOSÉ CAEIRO DA MATTA, Deputy-Judge.

M. Caeiro da Matta, who was born on January 6th, 1877, studied at the University of Coimbra, where he received the degree of Doctor of Law. He was appointed titular Professor of Penal Law and Criminal Sociology at the Faculty of Law of that University and also lectured there on civil, commercial, international and ecclesiastical law and on the history of law.

In 1920 he was appointed titular Professor of Private International Law at the Faculty of Law of the University of Lisbon.

In 1908 he was appointed a member of the Upper Council of Public Education, of which he has been Vice-President since 1926.

M. Caeiro da Matta, who has several times been a Member of Parliament, was delegate for the Portuguese Government at the following conferences: the Conference on Russian Debts (The Hague, 1922); the International Conference for the Suppression of Counterfeiting Currency (Geneva, 1929); the Conference for the Codification of International Law (The Hague, 1930); the International Conference for the Unification of the Laws relating to Bills of Exchange, Promissory Notes and Cheques (Geneva, 1930); he was head of the Portuguese delegation to the International Conference held at Geneva with a view to concerted Economic Action (1930); he was Agent for the Portuguese Government in the arbitration with Great Britain concerning the Campbell case and before the Permanent Court of International Justice at its First Session in the question concerning the competence of the International Labour Organization with regard to agricultural labour (July 1922).

M. Caeiro da Matta is a member of the Penal and Penitentiary Council, of the Upper Council of Statistics, of the International Maritime Law Commission and also of a number of Portuguese or foreign learned societies (Academy of Science of Lisbon, Society of Comparative Legislation, the Francisco de Victoria Spanish Association of International Law, the Ibero-

American Institute of Comparative Law, the International Diplomatic Academy, the International Association of Penal Law, the Historical and Geographical Institute of Bahia (Brazil), the Bar Association of Brazil). He has published numerous works, including the following :

O furto (Esboço historico e juridico); Sociologia criminal e Direito penal; Direito Civil português; Direito Comercial português; Direito Criminal português; Historio do Direito português; Collecção de textos de Direito peninsular: I. Leis romanas; Collecção de textos de Direito peninsular: II. Leis germanicas; Un caso de incompetencia internacional dos tribunais portugueses; Direito internacional privado: I. Tratados normativos.

M. MILETA NOVACOVITCH, Deputy-Judge.

M. Novacovitch was born at Belgrade on December 11th, 1878. He was educated at the elementary school and at the high school gymnasium of that city and, after matriculation, studied law at the University of Paris where he became Doctor of Law in 1905, his thesis being upon international arbitrations from the XIIIth to XVth centuries. In 1906 he was entrusted with the course of lectures on public international law at the Faculty of Law of Belgrade and was appointed to the titular professorship in that subject in 1908. In 1920, M. Novacovitch was entrusted with the teaching of public international law at the Higher Military School of Belgrade, whilst retaining his professorship at the University, and in 1922 he was appointed a member of the examining Committee at the Ministry for Foreign Affairs. Since 1929, M. Novacovitch has been dean of the Faculty of Law of Belgrade.

M. Novacovitch has been on several occasions entrusted by his Government with missions abroad. In 1920, he was counsel for the Yugoslav Government before the American arbitrator, Mr. Hines, who, in pursuance of the Treaty of Saint-Germain, allocated the Danube River flotilla; in 1921 and 1924 he was Yugoslav delegate at the Assemblies of the League of Nations; in 1923 he was President of the Commission entrusted with the liquidation of questions at issue between Yugoslavia and Bulgaria.

M. Novacovitch has published: in the *Jahrbuch für Völkerrecht*, Vol. II (1914), an article on pacific blockade; a work on the occupation of Serbia (Paris, 1917); an article on arbitration in Serbian private law (published in the *Annuaire de l'Arbitrage*, published under the management of Professor Nussbaum of Berlin). He has published in Serbian numerous works and articles on arbitration, the Hague Conferences, the League of Nations and the Permanent Court of International Justice.

In 1920, in consideration of his scientific work, he received the degree of doctor *honoris causa* of the University of Strassburg. Since 1928, he has been President of the Yugoslav International Law Society, which is affiliated to the International Law Association of London.

M. RAFAEL WALDEMAR ERICH, Deputy-Judge.

M. Rafael Waldemar Erich was born on June 10th, 1879, at Turku (Åbo), Finland. He studied and took his degree at the University of Helsinki (Helsingfors), also spending some time at Heidelberg, Paris, etc. In 1907 he became Doctor of Law of the University of Helsinki (Helsingfors).

In 1906 he entered upon the career of a University Professor by lecturing at the Faculty of Law of the Helsinki University. He was appointed Professor of Constitutional Law and International Law in 1910 and, in 1922, after the establishment of a special chair of international law, was appointed Professor in that subject. He lectured at the Academy of International Law at The Hague in 1926 and 1929, and has lectured at several universities and institutes in Scandinavian countries.

M. Erich took part in the international discussions in London in 1910 concerning Russo-Finnish questions. During the world war he was a member of the Central Committee for the Liberation of Finland. In 1919 and 1921-1926 he was Legal Adviser to the Finnish Ministry for Foreign Affairs; he was a Member of Parliament from 1919 to 1924, and from 1920 to 1921 he acted as President of the Council of Ministers. In this capacity he was called upon *inter alia* to defend the standpoint of Finland in the dispute concerning the Aaland Islands. He has been Finnish delegate to several international conferences, including the Peace Conference between Finland and Russia in 1918, two Scandinavian conferences concerning aviation (1919 and 1920), three conferences of experts for the preparation of treaties of conciliation and arbitration, the Conference concerning the non-fortification and neutralization of the Aaland Islands (1921), the Conference concerning the adherence of the United States to the Permanent Court of International Justice (1926), the Diplomatic Conference for the abolition of import and export restrictions (1927), the First Conference for the Codification of International Law (1930), the Preparatory Commission for Disarmament and the Security Committee; he has also been a delegate to all sessions of the Assembly of the League of Nations since 1921, and was Vice-President of the First Assembly Committee in 1928. He is a member of the Permanent Court of Arbitration of The Hague, member or president of several international

conciliation commissions, a member of the Committee of Experts appointed to enquire into the application of conventions adopted by the International Labour Organization, and President of the National Commission which, since 1923, had done the preparatory work in connection with Finland's participation in the international efforts directed towards the reduction of armaments, security and international organization; with M. Holsti, he initiated regulations for financial assistance.

M. Erich was from 1926 to 1927 Finnish Envoy extraordinary and Minister Plenipotentiary at Berne and permanent delegate to the League of Nations. Since 1928, he has been Envoy extraordinary and Minister Plenipotentiary at Stockholm.

M. Erich belongs to several learned societies in Finland and abroad; in particular he has been an associate of the Institute of International Law since 1925; he is a member of the International Diplomatic Academy, one of the editors of the Review *Acta scandinavica juris gentium*, contributor to several reviews and publications, including the *Revue de Droit international et de Législation comparée*.

M. Erich is the author of numerous legal works published in Finnish, Swedish, French and German.

(4) JUDGES "AD HOC".

(Cf. First Annual Report, p. 27.)

The following persons have been nominated in accordance with Articles 4 and 5 of the Statute, either in 1921 (election of members of the Court) or in 1923 (replacement of M. Barbosa, deceased) or in 1928 (replacement of Mr. Moore, resigned) or in 1929 (replacement of M. André Weiss and Lord Finlay, deceased) or in 1930 (replacement of Mr. Charles Evans Hughes, resigned, and new election of the whole Court). The names printed in **fatfaced letters** are those of candidates elected to the Court; the names printed in **fatfaced letters** but in brackets are those of candidates elected previously but not re-elected in 1930; names printed in *italics* are those of persons whose death has been reported to the Court.

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| Adachi , Minéitcirô | Japan |
| <i>Ador</i> , Gustave | Switzerland |
| AIYAR, Sir P. S. Sivaswami | India |
| ALFARO, Ricardo J. | Panama |
| ALFARO, F. A. Guzman | Venezuela |
| Altamira , Rafael | Spain |
| ALVAREZ, Alexandre | Chile |

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| AMEER ALI, Saiyid | India |
| ANDRÉ, Paul | France |
| ANGLIN, Franck A. | Canada |
| Anzilotti , Dionisio | Italy |
| ARENDDT, Ernest | Luxemburg |
| AYON, Alfonso | Nicaragua |
| BAKER, Newton D. | U.S. of America |
| BALAMEZOV, St. G. | Bulgaria |
| BALOGH, Eugène de | Hungary |
| <i>Barbosa</i> , Ruy | Brazil |
| BARRA, F. L. de la | Mexico |
| BARTHÉLÉMY, Joseph | France |
| BASDEVANT, Jules | France |
| BATTLE Y ORDOÑEZ, José | Uruguay |
| (Beichmann , Frederik Waldemar N.) | Norway |
| BEVILAQUA, Clovis | Brazil |
| BONAMY, Auguste | Haiti |
| BORDEN, Sir Robert | Canada |
| BOREL, Eugène | Switzerland |
| BORNO, Louis | Haiti |
| BOSSA, Simon | Colombia |
| <i>Bourgeois</i> , Léon | France |
| BOYDEN, William Roland | U.S. of America |
| BRUM, Baltasar | Uruguay |
| BUCKMASTER, Lord | Great Britain |
| BUERO, Juan A. | Uruguay |
| Bustamante , Antonio S. de | Cuba |
| BUSTAMANTE, Daniel Sanchez | Bolivia |
| BUSTILLOS, Juan Francisco | Venezuela |
| CHAMBERLAIN, Joseph E. | U.S. of America |
| CHINDAPIROM, Phya | Siam |
| CHYDENIUS, Jacob Wilhelm | Finland |
| <i>Colin</i> , Ambroise | France |
| CRUCHAGA TOCORNAL, Miguel | Chile |
| DANEFF, Stoyan | Bulgaria |
| DAS, S. R. | India |
| DEVIDUR, Phya | Siam |
| DESCAMPS (Le baron) | Belgium |
| DOHERTY, Charles | Canada |
| DREYFUS, Eugène | France |
| DUFF, Lyman Poore | Canada |
| DUPUIS, Charles | France |
| Erich , Rafael | Finland |
| Eysinga , Jonkheer W. J. M. van | Netherlands |
| FADENHEHT, Joseph | Bulgaria |
| <i>Fauchille</i> , Paul | France |
| FERNANDEZ Y MEDINA, Benjamin | Uruguay |
| <i>Finlay</i> , Robert Bannatyne, Viscount | Great Britain |

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| FRIIS, M. P. | Denmark |
| Fromageot , Henri | France |
| GODDYN, Arthur | Belgium |
| <i>Gonzalez</i> , Joaquin V. | Argentina |
| GOYENA, J. Y. | Uruguay |
| GRAM, G. | Norway |
| GRISANTI, Carlos F. | Venezuela |
| GUANI, Alberto | Uruguay |
| Guerrero , J. Gustavo | Salvador |
| HAILSHAM, Lord | Great Britain |
| <i>Halban</i> , Alfred | Poland |
| HAMMARSKJÖLD, Hj. L. | Sweden |
| HAMMARSKJÖLD, Åke | Sweden |
| HANOTAUX, Gabriel | France |
| HANSSON, Michael | Norway |
| HANWORTH, Lord | Great Britain |
| HASSAN KHAN MOCHIROD DOWLEH (H.H.) | Persia |
| HERMANN-OTAVSKY, Charles | Czechoslovakia |
| HIGGINS, A. Pearce | Great Britain |
| HONTORIA, Manuel Gonzales | Spain |
| HOZ, Julian de la | Uruguay |
| (Huber , Max) | Switzerland |
| (Hughes , Charles Evans) | U.S. of America |
| Hurst , Sir Cecil | Great Britain |
| HYDE, Charles Cheney | U.S. of America |
| HYMANS, Paul | Belgium |
| IMAM, Sir Saiyid Ali | India |
| JESSUP, Philip | U.S. of America |
| KADLETZ, Karel | Czechoslovakia |
| KARAGUIOZOV, Anguel | Bulgaria |
| Kellogg , Frank B. | U.S. of America |
| KLAESTAD, Helge | Norway |
| <i>Klein</i> , Franz | Austria |
| KOSTERS, J. | Netherlands |
| KRAMARZ, Charles | Czechoslovakia |
| KRIEGE, Johannes | Germany |
| KRITIKANUKORNKITCH, Chowphya Bij- aiyati | Siam |
| LAFLEUR, Eugène | Canada |
| LANGE, Christian | Norway |
| LAPRADELLE, Albert de | France |
| LARNAUDE | France |
| LEE, Frank William Chinglun | China |
| LE FUR, Louis | France |
| LEMONON, Ernest | France |
| LESPINASSE, Edmond de | Haiti |
| LIANG, Chi-Chao | China |

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| LIMBURG, J. | Netherlands |
| (Loder, B. C. J.) | Netherlands |
| Magyary, Géza de | Hungary |
| MANOLESCO RAMNICEANO | Roumania |
| MARKS DE WURTEMBERG, Baron Erik Teodor | Sweden |
| MASTNY, Vojtěch | Czechoslovakia |
| Matta, J. L. da | Portugal |
| MOHAMMED ALI KHAN ZOKAOL MOLK (Moore, John Bassett) | Persia U.S. of America |
| MORALES, Eusebio | Panama |
| MORENA, Alfredo Baquerizo | Ecuador |
| Negulesco, Demètre | Roumania |
| Novacovitch, Miléta | Yugoslavia |
| (Nyholm, Didrik Galtrup Gjedde) | Denmark |
| OCA, Manuel Montès de | Argentina |
| OCTAVIO DE LANGAARD MENEZES, Rodrigo | Brazil |
| (Oda, Yorozu) | Japan |
| PAPAZOFF, Theohar | Bulgaria |
| PAREJO, F. A. | Venezuela |
| (Pessôa, Epitacio da Silva) | Brazil |
| Phillimore, Lord Walter George Frank | Great Britain |
| PIOLA-CASELLI, Edoardo | Italy |
| POINCARÉ, Raymond | France |
| POLITIS, Nicolas | Greece |
| POLLOCK, Sir Frederick | Great Britain |
| POUND, Roscoe | U.S. of America |
| RAHIM, Sir Abdur | India |
| READING, Marquess of | Great Britain |
| Redlich, Joseph | Austria |
| REYES, Pedro Miguel | Venezuela |
| RIBEIRO, Arthur Rodrigues de Almeida | Portugal |
| Richards, Sir Henry Erle | Great Britain |
| Rolin-Jaequemyns, Le baron | Belgium |
| ROOT, Elihu | U.S. of America |
| Rostworowski, Michel | Poland |
| Rougier, Antoine | France |
| SALAZAR, Carlos | Guatemala |
| SANTOS, Abel | Venezuela |
| SCHEY, Joseph | Austria |
| SCHLYTER, Karl | Sweden |
| Schücking, Walther | Germany |
| SCHUMACHER, Franz | Austria |
| SCOTT, James Brown | U.S. of America |
| SCOTT, Sir Leslie | Great Britain |
| SÉFÉRIADÈS, Stelio | Greece |
| SETALVAD, Sir C. H. | India |

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| SIMONS, Walther | Germany |
| SMUTS, General J. C. | Union of South Africa |
| SOARES, Auguste Luis Vieira | Portugal |
| STREIT, Georges | Greece |
| STRUPP, Karl | Germany |
| <i>Struycken</i> , A. A. H. | Netherlands |
| TCHIMITCH, Ernest | Yugoslavia |
| <i>Tybjerg</i> , Erland | Denmark |
| UNDÉN, Östen | Sweden |
| Urrutia , Francisco José | Colombia |
| VARELA, José Pedro | Uruguay |
| VELEZ, Fernando | Colombia |
| VERDROSS, Alfred | Austria |
| VILLAZON, Eliodoro | Bolivia |
| VILLIERS, Sir Etienne de | Union of South Africa |
| VISSCHER, Charles de | Belgium |
| WALKER, Gustave | Austria |
| WALLACH, William | India |
| Wang Chung-Hui | China |
| <i>Weiss</i> , André | France |
| WESSELS, Sir Johannes Wilhelmus | Union of South Africa |
| WICKERSHAM, George Woodward | U.S. of America |
| WIGMORE, John H. | U.S. of America |
| WILSON, George Grafton | U.S. of America |
| WREDE, Baron R. A. | Finland |
| (Yovanovitch , Michel) | Yugoslavia |
| <i>Zeballos</i> , Estanislás | Argentina |
| ZEPEDA, Maximo | Nicaragua |
| <i>Zolger</i> , Ivan | Yugoslavia |
| ZORILLA DE SAN MARTIN, Juan | Uruguay |

As indicated in previous Annual Reports, judges *ad hoc* Judges *ad hoc*. have sat on the Court in the following contested cases :

"Wimbledon" ¹,

Mavrommatis (jurisdiction and merits) ²,

German interests in Polish Upper Silesia (jurisdiction and merits) ³,

Claim for indemnity in connection with the factory at Chorzów (jurisdiction) ⁴,

"*Lotus*" ⁵,

Readaptation of the Mavrommatis Jerusalem Concessions ⁶,

¹ See First Annual Report, p. 163.

² " " " " " " 169.

³ " Second " " " " 99.

⁴ " Fourth " " " " 155.

⁵ " " " " " " 166.

⁶ " " " " " " 176.

Rights of Minorities in Polish Upper Silesia (Minority schools) ¹,

Claim for indemnity with respect to the Chorzów factory (merits) ²,

Payment of various Serbian loans issued in France ³,

Payment in gold of Brazilian Federal loans contracted in France ⁴,

Free Zones of Upper Savoy and the District of Gex ⁵ (first phase),

Territorial extent of the jurisdiction of the Oder Commission ⁶,

and in the following question for advisory opinion (Art. 71 [revised] of the Rules of Court):

Jurisdiction of the Danzig Courts ⁷.

Since June 15th, 1930, the Court has had before it another question submitted for advisory opinion which necessitated the appointment of a judge *ad hoc*, namely, the question concerning the interpretation of certain clauses of the Greco-Bulgarian Convention of November 27th, 1919 (the so-called "question of the Greco-Bulgarian Communities"), in regard to which an advisory opinion was given on July 31st, 1930 ⁸. A biographical note concerning M. Caloyanni, who was appointed judge *ad hoc* by the Greek Government for this question, is contained in the First Annual Report, p. 54. As regards M. Papazoff, judge *ad hoc* for the Bulgarian Government, a biographical note will be found in the Sixth Annual Report, p. 26.

The Court has also again had before it the case of the Free Zones of Upper Savoy and the District of Gex, the second phase of which it concluded by an Order made on December 6th, 1930 ⁹. For this case, M. Eugène Dreyfus, who had been judge *ad hoc* for the French Government in the first phase of the case, again took his seat on the Bench; a biographical note will be found in the Fifth Annual Report, p. 34. The case of the Free Zones is still before the Court.

¹ See Fourth Annual Report, p. 191.

² " Fifth " " " " 183.

³ " " " " " 205.

⁴ " " " " " 216.

⁵ " Sixth " " " " 201.

⁶ " " " " " 213.

⁷ " Fourth " " " " 213.

⁸ " p. 245.

⁹ " " 233.

The list for the Twenty-Second (extraordinary) Session convened for July 16th, 1931, includes another case submitted to the Court for advisory opinion, which (before June 15th, 1931) has necessitated the appointment of a judge *ad hoc*. This is the question concerning railway traffic between Lithuania and Poland (Section of the line Landwarów-Kaisiadorys). The Lithuanian Government has appointed M. Vladas Stašinskas, Advocate and Governor of the Bank of Lithuania, to sit in this case.

M. VLADAS STAŠINSKAS.

M. Vladas Stašinskas was born in 1874 in Lithuania (District of Siauliai). After concluding his studies at the Faculty of Law of the University of Moscow in 1902, he practised as a barrister at Kaunas.

From 1920 to 1925 he was President of the Council of the Bar Association of Lithuania.

In 1907, M. Stašinskas was elected to the Douma (Parliament of the Russian Empire) as Deputy for the city of Kaunas.

In 1918, when Lithuania recovered her independence, he was a member of the first Cabinet as Minister for the Interior. Later, under the second Cabinet, he acted as State Supervisor.

Since June 7th, 1930, M. Vladas Stašinskas has been Governor of the Bank of Lithuania (*Lietuvos Bankas*).

(5) SPECIAL CHAMBERS.

(See First Annual Report, p. 55.)

The members of the Special Chambers were elected on January 17th, 1931 (in conformity with the fourth paragraph of Art. 14 of the Rules as in force at that time). The Chambers are composed as follows :

Chamber for
Labour cases.

Composition of the Chamber for Labour cases.

Until December 31st, 1933 :

Members :

MM. Altamira, *President*,
Kellogg,
Urrutia,
Schüicking,
Wang Chung-Hui.

Substitute Members :

Sir Cecil Hurst.
M. Negulesco.

Chamber for
Transit cases.

*Composition of the Chamber for Communications
and Transit cases.*

Until December 31st, 1933 :

Members :

MM. Guerrero, *President*,
Baron Rolin-Jaequemyns,
Fromageot,
Anzilotti,
Jonkheer van Eysinga.

Substitute Members :

Mr. Kellogg,
Count Rostworowski.

*Composition of the Chamber for Summary Procedure.*Chamber for
Summary
Procedure.

From January 1st, 1931, to December 31st, 1931:

Members :

MM. Adatci, *President*,
Guerrero,
Sir Cecil Hurst.

Substitute Members :

Count Rostworowski,
M. Anzilotti.

From June 15th, 1930, to June 15th, 1931, no case has been brought before a Chamber of the Court.

(6) ASSESSORS.

(See First Annual Report, p. 57.)

The following tables give the list, as on June 15th, 1931, of assessors for labour cases appointed by Members of the League of Nations and by the Governing Body of the International Labour Office, and of assessors for transit and communication cases appointed by Members of the League of Nations.

The First Annual Report (pp. 58-78) sets out the qualifications of assessors included in the list in June 1925. As regards assessors appointed from June 15th, 1925, to June 15th, 1930, see the lists in the Second, Third, Fourth, Fifth and Sixth Annual Reports. For changes made since, see notes to the following lists.

A.—LIST OF ASSESSORS FOR LABOUR CASES.
(CLASSIFICATION BY COUNTRIES.)

| Assessors for Labour cases | Country. | Name. | Nominated by: | Represent- ing: |
|-------------------------------|-----------------------------------|--------------------------------------|------------------|--------------------|
| | <i>Union of South Africa.</i> | — — | — — | — — |
| | | GEMMILL, W., | I.L.O. | Employers. |
| | | CRAWFORD, A., | I.L.O. | Workers. |
| | <i>Austria.</i> | ADLER, Emmanuel, | Government. | |
| | | MAYER-MALLENAU, Felix, | Government. | |
| | | KAISER, Dr. M., | I.L.O. | Employers. |
| | | HUEBER, Antoine, | I.L.O. | Workers. |
| | <i>Belgium.</i> | JULIN, Armand, | Government. | |
| | | MAHAIM, Ernest, | Government. | |
| | | DALLEMAGNE, G., | I.L.O. | Employers. |
| | | MERTENS, Corneille, | I.L.O. | Workers. |
| | <i>Bolivia.</i> | — — | — — | — — |
| | | GARCIA, E., | I.L.O. | Employers. |
| | | IBANEZ, Juan, | I.L.O. | Workers. |
| | <i>Brazil.</i> | PELLES, Godefredo Silva, | Government. | |
| | | PEREIRA, Manoel Carlos Goncalves, | Government. | |
| | | DUTRA, Ildefonso, | I.L.O. | Employers. |
| | | BEZERRA, Andrade, | I.L.O. | Workers. |
| | <i>Bulgaria.</i> | NICOLOFF, A., | Government. | |
| | | NICOLTCHOFF, V., | Government. | |
| | | BOUROFF, Ivan D., | I.L.O. | Employers. |
| | | DANOFF, Grigor, | I.L.O. | Workers. |

| Country. | Name. | Nominated by: | Representing: |
|-------------------------|--|------------------|------------------------|
| <i>Canada.</i> | — | — | — |
| | — | — | — |
| | PARSONS, S. R., GIBBONS, Joseph, | I.L.O. I.L.O. | Employers. Workers. |
| <i>Chile.</i> | VICUÑA, Manuel Rivas, | Government. | |
| | — | — | — |
| | — | — | — |
| <i>China.</i> | HOO-CHI-TSAI, | Government. | |
| | TCHOU YIN, | Government. | |
| | — | — | — |
| <i>Colombia.</i> | — | — | — |
| | RESTREPO, Antonio José, | Government. | |
| | URRUTIA, Dr. Francisco, | Government. | |
| <i>Czecho-slovakia.</i> | — | — | — |
| | FRANCKE, Emil, | Government. | |
| | HOROWSKY, Zdenek, | Government. | |
| <i>Denmark.</i> | WALDES, Henri, TAYERLE, Rudolf, | I.L.O. I.L.O. | Employers. Workers. |
| | BERGSOE, J. Fr., | Government. | |
| | HANSEN, J. A., | Government. | |
| <i>Esthonia.</i> | — | — | — |
| | — | — | — |
| | LUTHER, Martin ¹ , ROI, Auguste ² , | I.L.O. I.L.O. | Employers. Workers. |
| <i>Finland.</i> | MANNIO, Niilo Anton, | Government. | |

¹ President of the Association of Esthonian Manufacturers.

² Former Minister, Member of Parliament.

| Country. | Name. | Nominated by: | Representing: |
|----------------------------|---------------------------------------|------------------|------------------------|
| <i>Finland</i> (cont.): | HALLSTEN, Gustaf Onni | Government. | |
| | Immanuel, | I.L.O. | Employers. |
| | PALMGREN, Axel, PAASIVUORI, Matti, | I.L.O. | Workers. |
| <i>France.</i> | — | — | — |
| | — | — | — |
| | LEMARCHAND, M., MILAN, Pierre, | I.L.O. I.L.O. | Employers. Workers. |
| <i>Germany.</i> | — | — | — |
| | — | — | — |
| | VOGEL, GRASSMANN, P., | I.L.O. I.L.O. | Employers. Workers. |
| <i>Great Britain.</i> | CHAMBERLAIN, Sir Arthur Neville, | Government. | |
| | MACASSEY, Sir Lynden Livingstone, | Government. | |
| | DUNCAN, Sir Andrew Rae, | I.L.O. | Employers. |
| | THOMAS, The Right Hon. J. H., | I.L.O. | Workers. |
| | | | |
| <i>Greece.</i> | CHOIDAS, | Government. | |
| | TOTOMIS, M. D., | Government. | |
| | ZANNOS, M., | I.L.O. | Employers. |
| | LAMBRINOPOULOS, Timo- léon, | I.L.O. | Workers. |
| <i>Haiti.</i> | DENNIS, Fernand, | Government. | |
| | — | — | — |
| | — | — | — |
| | — | — | — |
| <i>Hungary.</i> | — | — | — |
| | — | — | — |
| | TOLNAY, Kornél de, JASZAI, Samu, | I.L.O. I.L.O. | Employers. Workers. |
| <i>India.</i> | CHODHURI, | Government. | |
| | LOW, Sir Charles Ernest, | Government. | |
| | KAY, J. A., JOSHI, N. M., | I.L.O. I.L.O. | Employers. Workers. |
| | | | |
| <i>Italy.</i> | PERASSI, Tomaso, | Government. | |

| Country. | Name. | Nominated by: | Representing: |
|--------------------------|---|------------------|------------------------|
| <i>Italy</i> (cont.): | MICELI, Giuseppe, | Government. | |
| | BALELLA, Dr. Giovanni, CUCINI, Bramante, | I.L.O. I.L.O. | Employers. Workers. |
| <i>Japan.</i> | KAWANISHI, Jitsuzo, | Government. | |
| | YOSHIZAKA, Shunzo, | Government. | |
| | MUTO, Sanji, MATSUMOTO, Uhei, | I.L.O. I.L.O. | Employers. Workers. |
| <i>Latvia.</i> | SCHUMANS, V., | Government. | |
| | ROZE, Fr., | Government. | |
| | — | — | — |
| | — | — | — |
| <i>Lithuania.</i> | SLIZYS, François, | Government. | |
| | RAULINAITIS, François, | Government. | |
| | — | — | — |
| | — | — | — |
| <i>Luxemburg.</i> | — | — | — |
| | — | — | — |
| | — | — | — |
| | — | — | — |
| <i>Netherlands.</i> | MAYRISCH, Émile, SCHETTLE, Michel, | I.L.O. I.L.O. | Employers. Workers. |
| | NOLENS, Mgr., | Government. | |
| | VOOYS, J. P. DE, | Government. | |
| | VERKADE, A. E., FIMMEN, E., | I.L.O. I.L.O. | Employers. Workers. |
| <i>Norway.</i> | BACKER, M. C., | Government. | |
| | BERG, Paal, | Government. | |
| | — | — | — |
| | — | — | — |
| <i>Panama.</i> | — | — | — |
| | — | — | — |
| | ZUBIETA, José Antonio, ADAMES, Enoch, | I.L.O. I.L.O. | Employers. Workers. |

| Country. | Name. | Nominated by : | Representing : |
|---------------------|--|----------------------------|------------------------|
| <i>Poland.</i> | KUMANIECKI, Dr. Casimir Ladislav, | Government. | |
| | MLYNARSKI, Dr. Felix, | Government. | |
| <i>Roumania.</i> | ZAGLENICZNY, Jan, ZULAWSKI, Sigismund, | I.L.O. I.L.O. | Employers. Workers. |
| | JANCOVICI, Dimitrie, | Government. | |
| | VOINESCU, Barvu, | Government. | |
| <i>Spain.</i> | CERCHEZ, Stefan, MAYER, Josif, | I.L.O. I.L.O. | Employers. Workers. |
| | ORMAECHEA, Rafael Garcia, OYUELOS, Ricardo, | Government. Government. | |
| | SALA, A., CABALLERO, Francisco Largo, | I.L.O. I.L.O. | |
| | ELMQUIST, Gustaf Henning, RIBBING, Sigurd, | Government. Government. | |
| <i>Sweden.</i> | HAY, B., JOHANSSON, E., | I.L.O. I.L.O. | Employers. Workers. |
| | MERZ, Léo, | Government. | |
| <i>Switzerland.</i> | RENAUD, Edgar, | Government. | Employers. Workers. |
| | SAVOYE, Baptiste, SCHURCH, Charles, | I.L.O. I.L.O. | |
| | BERNARDEZ, Manuel, | Government. | |
| <i>Uruguay.</i> | BLANCO, Dr. Juan Carlos, | Government. | Employers. Workers. |
| | ALVAREZ-LISTA, Dr. Ramon, | I.L.O. | |
| | DEBENE, Alejandro, | I.L.O. | |
| | Yugoslavia. | — — | |
| | YOVANOVITCH, Vasa V., KRISTAN, Etbin, | I.L.O. I.L.O. | Employers. Workers. |

B.—LIST OF ASSESSORS FOR COMMUNICATIONS
AND TRANSIT CASES.

(CLASSIFICATION BY COUNTRIES.)

| COUNTRY. | NAME. | Assessors for Transit cases. |
|------------------------|---|---------------------------------|
| <i>Austria.</i> | SCHEIKL, Gustave RINALDINI, Théodore | |
| <i>Belgium.</i> | LAMALLE, V. U. PIERRARD, A. | |
| <i>Brazil.</i> | PERRETI, Medeiros Joao RIBEIRO, Edgard | |
| <i>Bulgaria.</i> | BOCHKOFF, Lubomir DINTCHEFF, Urdan | |
| <i>Chile.</i> | ALVAREZ, Alejandro AMUNATEGUI, Francisco Lira | |
| <i>China.</i> | SHU-CHE LIN-KAI | |
| <i>Colombia.</i> | — | |
| <i>Czechoslovakia.</i> | MUELLER, Bohuslav FIALA, Ctibor | |
| <i>Denmark.</i> | ANDERSEN, N. J. U. LILLELUND, C. F. | |
| <i>Finland.</i> | SNELLMAN, Karl WREDE, Gustav Oskar Axel (Baron) | |
| <i>France.</i> | SIBILLE, M. FONTANEILLES, P. | |
| <i>Great Britain.</i> | DENT, Sir Francis MANCE, Lieut.-Col. H. O. | |
| <i>Greece.</i> | PHOCAS, Démétrius VLANGHALI, Alexandre | |
| <i>Haiti.</i> | ADDOR, M. | |
| <i>Hungary.</i> | TOLNAY, Kornél de NEUMANN, Charles | |

| COUNTRY. | NAME. |
|---------------------|---|
| <i>India.</i> | BARNES, Sir George Stapylton Low, Sir Charles Ernest |
| <i>Italy.</i> | CIAPPI, Anselmo MAURO, Francesco |
| <i>Japan.</i> | IZAWA, Michio TAKATORI, Yasutaro |
| <i>Latvia.</i> | ALBAT, G. PAULUKS, J. |
| <i>Lithuania.</i> | SIDZIKAUSKAS, Vanceslas SIMOLIUNAS, Jean |
| <i>Norway.</i> | RUUD, N. SMITH, G. |
| <i>Netherlands.</i> | ELIAS, Jonkheer P. EYSINGA, Jonkheer W. J. M. van |
| <i>Poland.</i> | TYSZYNSKI, M. Casimir WINIARSKI, Dr. Bohdan |
| <i>Roumania.</i> | PERIETZEANU, Alexandre POPESCU, Georges |
| <i>Spain.</i> | MACHIMBARRENA, Vicente PUIG DE LA BELLACASA, Narcise |
| <i>Sweden.</i> | GRANHOLM, A. M. MALM, C. G. O. |
| <i>Switzerland.</i> | NIQUILLE SCHRAFL |
| <i>Uruguay.</i> | FERNANDEZ Y MEDINA, Benjamin GUANI, Alberto, Dr. |

C.—GENERAL LIST OF ASSESSORS.

| Name. | Country. | Labour or Transit. | Date of nomination. | List in al- phabetical order of assessors for Labour and Tran- sit cases. |
|-----------------------|---------------|--------------------------|------------------------|---|
| ADAMES, E. | Panama | Labour | Nov. 11th, 1921 | |
| ADDOR, M. | Haiti | Transit | Nov. 26th, 1921 | |
| ADLER, Em. | Austria | Labour | Nov. 11th, 1921 | |
| ALBAT, G. | Latvia | Transit | Dec. 23rd, 1921 | |
| ALVAREZ, A. | Chile | " | Dec. 10th, 1921 | |
| ALVAREZ-LISTA, R. | Uruguay | Labour | Nov. 11th, 1921 | |
| AMUNATEGUI, Fr. | Chile | Transit | Dec. 10th, 1921 | |
| ANDERSEN, N. J. U. | Denmark | " | Jan. 6th, 1922 | |
| BACKER, M. C. | Norway | Labour | Nov. 10th, 1921 | |
| BALELLA, G. | Italy | " | Nov. 11th, 1921 | |
| BARNES, G. S. | India | Transit | Oct. 12th, 1921 | |
| BERG, P. | Norway | Labour | Nov. 10th, 1921 | |
| BERGSOE, J. Fr. | Denmark | " | Jan. 6th, 1922 | |
| BERNARDEZ, M. | Uruguay | " | Nov. 4th, 1921 | |
| BEZERRA, A. | Brazil | " | June 12th, 1923 | |
| BLANCO, J. C. | Uruguay | " | Nov. 4th, 1921 | |
| BOCHKOFF, L. | Bulgaria | Transit | Dec. 23rd, 1921 | |
| BOUROFF, I. D. | " | Labour | Nov. 11th, 1921 | |
| CABALLERO, F. L. | Spain | " | Nov. 11th, 1921 | |
| CERCHEZ, St. | Roumania | " | Nov. 11th, 1921 | |
| CHAMBERLAIN, A. N. | Great Britain | " | Dec. 23rd, 1921 | |
| CHOIDAS | Greece | " | Feb. 17th, 1922 | |
| CHOUDHURI | India | " | Oct. 12th, 1921 | |
| CIAPPI, A. | Italy | Transit | Nov. 15th, 1921 | |
| CRAWFORD, A. | South Africa | Labour | Nov. 11th, 1921 | |
| CUCINI, B. | Italy | " | March 16th, 1929 | |
| DALLEMAGNE, G. | Belgium | " | Nov. 11th, 1921 | |
| DANOFF, Gr. | Bulgaria | " | Nov. 11th, 1921 | |
| DEBENE, A. | Uruguay | " | Nov. 11th, 1921 | |
| DENNIS, F. | Haiti | " | Nov. 26th, 1921 | |
| DENT, Fr. | Great Britain | Transit | Dec. 23rd, 1921 | |
| DINTCHEFF, U. | Bulgaria | " | Dec. 23rd, 1921 | |
| DUNCAN, A. R. | Great Britain | Labour | Nov. 11th, 1921 | |
| DUTRA, I. | Brazil | " | June 12th, 1923 | |
| ELIAS, P. | Netherlands | Transit | Dec. 2nd, 1921 | |
| ELMQUIST, G. H. | Sweden | Labour | Nov. 25th, 1921 | |
| EYSINGA, M. v. | Netherlands | Transit | Dec. 2nd, 1921 | |

| Name. | Country. | Labour or Transit. | Date of nomination. |
|---------------------------|---------------------|--------------------------|------------------------|
| FERNANDEZ Y MEDINA, B. | Uruguay | Transit | Nov. 4th, 1921 |
| FIALA, C. | Czechoslova- kia | „ | Nov. 27th, 1925 |
| FIMMEN, E. | Netherlands | Labour | Nov. 11th, 1921 |
| FONTANEILLES, E. | France | Transit | Nov. 7th, 1921 |
| FRANCKE, E. | Czechoslova- kia | Labour | April 13th, 1922 |
| GARCIA, E. | Bolivia | „ | Nov. 11th, 1921 |
| GEMMILL, W. | South Africa | „ | Nov. 11th, 1921 |
| GIBBONS, J. | Canada | „ | Nov. 11th, 1921 |
| GRANHOLM, A. M. | Sweden | Transit | Jan. 10th, 1930 |
| GRASSMANN, P. | Germany | Labour | Nov. 11th, 1921 |
| GUANI, Al. | Uruguay | Transit | Nov. 4th, 1921 |
| HALLSTEN, G. O. I. | Finland | Labour | March 27th, 1922 |
| HANSEN, J. A. | Denmark | „ | Jan. 6th, 1922 |
| HAY, B. | Sweden | „ | Nov. 11th, 1921 |
| HEDEBOL | Denmark | „ | Nov. 11th, 1921 |
| HOO-CHI-TSAI | China | „ | Dec. 23rd, 1921 |
| HOROWSKY, Z. | Czechoslova- kia | „ | Nov. 15th, 1921 |
| HUEBER, A. | Austria | „ | Nov. 11th, 1921 |
| IBANEZ, J. | Bolivia | „ | Nov. 11th, 1921 |
| IZAWA, M. | Japan | Transit | Nov. 4th, 1921 |
| JANCOVICI, D. | Roumania | Labour | Dec. 12th, 1921 |
| JASZAI, S. | Hungary | „ | June 12th, 1923 |
| JOHANSSON, E. | Sweden | „ | Nov. 11th, 1921 |
| JOSHI, N. M. | India | „ | Nov. 11th, 1921 |
| JULIN, A. | Belgium | „ | Oct. 21st, 1921 |
| KAISER, M. | Austria | „ | Nov. 11th, 1921 |
| KAWANISHI, J. | Japan | „ | Nov. 4th, 1921 |
| KAY, J. A. | India | „ | Nov. 11th, 1921 |
| KRISTAN, E. | Yugoslavia | „ | Nov. 11th, 1921 |
| KUMANIECKI, C. L. | Poland | „ | Dec. 7th, 1921 |
| LAMALLE, V. U. | Belgium | Transit | Nov. 12th, 1925 |
| LAMBRINOPOULOS, T. | Greece | Labour | Nov. 11th, 1921 |
| LEMARCHAND, M. | France | „ | Nov. 11th, 1921 |

| Name. | Country. | Labour or Transit. | Date of nomination. |
|-----------------------|---------------------|--------------------------|------------------------|
| LILLELUND, C. F. | Denmark | Transit | Jan. 6th, 1922 |
| LIN KAI | China | " | Dec. 23rd, 1921 |
| LOW, Ch. E. | India | Labour | Oct. 12th, 1921 |
| LOW, Ch. E. | " | Transit | Oct. 12th, 1921 |
| LUTHER, M. | Esthonia | Labour | Jan. 31st, 1931 |
| MACASSEY, L. L. | Great Britain | " | Dec. 23rd, 1921 |
| MACHIMBARRENA, V. | Spain | Transit | Nov. 21st, 1921 |
| MAHAIM, E. | Belgium | Labour | Oct. 21st, 1921 |
| MALM, C. G. O. | Sweden | Transit | Jan. 10th, 1930 |
| MANCE, H. O. | Great Britain | " | Dec. 23rd, 1921 |
| MANNIO, N. A. | Finland | Labour | March 27th, 1922 |
| MATSUMOTO, U. | Japan | " | Nov. 11th, 1921 |
| MAURO, Fr. | Italy | Transit | Nov. 15th, 1921 |
| MAYER, J. | Roumania | Labour | Nov. 11th, 1921 |
| MAYER-MALLENAU, F. | Austria | " | Nov. 11th, 1921 |
| MAYRISCH, E. | Luxemburg | " | Nov. 11th, 1921 |
| MERTENS, C. | Belgium | " | Nov. 11th, 1921 |
| MERZ, L. | Switzerland | " | Dec. 8th, 1921 |
| MICELI, G. | Italy | " | Oct. 20th, 1928 |
| MILAN, P. | France | " | Nov. 11th, 1921 |
| MLYNARSKI, F. | Poland | " | Dec. 7th, 1921 |
| MUELLER, B. | Czechoslova- kia | Transit | Nov. 15th, 1921 |
| MUTO, S. | Japan | Labour | Nov. 11th, 1921 |
| NEUMANN, Ch. | Hungary | Transit | May 4th, 1926 |
| NICOLOFF, A. | Bulgaria | Labour | Jan. 2nd, 1922 |
| NICOLTCHOFF, V. | " | " | Jan. 2nd, 1922 |
| NIQUILLE | Switzerland | Transit | Jan. 6th, 1922 |
| NOLENS, Mgr. | Netherlands | Labour | Nov. 23rd, 1921 |
| ORMAECHEA, R. G. | Spain | " | Nov. 21st, 1921 |
| OYUELOS, R. | " | " | Nov. 21st, 1921 |
| PAASIVUORI, M. | Finland | " | Nov. 11th, 1921 |
| PALMGREN, A. | " | " | Nov. 11th, 1921 |
| PARSONS, S. R. | Canada | " | Nov. 11th, 1921 |
| PAULUKS, J. | Latvia | Transit | Sept. 28th, 1925 |
| PELLES, G. S. | Brazil | Labour | Dec. 24th, 1921 |
| PERASSI, T. | Italy | " | Oct. 20th, 1928 |

| Name. | Country. | Labour or Transit. | Date of nomination. |
|-------------------------------|---------------------|--------------------------|------------------------|
| PEREIRA, M. C. G. | Brazil | Labour | Dec. 24th, 1921 |
| PERIETZEANU, A. | Roumania | Transit | Nov. 24th, 1921 |
| PERRETI, M. J. | Brazil | " | Dec. 24th, 1921 |
| PHOCAS, D. | Greece | " | Dec. 23rd, 1921 |
| PIERRARD, A. | Belgium | " | Nov. 12th, 1925 |
| POPESCU, G. | Roumania | " | Nov. 24th, 1921 |
| PUIG DE LA BEL- LACASA, N. | Spain | " | Nov. 21st, 1921 |
| RAULINAITIS, Fr. | Lithuania | Labour | July 5th, 1922 |
| RENAUD, Ed. | Switzerland | " | Dec. 8th, 1921 |
| RESTREPO, A. J. | Colombia | " | — |
| RIBBING, S. | Sweden | " | Nov. 25th, 1921 |
| RIBEIRO, Ed. | Brazil | Transit | Dec. 24th, 1921 |
| RINALDINI, Th. | Austria | " | Nov. 14th, 1921 |
| ROI, Aug. | Esthonia | Labour | Jan. 31st, 1931 |
| ROZE, Fr. | Latvia | " | Aug. 12th, 1926 |
| RUUD, N. | Norway | Transit | Nov. 10th, 1921 |
| SALA, A. | Spain | Labour | Nov. 11th, 1921 |
| SAVOYE, B. | Switzerland | " | Nov. 11th, 1921 |
| SCHEIKL, G. | Austria | Transit | Nov. 14th, 1921 |
| SCHETTLE, M. | Luxemburg | Labour | Nov. 11th, 1921 |
| SCHRAFL | Switzerland | Transit | Jan. 6th, 1922 |
| SCHUMANS, V. | Latvia | Labour | Dec. 23rd, 1921 |
| SCHURCH | Switzerland | " | Nov. 11th, 1921 |
| SHU-CHE | China | Transit | Dec. 23rd, 1921 |
| SIBILLE, M. | France | " | Nov. 7th, 1921 |
| SIDZIKAUSKAS, V. | Lithuania | " | July 5th, 1922 |
| SIMOLIUNAS, J. | " | " | July 5th, 1922 |
| SLIZYS, Fr. | " | Labour | July 5th, 1922 |
| SMITH, G. | Norway | Transit | Nov. 10th, 1921 |
| SNELLMAN, K. | Finland | " | Oct. 29th, 1921 |
| TAKATORI, Y. | Japan | " | Nov. 4th, 1921 |
| TAYERLE, R. | Czechoslova- kia | Labour | Nov. 11th, 1921 |
| TCHOU YIN | China | " | Dec. 23rd, 1921 |
| THOMAS, J. H. | Great Britain | " | Nov. 11th, 1921 |
| TOLNAY, K. de | Hungary | " | June 12th, 1923 |
| " " " " | " | Transit | June 15th, 1929 |
| TOTOMIS, M. D. | Greece | Labour | Feb. 17th, 1922 |
| TYSZYNSKI, M. C. | Poland | Transit | Dec. 7th, 1921 |
| URRUTIA, Fr. | Colombia | Labour | — |

| Name. | Country. | Labour or Transit. | Date of nomination. |
|-----------------|---------------------|--------------------------|------------------------|
| VERKADE, A. E. | Netherlands | Labour | Nov. 11th, 1921 |
| VESTESSEN, H. | Denmark | " | Nov. 11th, 1921 |
| VICUÑA, M. R. | Chile | " | Dec. 10th, 1921 |
| VLANGHALI, Al. | Greece | Transit | Dec. 23rd, 1921 |
| VOGEL | Germany | Labour | March 16th, 1929 |
| VOINESCU, B. | Roumania | " | Dec. 12th, 1921 |
| VOOYS, J. P. de | Netherlands | " | Nov. 23rd, 1921 |
| WALDES, H. | Czechoslova- kia | " | Nov. 11th, 1921 |
| WINIARSKI, B. | Poland | Transit | Dec. 7th, 1921 |
| WREDE, G. O. A. | Finland | " | Oct. 29th, 1921 |
| YOSHIZAKA, Sh. | Japan | Labour | Nov. 4th, 1921 |
| YOVANOVITCH, V. | Yugoslavia | " | Nov. 11th, 1921 |
| ZAGLENICZNY, J. | Poland | " | Nov. 11th, 1921 |
| ZANNOS, M. | Greece | " | Nov. 11th, 1921 |
| ZUBIETA, J. A. | Panama | " | Nov. 11th, 1921 |
| ZULAWSKI, S. | Poland | " | Nov. 11th, 1921 |

(7) EXPERTS.

Article 50 of the Statute provides that the Court may at any time entrust any individual, body, bureau, commission or other organization that it may select with the task of carrying out an enquiry or giving an expert opinion.

The Court has only availed itself of this right once, namely, in the case concerning the claim for indemnity in regard to the factory at Chorzów (merits)¹.

II.

THE REGISTRAR.

(See First Annual Report, p. 79.)

Present holder of the post :

M. ÅKE HAMMARSKJÖLD, Envoy Extraordinary and Minister Plenipotentiary of H.M. the King of Sweden, Associate of the Institute of International Law.

He was appointed on February 3rd, 1922, and reelected on August 16th, 1929; his term of office expires on December 31st, 1936.

M. Julio López Oliván, Deputy-Registrar of the Court since January 1st, 1929, having resigned, his successor was appointed by the Court on January 23rd, 1931. The Court's choice fell on M. L. J. H. JORSTAD, head of division in the Norwegian Ministry of Foreign Affairs. M. Jorstad took up his duties on February 1st, 1931.

III.

THE REGISTRY.*

(See First Annual Report, p. 79.)

The officials of the Registry (apart from auxiliary officials) are as follows :

¹ See, in the Fifth Annual Report, the summary of Judgment No. 13 of September 13th, 1928 (p. 183), and of the orders of September 13th, 1928 (p. 196), and May 25th, 1929 (p. 200).

| Name. | Date of appointment. | Nationality. |
|---|----------------------|------------------|
| <i>Deputy-Registrar :</i> | | |
| M. L. J. H. Jorstad | February 1st, 1931 | Norwegian |
| <i>Secretary to the Presidency :</i> | | |
| M. J. Garnier-Coignet, Principal Editing Secretary | March 1st, 1922 | French |
| <i>Editing Secretaries :</i> | | |
| Mr. C. Hardy | June 1st, 1922 | British |
| M. T. M. A. d'Honincthun | January 1st, 1925 | French |
| Mr. G. de Janasz | January 1st, 1928 | British |
| Mr. H. Wade | January 1st, 1931 | „ |
| <i>Private Secretaries :</i> | | |
| Miss M. Recaño | March 1st, 1922 | British |
| Mme F. Beelaerts van Blokland | March 1st, 1922 | Dutch |
| <i>Establishment :</i> | | |
| M. D. J. Bruinsma, Accountant-Establishment Officer, Head of Department | August 1st, 1922 | Dutch |
| <i>Printing Department :</i> | | |
| M. M. J. Tercier, Head of Department | May 19th, 1924 | Swiss |
| M. R. Knaap | (temporary) | Dutch |
| <i>Archives :</i> | | |
| Mlle L. Loeff, Head of Department | January 1st, 1925 | Dutch |
| Miss A. Welsby | January 1st, 1927 | British |
| Miss C. Olden | January 1st, 1929 | Irish Free State |
| Mlle M. T. Loeff | January 1st, 1931 | Dutch |
| <i>Documents Department :</i> | | |
| M. J. Douma, Head of Department | January 1st, 1931 | Dutch |
| <i>Shorthand, typewriting and roneo-graphing Department :</i> | | |
| Mlle J. Lamberts, Head of Department | March 1st, 1922 | Belgian |
| Mlle M. Estoup, Verbatim Reporter | January 1st, 1927 | French |
| Miss A. M. Driscoll | January 1st, 1930 | British |
| Miss E. M. F. Fisher | January 1st, 1930 | „ |
| Mlle F. Slutzky | January 1st, 1931 | Belgian |
| <i>Messengers :</i> | | |
| M. G. A. van Moort, Chief Messenger | March 1st, 1922 | Dutch |
| M. Pronk | January 1st, 1929 | „ |
| M. J. W. H. Janssen | January 1st, 1930 | „ |
| M. van der Leeden | January 1st, 1929 | „ |

Organization
of the
Registry.

The "Committee of Thirteen"¹ asked the Secretary-General of the League of Nations, the Director of the International Labour Office and the Registrar of the Permanent Court of International Justice to furnish them with a statement describing the organization of the services controlled by them. The Registrar, in a letter dated March 25th, 1930, sent the following statement, for transmission to the members of the Committee :

"SYNOPSIS OF THE ORGANIZATION
OF THE REGISTRY OF THE PERMANENT COURT
OF INTERNATIONAL JUSTICE.

I.

Generally speaking, it may be said that the work of the Registry of the Court has three aspects: judicial, diplomatic and administrative. Hitherto, however, it has not been considered either necessary or desirable to organize the Registry according to a system involving division into three sections strictly corresponding to these three aspects of its work.

Nevertheless, this system of division may well be used in order to describe the work of the Registry.

(A) 'JUDICIAL' WORK.

Under this head fall

(a) *The work of the Registry properly so-called*, i.e., the duties devolving upon it in connection with cases submitted to the Court under the Chapter 'Procedure' of the Statute, and the Chapters 'Working' and 'Procedure' in the Rules of Court.

(b) *The arrangement of the documents in a case*.—The documents in a case—especially a case for advisory opinion—are always subjected to a preliminary examination, with the object of establishing, in an entirely preliminary way, whether they are impaired by defects of form and whether it is, *prima facie*, necessary to supplement them by additional documents or evidence. The real object of this examination, which is undertaken in accordance with the indications of the President, is to spare the Court clearly unnecessary loss of time.

Similarly and in the same connection, in all cases of some complexity, the Registry provisionally assembles beforehand—subject to the personal researches which it is the duty of

¹ See below "Administrative results", p. 70.

each judge to undertake—judicial and historical precedents, the text of treaty or legislative provisions and the opinions of publicists bearing upon the matter, the object being to clear the ground so as to facilitate and accelerate the individual work of judges.

(c) *The preparation for publication of the Acts and Documents relating to cases* (Series C. of the Court's Publications).

(d) *Correspondence* with private persons, *inter alia*, in reply to applications for justice.

(B) 'DIPLOMATIC' WORK.

This includes :

(a) *Correspondence in regard to cases*.—By this is meant correspondence with Parties or those interested in cases (contentious or for advisory opinion) submitted to the Court, and relating, *inter alia*, to questions of procedure. The Parties or those interested being States or, in exceptional cases, great international organizations, the correspondence—and of course any verbal negotiation—is necessarily of a diplomatic character.

(b) *Other exchanges of views of a diplomatic character*.—This head includes negotiations and correspondence :

(1) with governments, in regard to general questions (treaties affecting the Court; the appointment of arbitrators and experts, etc.);

(2) with the government of the country in which the seat of the Court is established, as also with the local authorities, in regard to questions connected with this establishment;

(3) with the organs of the League of Nations, mainly the Secretariat, in regard to all questions relating to cases for advisory opinion, as also in regard to various points arising from certain provisions of the Court's Statute and from the Court's position as an 'autonomous organization (from a financial standpoint) of the League of Nations'.

(c) *Relations with the Press*, including the preparation of communiqués and the examination of newspapers, cuttings and Press summaries with which the Court is supplied.

(d) *Preparation of certain of the Court's Publications, inter alia* the Collection of Texts governing the Court's jurisdiction and the Annual Reports (Series D. and E.).

(C) 'ADMINISTRATIVE' WORK.

This includes :

(a) *Internal administration proper*, comprising all questions relating to staff, premises, equipment and supplies, as also accounts, payments and purchases.

(b) *Financial administration*, including the preparation and application of the budget; relations with the financial organs of the League of Nations (Assembly, Supervisory Commission, Auditor, Treasury, etc.).

(c) *Office routine work*, i.e.:

(1) the keeping of the archives and of the Court's private library;

(2) stenographic work—including verbatim reporting—, type-writing and multicopying; work relating to the distribution of documents; also indexing, including the preparation of volumes of Series F. of the Court's Publications.

(d) *Printing*¹.—This comprises:

(1) the preparation and examination of all estimates, dummies, etc., in connection with the Court's Publications;

(2) the correction of proofs and the checking of time devoted to author's corrections;

(3) the preparation of manuscripts for printing and of alphabetical and analytical indexes included at the end of volumes to be published by the Court;

(4) checking of accounts for printing.

(D) LINGUISTIC WORK occupies a place apart. All documents (other than correspondence proper) and publications issued by the Court are prepared in the two official languages. Furthermore, statements, questions and replies made or put in the course of the oral proceedings must be translated from French into English or *vice versa*. Translations into English or French (as the case may be) of judgments and opinions must be prepared and submitted for formal approval to the Court. Oral translations must also be made during the Court's private deliberations. Correspondence, often prepared by persons whose mother-tongue is neither French nor English, has to be revised. Lastly, translations furnished by the

¹ Under the Rules of Court (Art. 65 and 74) and decisions taken by the Court itself, the Registry undertakes the printing of:

(a) applications for judgment and requests for advisory opinions and special arbitration agreements (documents instituting proceedings);

(b) volumes, for the use of members of the Court, containing the documents in each case (preliminary volumes); these volumes comprise Cases, Memorials, etc., when the Parties express a desire to that effect;

(c) judgments and opinions of the Court (Series A. and B.);

(d) documents, etc., relating to judgments and opinions (minutes of public sittings, counsel's oral arguments, Cases and other documents of the written proceedings, correspondence, etc.) (Series C.);

(e) the Court's constitutional documents, including the preparatory work (Series D.);

(f) texts governing the jurisdiction of the Court (collection of treaties) (Series D.);

(g) the Annual Reports (Series E.);

(h) the General Indexes (Series F.).

Parties of documents drawn up in languages other than French or English have to be checked, etc. This work, regarded from one aspect, is of an administrative nature, but, regarded from another, it affects the actual substance of questions.

II.

The volume of the work of the Registry is dependent on circumstances, more particularly on the number and importance of the cases referred to the Court and the number of its sessions.

Accordingly, when the organization of the Registry's services was planned, it was thought preferable only to create a cadre of permanent officials, whose duty it would be, *inter alia*, to absorb staff temporarily engaged for the duration of a session or in similar circumstances.

This cadre, which has not yet been developed to its full extent—even as a cadre—constitutes the services of the Registry; it is placed under the authority and responsibility of the Registrar, who is (since 1926) assisted by a Deputy-Registrar; it comprises:

- (A) the editing secretaries;
- (B) the technical departments, namely¹:
 - (1) Establishment and Accounts Department (including messengers);
 - (2) Printing Department;
 - (3) Archives and Library;
 - (4) Department for distribution of documents;
 - (5) Shorthand, Typewriting and Roneographing Department;
- (c) the lady secretaries.

The editing secretaries, who at the moment are four in number² (two English and two French), perform the work described above under A, B and D of No. I. The work is divided amongst them having regard to their special qualifications and to which of them is available. It is however understood that one of the editing secretaries assumes the duties of secretary to the Presidency and edits certain of the Court's publications (Collection of Texts and Annual Reports, as also the confidential Bulletin); another is responsible for translations and undertakes them preferably with the help of his colleagues—for instance one of those whose mother-tongue is the official language of the Court which is not the mother-

¹ Since January 1st, 1931, the Registry includes a Documents Department directed by a Head of Department.

² Since January 1st, 1931, the editing secretaries are five in number: three English and two French.

tongue of the editing secretary responsible for translation; a third is more particularly allocated to interpretation; he is also responsible for keeping minutes.

The heads of technical departments, like the editing secretaries, are responsible only to the Registrar (or the Deputy-Registrar) for work mentioned under C of No. I above; it is however understood that staff questions are dealt with directly by the Registrar, upon the report of the 'lady secretary' attached to him and that another of these secretaries is detached for duty with the Court's 'Drafting Committee'.

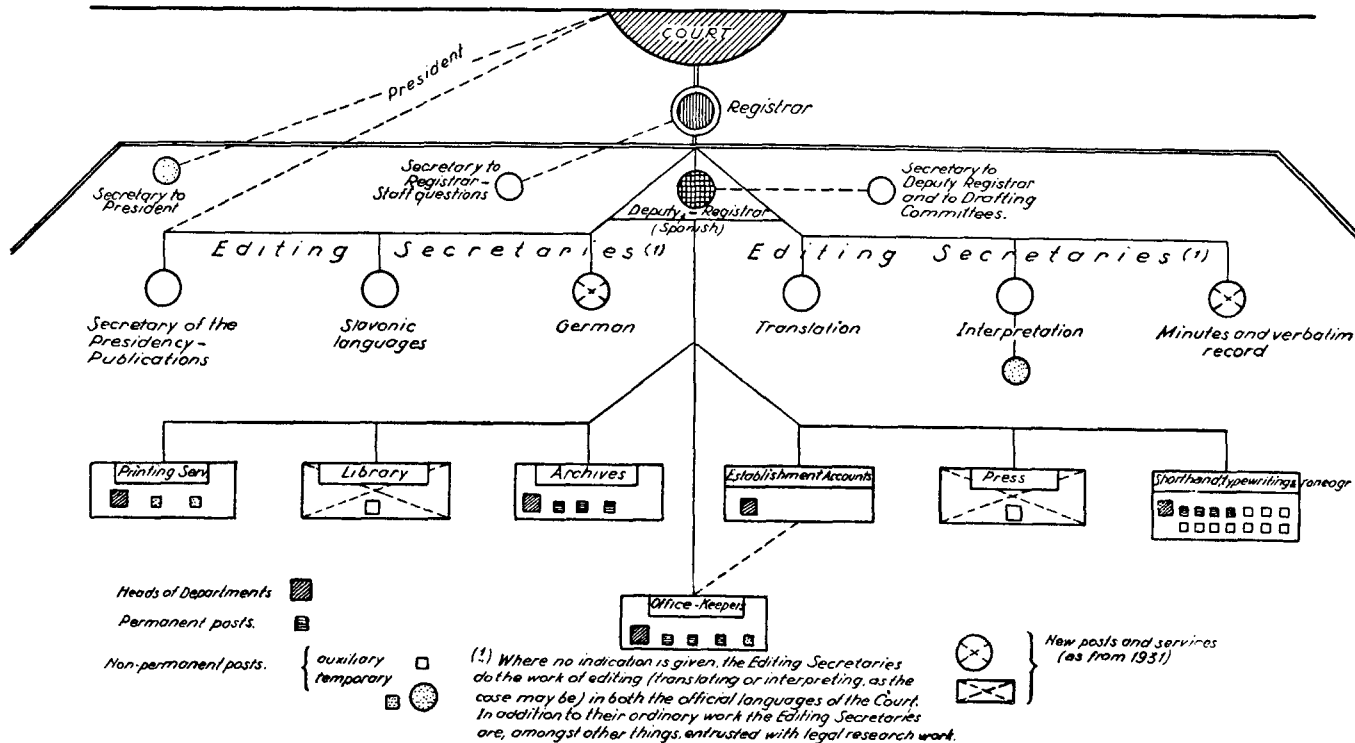
III.

In order to make it complete, the permanent cadre composed as described above should be increased by the addition, *inter alia*, of two new editing secretaries, a librarian, an official for Press duties, as also two bilingual shorthand-typists, the creation of which posts is accordingly proposed, with the requisite explanations, in the draft budget estimates for 1931¹. With these additions, the permanent cadre of officials of the Registry will doubtless have been sufficiently expanded to enable it, by means of the engagement of temporary or auxiliary officials who will be absorbed by the cadre, to cope, for a considerable time to come, with the increase in the work and importance of the Court foreseen by the Assembly at its Tenth Session."

To this synopsis of the Registrar was appended the following plan showing the existing and proposed organization of the Registry as it was in March 1930.

¹ As from January 1st, 1931, the following have been added to the Registry: a new editing secretary, a documents officer and a bilingual shorthand-typist.

PLAN MENTIONED ON PAGE 68.



"Administrative results."

An account was given in the Sixth Annual Report¹ of the work of the "Committee of Thirteen", which was appointed under a Resolution of the Tenth Assembly, dated September 23rd, 1929, to consider what steps should be taken to ensure for the future the best possible administrative results in the General Secretariat, the International Labour Office and the Registry of the Permanent Court of International Justice. The Committee of Thirteen concluded its proceedings by the approval of a report recommending to the Assembly at its Eleventh Session (1930) the adoption of certain principles in regard to these three international organizations².

After considering the report and proceedings of the Committee of Thirteen, the Fourth Committee proposed the adoption by the Assembly of the following Resolution:

"The Assembly,

Having had before it the report submitted by the Committee of Enquiry hereinafter referred to as the Committee of Thirteen, appointed by the last Assembly to consider what steps could be taken to ensure, in the future as in the past, the best possible results in the administration of the Secretariat, the International Labour Office and the Registry of the Permanent Court of International Justice;

Having examined the separate reports submitted by some members of that Committee and attached to the Committee's report;

Having considered the report submitted by the Secretary-General to the Committee of Thirteen, together with notes from the Secretary-General, the Director of the International Labour Office and the Registrar of the Permanent Court of International Justice on the financial consequences of the proposals contained in the Committee's report:

(1) Approves the general obligations of the staff as defined in Chapter 1 of Part II of the report of the Committee of Thirteen, with the amendments proposed by the Fourth Committee;

(2) Approves the rules upon the duration of engagements of the staff contained in Chapter 2 of Part II of the report of the Committee of Thirteen, with the amendments proposed by the Fourth Committee;

(3) Requests the Secretary-General to incorporate in the Staff Regulations the amendments proposed in the present report and approved by the Fourth Committee;

(4) Instructs the Secretary-General to amend the Staff Regulations in accordance with the proposals of the Fourth Com-

¹ See Sixth Annual Report, pp. 43-49.

² " " " " " " 43-46, for the section of this report dealing with the Registry.

mittee and requests him to submit the new Regulations to the next Assembly ;

(5) Notes the statements made by the Director of the International Labour Office and the Registrar of the Permanent Court of International Justice to the effect that they will, within the same period, adapt to their respective organizations the principles laid down by the Fourth Committee ;

(6) Approves the Staff Pensions Regulations and instructs the Secretary-General to take all necessary measures to ensure their application as from January 1st, 1931 ;

(7) Requests the General Committee of the Assembly to appoint a committee of members to consider the retention or elimination, the increase or reduction of the posts of Under-Secretary-General, as well as the consequences resulting therefrom. All cognate questions which the Committee thought it necessary to adjourn in the course of its work shall be referred to that committee. The latter will be requested to submit a report not later than May 1st, 1931, so as to make it possible for its conclusions to be examined in due time by the governments of the States Members of the League of Nations and submitted to the next Assembly ;

(8) Approves this report and adopts its conclusions.”

The draft resolution was accompanied by a written report¹ and formed the subject of an oral report². The written report devotes the following paragraph to the adaptation to the Registry of the Court of the measures proposed by the Committee of Thirteen :

“31. When this chapter was read, the Committee noted a statement by the Registrar of the Court to the effect that certain questions to which the latter had attached considerable importance had been inadvertently omitted from the final report of the Committee of Thirteen, although they were included in the provisional report. These questions included, in particular, the prerogatives of the Court upon which it was its duty to insist, as they were mentioned in a provision of its Statute.

The Chairman of the Committee of Thirteen had confirmed, at the Registrar's request, that, notwithstanding the changes made in the final text of its report, the Committee maintained its previous attitude in regard to these questions.

After hearing this statement, the Committee adopted the chapter relating to the Registry of the Permanent Court on

¹ Report of the Fourth Committee to the Assembly: League of Nations, *Official Journal*, Special Supplement No. 88, Minutes of Fourth Committee, pp. 430 *et seq.*

² Twenty-third plenary meeting of the Assembly, October 3rd, 1930 (League of Nations, *Official Journal*, Special Supplement No. 84, p. 219).

the understanding that paragraph 62, concerning the salary of the Registrar and Deputy-Registrar, would be referred to the special Committee¹ in the same way as similar questions relating to the principal officers of the Secretariat."

On October 3rd, 1930, (twenty-third meeting of its Eleventh Session) the Assembly adopted the draft resolution proposed by its Fourth Committee.

* * *

The members of the Committee set up under paragraph 7 of the Resolution of October 3rd were appointed by the Assembly on October 4th, 1930 (24th plenary meeting). This Committee, also composed of thirteen members and known as the "New Committee of Thirteen", met at Geneva in February 1931. On February 5th, it adopted a report on the questions referred to it by the Assembly. Amongst these questions the only one of direct interest to the Registry was that of the salaries of the Registrar and Deputy-Registrar of the Court. The report of the New Committee of Thirteen contains the following passage in regard to this matter:

"(d) Registrar and Deputy-Registrar of the Permanent Court of International Justice.

22. Linked up with the question of the salaries, etc., of the principal officers of the Secretariat, is that of the salaries of the Registrar and Deputy-Registrar of the Permanent Court of International Justice, which was referred to the Committee in the terms given in the following extract from the Fourth Committee's report:

'The Committee adopted the chapter relating to the Registry of the Permanent Court on the understanding that paragraph 62 concerning the salary of the Registrar and Deputy-Registrar would be referred to the Special Committee in the same way as similar questions relating to the principal officers of the Secretariat.'

¹ Paragraph 62 of the report of the Committee of Thirteen (League of Nations, document No. A. 16. 1930) ran as follows:

"62. As regards salaries, the Committee considers that the Registrar should receive a salary equivalent to that of an Under-Secretary-General, namely, from 55,000 to 75,000 francs. To this should be added, on the principle of assimilation, entertainment allowance equivalent to that of an Under-Secretary-General, namely, 12,500 francs, if the Court should express a desire to that effect.

"The Deputy-Registrar should be graded, for salary, in the same way as a Chief of Section in the Secretariat."

23. By a Resolution dated September 10th, 1929, the Permanent Court of International Justice made a proposal with a view to fixing the salary of the Registrar of the Court for the seven years period beginning on January 1st, 1930. This proposal was to take as a basis the present salary of the holder of the office (27,000 florins) and to increase it during the new period by the same amount (1,250 florins) and at the same intervals (annually for four years) as during the first period of service; the maximum salary would thus be raised from 27,000 to 32,000 florins.

24. Having regard to the provisional character of its recommendations in connection with the Under-Secretaries-General, the Committee thought it better not to adhere to the proposal made by the Committee of Thirteen last year to the effect that the Registrar should be assimilated, as regards salary, to the Under-Secretaries-General. On the other hand, it agreed to the resolution adopted by the Court in 1929 and advises the competent bodies of the League to adopt it.

25. As the Deputy-Registrar is assimilated to a Chief of Section in the Secretariat, the Committee recommends that his maximum salary be raised to 20,000 florins by annual increments of 750 florins¹."

Furthermore, according to the terms of its report, the New Committee of Thirteen "held that it did not fall within its province to consider the question of the salaries of Counsellors²"; it considered that this question had been postponed to the following year by the Eleventh Assembly.

¹ On May 21st, 1931, (4th meeting of its 63rd Session) the Council of the League of Nations adopted the following Resolution on this subject:

"The Council,

In accordance with Article 32 of the Statute of the Permanent Court of International Justice, and having regard to the resolution adopted by the Permanent Court of International Justice on September 10th, 1929, Decides, subject to the necessary budgetary provision being approved by the Assembly, to fix the salary of the Registrar of the Permanent Court of International Justice for the period ending on December 31st, 1936, on the scale of 27,000 florins rising to 32,000 florins by annual increments of 1,250 florins.

Suggests to the Assembly that, in view of the delay which has elapsed since the resolution of the Court was adopted and the fact that the Registrar's second period of office began on January 1st, 1930, the new salary scale might be applied with retrospective effect from January 1st, 1930.

Instructs the Secretary-General to inform the President of the Permanent Court of International Justice of this Resolution."

² In its report, the Committee of Thirteen had recommended the creation of eight posts as "counsellors" in the Secretariat, to be conferred under certain conditions on Members of Section. The Eleventh Assembly, on the report of its Fourth Committee, adopted this proposal, but postponed 'until

* * *

Pensions for
officials of the
Registry.

Mention was also made in the Sixth Annual Report¹ of the fact that the "Committee of Thirteen" had proposed the establishment of a pensions scheme for officials of the Secretariat of the League of Nations, the International Labour Office and the Registry. The Committee subsequently prepared draft regulations which, after examination by the Fourth Committee, were approved by the Assembly (Eleventh Session) on October 3rd, 1930².

The Regulations (known as "Regulations establishing a system of Pensions for the Staff"), which came into effect on January 1st, 1931, apply to officials of the Secretariat, the International Labour Office and the Registry appointed after that date, as also, under certain conditions, to those already in the service. The Regulations provide, *inter alia*, that the Pensions Fund is to be administered by an Administrative Board consisting of three members elected by the Assembly, a representative of the Secretary-General of the League of Nations, a representative of the Director of the International Labour Office and of two members elected by secret ballot by the officials subject to the Regulations. When questions directly interesting officials of the Registry of the Permanent Court of International Justice are examined, a representative of the Registrar will be added to the Board. The elected members and their deputies will be appointed for three years and may be re-elected. The Secretary-General, the Director of the International Labour Office and the Registrar of the Permanent Court of International Justice will be entitled at any time to change their representatives on the Board.

The revenues of the Fund are to consist of contributions payable by officials and of payments made by the League. The Regulations lay down that the transfer of an official

the following year' the question of special increases of salary to be given for these posts.

The organization of the Registry of the Court, to which the principles formulated by the Committee of Thirteen and approved by the Eleventh Assembly have been adapted, allows two posts of this category to be created, subject to the conditions laid down.

¹ See Sixth Annual Report, pp. 46 *et seq.*

² Paragraph 6 of the Resolution reproduced on p. 71.

from one to another of the three Organizations—the Secretariat, the International Labour Office and the Registry of the Permanent Court of International Justice—will not be deemed to interrupt the continuity of his service. Finally, any disputes in connection with pensions are referred to the League of Nations Administrative Tribunal, and it is specified that officials of the Registry of the Court and their wives and husbands and children shall have access to this Tribunal¹.

* * *

The Regulations for the Staff of the Registry, which were last reproduced in the Fifth Annual Report², have had to be modified as a result of the work of the Committee of Thirteen³. On August 22nd, 1930, the President of the Court adopted a revised text which was submitted to the Court on the following day; the revised text was then printed as an annex to the Report of the Committee of Thirteen and communicated in this form to the financial authorities and to the Assembly of the League in September 1930.

The Regulations for the Staff of the Registry.

Since, at that time, the Pensions Regulations for the Staff had not yet been approved by the Assembly, the revised text only contained a general reference to the right of officials to a pension. Furthermore, with regard to the salary of the high officials, it laid down definite rules based on the report of the Committee of Thirteen; the Assembly however postponed its decision on this point⁴.

It was accordingly necessary to modify the revised text of the Regulations; the new text, as adopted by the President of the Court on February 6th, 1931, and approved by the Court on February 20th, 1931, is reproduced below; it is regarded as taking effect retrospectively as from January 1st, 1931, the date of the coming into force of the new Pensions Regulations.

¹ The jurisdiction of the Administrative Tribunal is defined on p. 82.

² See pp. 54-57.

³ „ above pp. 70 *et seq.*

⁴ „ p. 71, § 7 of the Assembly Resolution, and pp. 72 *et seq.* for a summary of the decisions taken by the “New Committee of Thirteen”.

STAFF REGULATIONS FOR THE REGISTRY
OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE

ADOPTED BY THE PRESIDENT ON FEBRUARY 6th, 1931,
AND APPROVED BY THE COURT ON FEBRUARY 20th, 1931,
IN ACCORDANCE WITH ARTICLE 21 OF THE RULES OF COURT.

PREAMBLE.

The present Statute for the Staff has been drawn up in accordance with Article 21 of the Rules of Court and with the relevant decisions of the Assembly of the League of Nations; it applies to all officials of the Registry.

Article 1.

The Staff of the Registry comprises established, temporary and auxiliary officials.

Article 2.

The appointment of established officials is subject to the provisions of the present Regulations.

Temporary or auxiliary appointments are made, subject to the provisions of Article 5 below, on conditions to be fixed in each particular case, having regard to the provisions above mentioned.

Article 3.

Appointments shall be made in all cases by means of a letter addressed by the Registrar to the person concerned and replied to by the latter. This letter, which shall contain an express reference to the present Regulations, shall indicate the position offered, the category in which it is placed, the commencing salary and the special conditions, if any, applicable to the case.

The letter above mentioned, together with the reply thereto, shall constitute the official's title to his appointment.

Any question arising in connection with the rights and duties resulting from this appointment which is not expressly dealt with in the present Regulations shall be settled by the Registrar, who will supply any deficiencies, having regard to the rules in force in the Staff Regulations of the Secretariat of the League of Nations and the International Labour Office.

Differences between the Registrar and officials of the Registry which may arise in connection with the application of the provisions of the present Regulations and of those referred to in the preceding paragraph shall, failing agreement with the Registrar and without prejudice to the application of the provisions of the Regulations concerning a pensions scheme for the Staff of the League of Nations, be submitted, either by the Registrar or by the official concerned, to the Court or to any person or persons selected by it from amongst its members and to whom the necessary powers are delegated.

Article 4.

1.—Established officials are appointed for periods of seven years. Save in the case of the post of Deputy-Registrar (Rules of Court, Article 17), the appointment, at the expiration of each period of seven years and failing notice to the contrary, shall be automatically renewed for a further period of seven years, until the age-limit is reached. In the event of the non-renewal of the appointment, six months' notice shall be given.

2.—Even during a period of seven years and without prejudice to the terms of Article 13 (below), the Registrar, subject to the notice laid down above, may terminate the appointment of an official in the case of incompetency, not calling for disciplinary measures, as also in the event of the suppression of the post as a result of reorganization.

In these circumstances, the official concerned shall receive an equitable indemnity, fixed in accordance with the principles indicated in Article 3, paragraph 3, above.

3.—At any time during the period of their appointment, officials may terminate it by giving six months' notice, which may, in any particular case, be reduced by agreement between the Registrar and the person concerned.

4.—The age-limit referred to in No. 1 above shall be sixty years, though the Registrar shall have the right to retain the services of an official for a further period, which, normally, will not exceed five years.

Article 5.

1.—Temporary appointments shall be made for uninterrupted periods of a duration of less than seven years and more than six months.

2.—Auxiliary appointments shall be made for isolated or consecutive periods not in principle exceeding the duration of a session of the Court.

Article 6.

1.—The officials of the Registry are appointed in the following categories, classified according to the minimum salaries attaching thereto; these salaries are:

| | |
|--------------|----------------|
| Category (a) | 14,000 florins |
| „ (b) | 6,000 „ |
| „ (c) | 5,625 „ |
| „ (d) | 5,000 „ |
| „ (e) | 4,250 „ |
| „ (f) | 3,750 „ |
| „ (g) | 3,250 „ |
| „ (h) | 2,250 „ |
| „ (i) | 2,000 „ |
| „ (k) | 1,500 „ |

2.—The commencing salary of an official in his category shall be fixed by the Registrar. The salary thus fixed may be increased in the proportion and up to the maximum indicated below:

| | | |
|--------------------|---|-------------------|
| Category (a) | : florins | ¹ |
| „ (b) | 400 florins per annum up to 14,000 florins, | |
| | then, in the event of | |
| | promotion by selection, | |
| | florins per annum | |
| | up to | |
| „ (c) | 250 florins per annum up to | 8,125 „ |
| „ (d) ² | 150 „ „ „ „ | 7,200 „ |
| „ (e) | 125 „ „ „ „ | 5,625 „ |
| „ (f) | 100 „ „ „ „ | 4,750 „ |
| „ (g) | 90 „ „ „ „ | 4,000 „ |
| „ (h) ³ | 75 „ „ „ „ | 3,500 „ |
| „ (i) | 65 „ „ „ „ | 3,000 „ |
| „ (k) | 50 „ „ „ „ | 2,000 „ |

The provisions of this paragraph shall not affect rights acquired under contracts in force on January 1st, 1931.

3.—The salaries of all officials entitled to a pension under the Regulations of the Pensions Fund of the League of Nations shall be payable subject to deduction of the contributions prescribed by those Regulations.

The salaries of all officials who, after the coming into force of the Regulations of the Pensions Fund, remain members of the

¹ The fixing of the emoluments of any officials who may be included in this category has been referred by the Eleventh Assembly to a special Committee which will report to the Twelfth Assembly.

² In the case of a lady secretary, the increase will be 200 florins.

³ In the case of the chief messenger, the increase will be 100 florins.

Staff Provident Fund, shall be payable subject to deduction of the prescribed contribution to that Fund.

Article 7.

The daily rates of subsistence allowance shall be as follows :

for category (a) of Article 6 : 30 florins ;
for categories (b), (c) and (d) of Article 6 : 20 florins ;
for categories (e), (f), (g), (h), (i) and (k) of Article 6 : 15 florins.

Travelling expenses incurred on official business will be refunded on presentation of a detailed statement approved by the Registrar.

Article 8.

Salaries shall be fixed in Dutch florins and payable in the same currency. The same rule shall apply as regards any allowances and travelling expenses.

Article 9.

The hours of work shall be forty-two per week. The Registrar may, however, in so far as the pressure of work permits, reduce this number to thirty-eight by deciding that the Office shall be closed on Saturday afternoon.

The office hours shall, in general, be from 9.30 a.m. to 6 p.m. The luncheon interval is one hour and a half.

These hours may be modified by the Registrar as the work of the Office may require.

Officials whose annual salary does not exceed 5,000 florins shall be entitled to overtime pay for each hour of work done during the week over and above the regulation forty-two hours. The rate of overtime pay shall be fixed by the Registrar.

In the case of officials whose salary is between 5,000 and 5,625 florins, corresponding additional leave shall be granted in place of overtime pay.

In all circumstances, the Staff whose salary is between 3,000 and 5,000 florins, and who do not form part of shifts which relieve each other, shall be entitled to receive overtime pay for work done either after 8 p.m. or on Sundays or holidays.

Article 10.

1.—Without prejudice to the Registrar's right to grant leave in special circumstances, officials belonging to one of categories (a)

to (g) of Article 6 above shall be entitled annually to 36 working-days' holidays; those belonging to categories (h), (i) or (k), to from 15 to 21 working days. The holidays of Staff engaged locally or on a temporary or auxiliary basis shall be fixed by the Registrar in each particular case; the Registrar shall prepare a roster of holidays.

2.—The public holidays observed in the Netherlands shall not be regarded as working days.

3.—The members of the Staff engaged on an international basis shall be entitled to have refunded the cost of one return journey each year for the purpose of proceeding to their recognized homes. Similarly, they shall be entitled, once every three years, to have refunded the travelling expenses incurred by their wives and children under age in proceeding to their recognized homes. In order to take advantage of this right, each member of the Staff must have informed the Registrar, as soon as possible after his appointment, of the name of the place which is to be regarded as his or her recognized home.

Article 11.

Sick leave is granted in accordance with conditions to be determined after paying due regard to each particular case.

In principle, such leave shall be granted without reduction of salary. Should the leave be of long duration, a reduction may be considered. Any decision as to a reduction of salary shall be taken by the Registrar, subject to the approval of the President.

In the event of absence from duty on the ground of illness extending over more than three consecutive days, the official concerned must furnish a medical certificate.

Article 12.

1.—The officials of the Registry shall have the benefit of the pensions scheme instituted for the Staff of the League of Nations, under the conditions and with the rights and obligations resulting from the regulations establishing this scheme.

2.—Officials of the Registry who, *ipso facto*, are entitled to benefit by this scheme and those who desire to do so, shall undergo medical examination by a duly qualified doctor selected by the Registrar, in order to verify that they suffer from no infirmity or illness likely to prevent them from satisfactorily fulfilling their duties.

3.—The Court undertakes to refund 50 per cent. of the premiums payable on sickness insurance policies taken out by officials of the Registry and duly approved for the purpose by the Registrar.

Article 13.

The Registrar may, with the approval of the President, adopt disciplinary measures in regard to any official of the Registry involving:

(a) a reprimand, addressed to the official in writing and entered in the personal file relating to the official;

(b) a reduction of salary;

(c) suspension, with or without total or partial deprivation of salary; except in special cases, suspension shall have no effect upon the seniority of the official concerned from the point of view of his right to pension;

(d) dismissal, with or without notice.

In all the cases enumerated under (a) to (d) above, the official concerned shall have the right of appeal to the full Court.

Article 14.

The present Statute of the Staff may be modified by the Registrar with the approval of the President. The Registrar shall take into consideration any proposal made to this effect by at least three members of the Staff.

* * *

(See Third Annual Report, p. 32, and Fourth Annual Report, p. 52.)

The Administrative Tribunal of the League of Nations.

For 1931, the Administrative Tribunal of the League of Nations is composed as follows:

Judges:

M. Froelich (German), *President*,

M. Albert Devèze (Belgian), *Vice-President*,

M. Raffaele Montagna (Italian).

Deputy-Judges:

M. de Tomcsanyi (Hungarian),

M. Eide (Danish),

M. van Ryckevorsel (Dutch).

In pursuance of a Resolution of the Assembly, dated September 26th, 1926, the Administrative Tribunal of the League of Nations was established to deal with complaints from officials of the Secretariat of the League of Nations and of the

International Labour Office with regard to the application of their contracts. Officials of the Registry of the Permanent Court of International Justice—in respect of whose rights the Court itself is the competent authority—have no access to this Tribunal unless otherwise desired by the Court.

Nevertheless, under the Regulations instituting a system of pensions, which came into force on January 1st, 1931, the Administrative Tribunal has jurisdiction to deal with all disputes relative to pensions, in the case not only of officials of the Secretariat and of the International Labour Office, but also of those of the Registry.

IV.

DIPLOMATIC PRIVILEGES AND IMMUNITIES OF JUDGES AND OFFICIALS OF THE REGISTRY.

(See First Annual Report, pp. 103-104,
Fourth Annual Report, pp. 53-63,
and Sixth Annual Report, p. 49.)

V.

PREMISES.

(See First Annual Report, pp. 104-119, Second Annual Report, pp. 42-43, Fourth Annual Report, pp. 63-70, Fifth Annual Report, pp. 78-80, and Sixth Annual Report, pp. 50-51.)

In consequence of the increase in the number of ordinary judges of the Court, which has been raised from eleven to fifteen (Resolution of the Assembly of the League of Nations of September 25th, 1930¹) and, generally speaking, of the development of the Court, the premises at the disposal of the Court in the Peace Palace have become inadequate. With a view to remedying this state of affairs—and also bearing in mind the expansion of the Registry to be anticipated in

¹ See pp. 95-104.

consequence of the considerable increase in the work of the Court contemplated by the Assembly in 1929—negotiations were opened by the Secretary-General of the League of Nations with the Carnegie Foundation as early as 1929. Certain work calculated temporarily and partially to relieve the situation (division of rooms into two offices) was carried out at the beginning of 1931. In April 1931, the Carnegie Foundation submitted a provisional plan for the enlargement of the Palace.

This plan, which provided for the financing of the work to be undertaken by the League of Nations, was submitted to the Supervisory Commission at its 41st session (April-May, 1931). The report of the Commission upon this session contains the following passage on the subject¹:

“(f) *Additional Premises for the Court.*

41. Following on negotiations begun in 1930, the Secretary-General has recently received from the Carnegie Foundation a provisional proposal the result of which would be to place at the disposal of the Court ten new offices. The League of Nations would have to bear the expense (by means of annual payments spread over a long period), not only of adapting these offices, but also of the construction of a new wing to house the Academy of International Law, which at present occupies the premises in which the new offices would be established. These premises would become the freehold property of the Foundation.

The Commission felt that it could not recommend the acceptance of the proposal of the Carnegie Foundation. It therefore requested the Secretary-General to enter into negotiations on the subject.”

On June 15th, 1931, the Registry of the Permanent Court of International Justice had not been informed of the result of the negotiations which the Secretary-General of the League of Nations was thus requested to enter into with the Carnegie Foundation.

* * *

On pp. 51-53 of the Sixth Annual Report was reproduced Library. the resolution adopted by the Court on August 16th, 1929, and an account was given of the negotiations entered into

¹ Report of the Supervisory Commission on the proceedings of its 41st session (held at Geneva from April 29th to May 2nd, 1931).

between the Secretariat of the League of Nations and the Carnegie Foundation at The Hague with a view to finding some way of supplementing the Peace Palace library by the acquisition of works which were authoritative in the various countries and relating to the different systems of municipal law and to the theory of law.

In view of the reply of the Carnegie Foundation of May 19th, 1930¹, the Supervisory Commission approved the insertion amongst the supplementary estimates submitted to the Assembly at its Eleventh Session (September-October, 1930) of a sum of 10,000 florins, for the use of the Court for its library, the credit granted in 1930 having been 500 florins. The report of the Supervisory Commission contained the following passage on this subject² :

"... at its previous session the Commission had been reminded of the various steps which had been taken in order to arrive at a completion of the Peace Palace library in accordance with the requirements of the Court. These steps having led to no result, the Commission had been asked to approve credits for the acquisition by the Court of the collection of books of which it was in need and for the engagement of a library official, to be in charge of this collection. On that occasion, however, the Commission preferred to invite the Secretary-General once more to examine the possibility of obtaining the completion of the library through the instrumentality of the Carnegie Foundation itself. The reply of the Foundation, however, tended to show that the funds at the disposal of the Foundation did not allow of its giving satisfaction to the needs of the Court within a reasonable time. The Commission therefore, having regard to the fact that, as early as in August 1929, the Court placed on record that apart from normal development it was essential that the library at its disposal should be immediately supplemented by the acquisition of the works which were authoritative in the various countries with regard to the different branches of municipal law and to the theory of law, agreed that the time had come for provision to be made in the Court's Budget for the purchase of further books and for the salary of an official who, under the control of the Court, would be responsible for their acquisition. While it is understood that the books purchased out of League funds may be kept in the library of the Peace Palace and entered in its catalogues, they will of course remain the property of the League."

¹ See Sixth Annual Report, p. 53.

² Report of the Supervisory Commission on the proceedings of its 38th session (held on September 15th and 16th, 1930).

On the report of its Fourth Committee, the Assembly approved this credit on October 3rd, 1930 (23rd plenary meeting of Eleventh Ordinary Session of the Assembly).

In connection with the utilization of the credit, an arrangement has been reached between the Secretary-General of the League of Nations and the Carnegie Foundation, which arrangement supplements in regard to this matter the agreement concluded between them on February 12th, 1924¹. The new arrangement is as follows :

“AGREEMENT BETWEEN THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS AND THE PRESIDENT OF THE COMMITTEE OF DIRECTORS OF THE CARNEGIE FOUNDATION CONCERNING THE LIBRARY.

Article 1.

Notwithstanding the provisions of Article IX of the contract of 1924, the Permanent Court of International Justice shall assume responsibility for the purchase of books the speedy acquisition of which is necessary for the satisfactory performance of the Court's work.

Such purchases shall be restricted to works which are authoritative in the various branches of municipal law in the different countries and works relating to the general theory of municipal law in the different countries and to the theory of law in general.

Purchases shall be effected by the Court and books purchased shall remain the property of the League of Nations.

Article 2.

The Court shall keep the Carnegie Foundation informed as to action contemplated, steps taken and results obtained with regard to purchases, gifts and the exchange of works.

So as to avoid overlapping, the Carnegie Foundation and the Court shall mutually exchange without delay the titles of works the acquisition of which has been decided upon and lists of acquisitions.

¹ The 1924 agreement is reproduced in the First Annual Report, p. 112; it was amended on the lines indicated by the Supervisory Commission in its report on its twenty-fifth session, which report was approved by the Assembly of the League of Nations on September 27th, 1927 (see Fourth Annual Report, p. 66, for the relevant extract from the Supervisory Commission's report). The new arrangement of 1931 relates solely to provisions of the 1924 agreement which were not amended in 1929.

Article 3.

Books in the Peace Palace and belonging to the League of Nations shall be catalogued by an official of the Court in accordance with the system adopted by the Peace Palace Library and shall be included in the latter's catalogue: the fact that these books are the property of the League of Nations must however always be indicated both on the books themselves and in the catalogues.

All expenses in connection with the printing of titles, correction of proofs, storage (numbering) and the subsequent insertion of titles in the Library's catalogues shall be borne by the Foundation, whilst the expenses of acquisition, of binding works acquired by the Court and of stamping shall be borne by the Court.

Article 4.

Books in the Peace Palace and belonging to the League of Nations shall be kept in the premises of the Peace Palace Library, save for exceptions the indication of which shall rest with the Court. For the purposes of the annual inventory and quarterly inspections of property of the League of Nations in the hands of the Court, made by the Auditor of the League of Nations, books belonging to the League of Nations must be placed in a separate compartment of the Library or on separate shelves. The Foundation shall give a receipt for each book of the League of Nations which is deposited in its charge.

Notwithstanding the foregoing provisions, the Foundation may, temporarily, place collections of books belonging to the League of Nations in compartments of the Library other than those reserved for the League's books; whilst there they shall be placed on separate shelves.

Article 5.

Books belonging to the League of Nations shall be at the disposal of the public under exactly the same conditions as the Peace Palace Library's own collections, subject to the provisions of Article IX, paragraph 3, of the 1924 contract, and to the right of members of the Court and officials of the Registry at any time to reclaim one of these books which may have been lent to a third party.

Article 6.

Without prejudice to the terms of Article IX, paragraph 3, of the 1924 contract, an official of the Registry, as also the Auditor of the League of Nations, shall have access to the catalogues and

other bibliographical apparatus of the Peace Palace Library and also to any data which may exist in the Library regarding the purchase of the works defined in Article 1. Similarly they shall have access at any time to the premises where the books belonging to the League of Nations are kept.

Bibliographical apparatus which are not kept in the Reading Room, shall only be referred to by the above-mentioned officials by agreement on each occasion with the Foundation.

Article 7.

The Reading Room of the Peace Palace Library being, in accordance with Article IX, paragraph 3, of the 1924 contract, open to Members and officials of the Court until 6.30 p.m., whereas it may be closed to the public at an earlier hour, it is agreed that between the hours of 5 and 6.30 p.m. an official of the Court shall take charge of the Room.

Article 8.

All questions arising in respect of this agreement or its application shall be settled between the Foundation and the Court."

The official provided for in the estimates submitted was appointed by the Court with the title Head of the Documents Department ; he took up his duties on January 1st, 1931.

Furthermore, by a resolution adopted on February 20th, 1931, the Court decided to institute a Library Committee, consisting of M. Guerrero, Vice-President of the Court, Sir Cecil Hurst and Jonkheer van Eysinga, assisted by the Registrar of the Court. This Committee is entrusted, *inter alia*, with the task of approving lists of books to be purchased to supplement the Peace Palace Library in the fields indicated above.

CHAPTER II.

THE STATUTE AND RULES OF COURT.

I.

THE STATUTE.

(See First Annual Report, pp. 121-125.)

On June 15th, 1931, fifty-five States or Members of the League of Nations had signed the Protocol of Signature of the Statute, dated Geneva, December 16th, 1920, drawn up in accordance with the Assembly decision of December 13th, 1920, and which remains open for signature by the States mentioned in the Annex to the Covenant¹. The signatory States are:

Signatories of
the Protocol.

Union of South Africa, Albania, America (United States of—)², Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica³, Cuba, Czechoslovakia, Denmark, Dominican Republic, Esthonia, Ethiopia, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Nicaragua,

¹ The States mentioned in the Annex to the Covenant of the League of Nations and which, on June 15th, 1931, had not signed the Protocol of Signature of the Statute, are: Ecuador, the Hedjaz, Honduras and the Argentine.

² See pp. 165-179 for an account of the facts in regard to the signature of the Protocol by the United States of America.

³ Costa Rica, on December 24th, 1924, notified the Secretary-General of her decision to withdraw from the League of Nations; this decision was to take effect as from January 1st, 1927; before that date Costa Rica had not ratified the Protocol of Signature of the Statute. Furthermore, Costa Rica is not mentioned in the Annex to the Covenant of the League of Nations. This would seem to lead to the conclusion that the engagement resulting for Costa Rica from her signature of the Protocol of December 16th, 1920, has lapsed.

Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Venezuela, Yugoslavia.

Ratifications. All the above States have ratified except :

America (United States of--), Bolivia, Colombia, Costa Rica, Dominican Republic, Guatemala, Liberia, Nicaragua, Paraguay, Peru.

* * *

Revision of Statute.

An account was given in the Sixth Annual Report¹ of the events which followed the adoption by the Assembly of the League of Nations on September 20th, 1928, of a resolution recommending an examination of the provisions of the Statute of the Court with a view to the possible introduction of amendments and which led up to the adoption by the Assembly on September 14th, 1929, at its Tenth Session, of a Protocol for the revision of the Statute.

On May 12th, 1930, at the first meeting of the Fifty-Ninth Session, the Council of the League of Nations, having regard to the small number of States which had on that date ratified the Protocol of Revision², and with reference to the fourth paragraph of that Protocol³, instructed the Secretary-General to ask Members of the League and States which had not yet ratified whether they had any objection to the coming into force of the Protocol, requesting

¹ Resolution of the Assembly of September 20th, 1928, pp. 56-57; institution of a Committee of Jurists, p. 57; proceedings of the Committee of Jurists (March 1929), pp. 59-68; adoption by the Council of the report of the Committee of Jurists (June 12th, 1929), pp. 68-69; Conference of the States Parties to the Statute of the Court (Sept. 1929), pp. 69-75; report to the Assembly and approval by the latter of the conclusions of the Conference, pp. 75-90; text of the Protocol opened for signature on September 14th, 1929, p. 74; financial effects of the measures proposed by the Committee of Jurists, pp. 92-98.

² Union of South Africa, Austria, Belgium, Great Britain, Denmark, India, Norway, Sweden.

³ This paragraph was as follows: "The present Protocol shall enter into force on September 1st, 1930, provided that the Council of the League of Nations has satisfied itself that those Members of the League of Nations and States mentioned in the Annex to the Covenant which have ratified the Protocol of December 16th, 1920, and whose ratification of the present Protocol has not been received by that date, have no objection to the coming into force of the amendments to the Statute of the Court which are annexed to the present Protocol."

them to reply by August 20th, 1930, at the latest; after that date, the Secretary-General might communicate by telegram with those which had not replied to his first enquiry.

When the Council met for its Sixteenth Session, in September 1930, it was compelled to recognize (minutes of the 2nd meeting, Sept. 9th, 1930) that the conditions laid down by the fourth paragraph of the Protocol of Revision were not fulfilled. On that date in fact, of the forty-five Members or States which had ratified the Protocol of Signature of the Statute of 1920, only the Union of South Africa, Australia, Austria, Belgium, Germany, Great Britain and Northern Ireland, Canada, China, Denmark, Estonia, Finland, Greece, Haiti, Hungary, India, the Irish Free State, Japan, Latvia, Luxemburg, Netherlands, New Zealand, Norway, Persia, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland and Yugoslavia—thirty-two States in all—had ratified the Protocol of Revision of 1929; Albania, Bulgaria, Chile, Czechoslovakia, Italy, Lithuania, Panama, the United States of America and Venezuela made no objection to the entry into force of the amendments; Brazil and Uruguay had declared that their constitutions prevented them from acquiescing in the entry into force of these amendments without the authorization of their Parliaments; finally, the Cuban Government, by a communication to the Secretary-General of the League of Nations, had given notice that it opposed the entry into force of the amendments¹. In these circumstances, the Council appointed a Committee of three competent persons, in order to be in a position to submit concrete proposals to the Assembly.

This Committee, on September 12th, 1930, (minutes of 3rd meeting) made the following report to the Council:

“I.

In a Resolution of September 9th, 1930, the Council of the League of Nations, referring to the Protocol of September 14th, 1929, on the amendments to be made in the Statute of the Permanent Court of International Justice, instructed a Committee

¹ The Cuban Government has, in 1931, signed and ratified the Protocol of Revision. See p. 104, note 1, for the reservations placed upon this ratification.

of jurists, consisting of M. Basdevant, M. Gaus and M. Pilotti, to take the necessary steps to enable it to submit definite proposals to the Assembly in regard to the situation.

The Committee appointed M. Pilotti as rapporteur. It also heard M. Hammarskjöld, Registrar of the Court.

With a view to carrying out its instructions, the Committee inquired into the essential object of the revision of the Statute of the Court which the Protocol in question was designed to achieve. In doing so, it noted that the revision was mainly intended to remove a certain instability in the composition of the Court in three different ways: namely, (1) by the abolition of the deputy-judges, their place being taken by an equal number of judges; (2) by the adoption of the principle of the permanent functioning of the Court; and (3) as a consequence of the foregoing, by definitely fixing the salaries of the judges.

II.

1.—The proposals for the revision of the Statute had as their starting point the circumstance that the composition of the Court varies considerably at different times of the year. The eleven judges sit regularly during the ordinary sessions, which are held in the summer, while the deputy-judges replace almost constantly certain judges, particularly those from overseas, during the extraordinary sessions convened in the winter.

By abolishing the deputy-judges and raising the number of judges from eleven to fifteen (the number of judges required to constitute the full Court remaining at eleven), the revised Statute arranged for a constant composition of the Court except in the case of unavoidable leave or unavoidable absence.

The same result might, it seems, be obtained by applying Article 3 of the Statute of 1920, increasing the number of judges from eleven to fifteen.

As Article 25 of the 1920 Statute provides that the full Court is validly constituted if eleven judges are present, there is reason to suppose that the proposed increase would not affect the rule. Thus the practical effect of the proposed increase would be to make it unnecessary save in entirely exceptional cases to have recourse to the deputy-judges, who are not affected by the disabilities under which Article 16 of the Statute places the judges.

As a remedy for the serious disadvantages inevitably arising from the presence on the Bench of so large a number of judges (fifteen), the revised Statute (Art. 25) laid down that the Rules of Court might provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

A similar solution might be adopted under the terms of the present Statute. It would indeed be desirable to call the attention

of the Court to the possibilities offered by the power to regulate its procedure conferred on it by Article 30 of the 1920 Statute, so as to determine the nature of the leave granted to its members. Thus applied, the powers of the Court to regulate its procedure also enable it to take account of the generally accepted principle that persons from distant countries are granted long leave at regular intervals.

Finally, it should be pointed out that the Court has sometimes been prevented from sitting owing to inability to secure the necessary quorum. The revised Statute avoided such a contingency by laying down that judges are bound to hold themselves permanently at the disposal of the Court. The increase in the number of judges would avoid this drawback, in so far as that is possible under the 1920 Statute.

2.—As regards the permanent functioning of the Court, the Committee considered that Article 23 of the 1920 Statute, according to which, unless otherwise provided by Rules of Court, the annual session begins on June 15th, can supply the Court itself with a means of largely achieving the object of Article 23 of the revised Statute, which laid down that the Court shall remain permanently in session except during the judicial vacations.

Indeed, Article 23 of the 1920 Statute in no way prevents the Court from itself adopting, by means of regulations, the system of permanent sessions. The Assembly and the Council might express a desire that the Court would adopt this solution in its Rules. In any case, it would be perfectly permissible for the Court to combine the opening of its annual session with the system of annual leave for the judges so as to make the functioning of the Court possible during the period necessitated by the pressure of business.

3.—The measures suggested above, with a view to stabilizing the personnel of the Court and ensuring its permanent functioning, necessarily involve a revision of the system of remunerating the judges. The salaries of judges (apart from that of the President) consist at present of three component parts: a fixed salary of 15,000 florins; a salary varying according to the number of days of duty (the maximum being 20,000 florins); and a subsistence allowance of 50 florins per day. This system was fully justified at a time when the work which the members of the Court would be called upon to perform could not be foreseen, and when there was reason to think that judges would be able, subject to the rules regarding their disabilities, to continue to fill official positions in their own countries.

On the other hand, the system is no longer justifiable at present. At its Tenth Session, the Assembly expressed the opinion that the work of the Court would continue to increase, and in point of fact the Court's work has become so heavy that the

judges are bound to remain at The Hague for six to eight months every year, under circumstances which make it impossible for members of the Court to continue to hold office in their own countries.

The Committee considers that the easiest way to attain the object in view would be for the Council to submit to the Assembly a proposal under Article 32 of the 1920 Statute for the radical modification of the ratio between the fixed and variable portions of the judges' salaries. For instance, there might be added to the fixed salary of 15,000 florins the maximum amount which, according to the resolution at present in force, the allowances for days of duty are capable of attaining, namely, 20,000 florins. The fixed salary would thus amount to 35,000 florins. To this could be added, by way of a special indemnity, the 50 florins *per diem* provided for in the present resolution, under the heading: Subsistence allowance. This latter allowance, for which no express provision is made in Article 32 of the 1920 Statute, might be discontinued.

This proposal will not increase the cost of the Court. Indeed, if the hypothesis on which the Assembly acted when, at its Tenth Session, it approved the scheme for the revision of the Statute is correct, it is certain that the members of the Court will, even according to the resolution at present in force, attain to salaries substantially equal to those now suggested by the Committee.

Moreover, the stabilization of the salaries is the logical outcome of the recommendation made to the effect that the Court should take the necessary steps to ensure its permanent functioning, so as to abolish all connection between the length of the Court's sessions and the amount of the judges' salaries.

Modification of the system of judges' salaries also entails a few minor amendments in the rules for the granting of pensions to the 'personnel' of the Court. The present rule was adopted in 1924; a new draft set of rules intended to come into force at the same time as the revised Statute was adopted by the Assembly in 1929. It might be desirable to propose to the Assembly the adoption of rules essentially similar to this draft, which is a considerable improvement on the 1924 text.

The Committee has borne in mind the problem which would arise if the ratifications referred to in Article 3 of the Protocol of Revision of September 14th, 1929, which had not been secured by September 1st, 1930, were obtained subsequently. It thought, however, that this problem did not call for consideration at present.

* * *

Accordingly the Committee feels that it is able to propose that the Council should adopt the following resolutions:

Resolution No. 1.

The Council of the League of Nations has the honour to propose to the Assembly in accordance with Article 3 of the Statute of the Permanent Court of International Justice the adoption of the following resolution :

The Assembly,

Having regard to the proposal formulated by the Council on ... in conformity with Article 3 of the Statute of the Permanent Court of International Justice,

Decides as follows :

The number of judges for which provision is made in Article 3 of the Statute of the Permanent Court of International Justice is increased from eleven to fifteen. The number of deputy-judges remains as fixed.

Resolution No. 2.

[As the scale proposed by the Committee was approved as it stood by the Assembly, it is not reproduced here. See p. 97 the text of the Resolution adopted by the Assembly and bearing the number 4.]

Resolution No. 3.

[The Regulations concerning pensions proposed by the Committee of Jurists, having been adopted by the Assembly as they stood (save for certain slight modifications of form), are not reproduced here. See pp. 97-99 the text of the Resolution adopted by the Assembly and bearing the number 5.]

The Committee's report, with the draft resolutions contained therein, were approved by the Council on September 12th, 1930, and submitted to the Assembly which, on the following day (8th plenary meeting of the Eleventh [Ordinary] Session of the Assembly, Sept. 13th, 1930), referred it to its First Committee. The latter, after discussion (see minutes of 1st, 2nd, 3rd and 4th meetings of the First Committee on Sept. 18th, 19th, 20th and 22nd, 1930), made the following report to the Assembly :

“By a Resolution of September 9th, 1930, the Council of the League of Nations, referring to the Protocol of September 14th, 1929, on the amendments to be made in the Statute of the Permanent Court of International Justice, instructed a Committee of Jurists, consisting of M. Basdevant, M. Gaus and M. Pilotti, to take the necessary steps to enable it to submit definite proposals to the Assembly in regard to the situation.

The Committee submitted to the Council a report, together with three draft resolutions (document A. 45. 1930. V). On September 12th, the Council adopted this report and decided to transmit it to the Assembly. It, at the same time, proposed to the Assembly that it should adopt the three resolutions drawn up by the Committee.

The First Committee, to which the Assembly referred the examination of the question, proposes to the Assembly that it should adopt the following five resolutions:

Resolution No. 1.

‘The Assembly expresses the hope that the States which have not so far ratified the Protocol of September 14th, 1929, concerning the revision of the Statute of the Permanent Court of International Justice, will proceed, as soon as possible, to ratify that Protocol.’

Resolution No. 2.

‘The Assembly,

Having regard to the proposal formulated by the Council on September 12th, 1930, in conformity with Article 3 of the Statute of the Permanent Court of International Justice,

Decides as follows:

The number of judges for which provision is made in Article 3 of the Statute of the Permanent Court of International Justice is increased from eleven to fifteen.’

Resolution No. 3.

‘The Assembly requests the Permanent Court of International Justice to examine the suggestions contained in Part II, paragraphs 1 and 2, of the report of the Committee of Jurists which was submitted to and approved by the Council of the League of Nations on September 12th, 1930, and expresses the hope that the Court will give consideration to the possibility of regulating, pending the coming into force of the Protocol of September 14th, 1929, concerning the revision of the Statute of the Court, the questions of the sessions of the Court and the attendance of the judges, on the basis of Article 30 of the Statute as annexed to the Protocol of December 16th, 1920.’

Resolution No. 4.

The Assembly,

Having regard to the proposal formulated by the Council on September 12th, 1930, in conformity with Article 32 of the Statute of the Permanent Court of International Justice,

Decides as follows :

The salaries and allowances of the members of the Court are fixed as follows as from January 1st, 1931, until the Assembly's Resolution of September 14th, 1929, concerning the salaries and allowances of the members of the Court becomes applicable :

| <i>President :</i> | Dutch Florins. |
|-----------------------------|-------------------|
| Annual salary | 35,000 |
| Special allowance | 25,000 |

Vice-President :

| | |
|---|--------|
| Annual salary | 35,000 |
| Allowance of 50 florins for each day of duty as judge up to a maximum of | 10,000 |
| Allowance of 50 florins for each day on which he acts as President up to a maximum of | 10,000 |

Judges :

| | |
|---|--------|
| Annual salary | 35,000 |
| Allowance of 50 florins for each day of duty up to a maximum of | 10,000 |

Deputy and National Judges :

| | |
|---|--------|
| Allowances of 150 florins for each day of duty up to a maximum of | 30,000 |
|---|--------|

The allowances for each day of duty run from the day of the recipient's departure to the day of his return.

Allowances and salaries shall be free of all taxes.'

Resolution No. 5.

The Assembly,

Having regard to the proposal formulated by the Council on September 12th, 1930, in accordance with Article 32 of the Statute of the Permanent Court of International Justice,

Decides as follows :

Pensions will be allowed subject to the conditions hereinafter stated to the personnel of the Court holding office on January 1st, 1931, or subsequently entering on office :

Article 1.

The Judges and the Registrar of the Court who have, for any reason whatever, ceased to hold office shall be entitled to retiring pensions.

This right, however, shall not be recognized if the persons concerned have been dismissed for reasons other than the state of their health.

In the case of resignation, Judges of the Court will not be entitled to pensions unless they have completed a period of five years' service, and the Registrar shall not be entitled to a pension unless he has completed a period of seven years' service, but the Court shall have power, by a special decision, based on the fact that the person concerned is in a precarious state of health and has insufficient means, to grant him a pension equivalent to that to which he would have been entitled had he completed the minimum period of service laid down above.

The payment of a pension shall not begin until the person entitled to such pension has reached the age of 65. In certain exceptional cases, however, the pension may, by a decision of the Court, be made payable, in whole or part, to persons entitled thereto before they reach that age.

Article 2.

No retiring pension payable under the present Regulations shall exceed 15,000 Dutch florins per annum in the case of Judges of the Court and 10,000 Dutch florins per annum in the case of the Registrar.

Article 3.

Subject to the provisions of Article 2, Judges shall be entitled to the payment of a pension equivalent to one-thirtieth of their salary in respect of each period of twelve months passed in the service of the Court, the amount being calculated:

for the President, on his annual salary and special allowance;

for the Vice-President and the other Judges, on their annual salary and duty allowance.

The Registrar shall be entitled to the payment of a pension equivalent to one-fortieth of his salary in respect of each period of twelve months passed in the service of the Court.

If a person entitled to a pension is re-elected to office, the pension shall cease to be payable during his new term of office; at the end of this period, however, the amount of this pension shall be determined as provided for above, on the basis of the total period during which he discharged his duties.

Article 4.

Subject to the provisions of Article 3, retiring pensions shall be payable monthly in arrears during the lifetime of the beneficiary.

Article 5.

Retiring pensions shall be regarded as coming under the expenses of the Court, within the meaning of Article 33 of the Statute of the Court.

Article 6.

The Assembly of the League of Nations may, on the proposal of the Council, amend the present Regulations.

Nevertheless, any amendment so made shall not apply to persons elected before the amendment in question was adopted unless they give their consent thereto.' "

The Fourth Committee of the Assembly, for its part, which was entrusted with the examination of the question from the budgetary point of view, stated in a report to the Assembly that it "accepted the financial arrangements involved by the adoption, by the Assembly, of the report of the First Committee".

The Assembly had before it the reports of its First and Fourth Committees on September 25th, 1930 (15th plenary meeting of the Eleventh Session of the Assembly). On the same occasion, M. Pilotti, on behalf of the First Committee, submitted the following verbal report :

[*Translation.*] "By a Resolution of September 9th, 1930, the Council of the League of Nations, referring to the Protocol of September 14th, 1929, on the amendments to be made in the Statute of the Permanent Court of International Justice, instructed a Committee of jurists to take the necessary steps to enable it to submit definite proposals to the Assembly.

The Committee submitted to the Council a report, together with three draft resolutions (Document A. 45. 1930. V). On September 12th, the Council adopted this report and decided to transmit it to the Assembly.

The First Committee, to which the Assembly referred the examination of the question, proposes to the Assembly that it should adopt the five resolutions, the text of which has been distributed to all the delegates (Document A. 57. 1930. V).

As Rapporteur of the First Committee, I have the honour, on its behalf, to submit to the Assembly certain explanations on the subject of the proposed resolutions.

The First Committee noted the Council's decision to the effect that the conditions prescribed for the entry into force on September 1st, 1930, of the Protocol of September 14th, 1929, had not been fulfilled.

The Committee considered that the Protocol of September 14th, 1929, could not now come into force until it has been ratified by all the States which ratified the former Protocol of December 16th, 1920.

Such being the case, the Committee examined the question whether and to what extent it might be possible in the meantime to secure, within the framework of the Statute now in force, the essential objects of the amendments adopted in 1929.

It was of opinion, in this connection, that, generally speaking, the Council's proposals would make it possible to achieve this object. It considers it none the less necessary to propose that the Assembly should recommend that the Protocol of September 14th, 1929, be ratified, especially as that Protocol contains provisions which form a counterpart to one of the clauses of the Protocol, signed on the same date, concerning the accession of the United States of America to the Statute of the Court.

This recommendation is embodied in resolution No. 1.

The First Committee considered that, if the Protocol of September 14th, 1929, enters into force at some future date, it would have no effect upon the term of office of judges elected at the present Assembly.

The Committee also considered the difficulties which might arise, after the entry into force of the Protocol, from the application of the new rules concerning disabilities laid down in Articles 16 and 17 of the revised Statute annexed to the said Protocol. Despite some divergence of view as to the substance of the question, the Committee recognized that the last paragraph of these articles, and in certain circumstances Article 18, empower the Court to give a decision in respect of any difficulties that might arise.

Concerning resolution No. 2, it should be remembered that the system adopted under the Statute as revised in 1929 consists in abolishing deputy-judges and increasing the number of judges from eleven to fifteen, the number of judges required to constitute the full Court remaining at eleven. In this way, the revised Statute will ensure that the composition of the Court remains constant, apart from cases of leave or unavoidable absence.

The same result might, it would seem, be obtained in virtue of Article 3 of the 1920 Statute by increasing the number of judges from eleven to fifteen.

Article 25 of the 1920 Statute lays down that the full Court is validly constituted if eleven judges are present. There is reason to think that the proposed increase would not affect this rule. In the circumstances, the practical effect of the increase would be to render superfluous, save in quite exceptional cases, recourse to the deputy-judges, who are not affected by the disabilities laid down in Article 16 of the Statute in respect of the judges.

It seems hardly necessary to mention that the increase in the number of judges in no way affects the fact that the Council and the Assembly are required to elect, at the present session of the Assembly, four deputy-judges, in compliance with the provisions of Article 3 of the 1920 Statute. These deputy-judges will, of course, no longer be called upon to exercise their functions, should the Protocol of September 14th, 1929, come into force.

Under the system of the 1929 revised Statute, the serious disadvantages inevitably attaching to the presence on the bench of as many as fifteen judges would be removed by the operation of the provision of Article 25, according to which the Rules of Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

A similar solution might be obtained under the present Statute. In fact, the power to regulate its procedure, conferred on it by Article 30 of the 1920 Statute, enables the Court to determine the conditions of leave to be accorded to its members. It is even possible that, in this connection, it could take into account the generally accepted principle that persons from distant countries should be granted long leave at regular intervals.

Finally, it should be pointed out that the Court has sometimes been prevented from sitting owing to its inability to secure the necessary quorum. Such a contingency has been avoided in the revised Statute, which lays down that the judges are bound to hold themselves permanently at the disposal of the Court. The increase in the number of judges which the Committee proposes would obviate this drawback so far as it is for it to occur under the 1920 Statute.

As regards the permanent functioning of the Court, Article 23 of the 1920 Statute, according to which, unless otherwise provided by Rules of Court, the annual session shall begin on June 15th, is capable of providing the Court with the means of achieving itself the object of Article 23 of the revised Statute, which lays down that the Court shall remain permanently in session except during the judicial vacations.

Article 23 of the 1920 Statute in no way prevents the Court from adopting, by the enactment of rules, the system of permanent sessions. In any case, it would be quite permissible for the Court to bring the opening of its annual session into line with the system of annual leave for the judges, so as to enable the Court to

function throughout the period required for the business in hand to be completed.

These questions are dealt with in the third resolution.

The fourth resolution refers to the salaries of members of the Court.

The salary of judges (except in the case of the President) is at present made up of three elements—namely, a fixed salary of 15,000 florins, an allowance varying according to the number of days of duty (up to a maximum of 20,000 florins) and a subsistence allowance of 50 florins *per diem*. This system was fully justified at a time when the amount of work which the members of the Court would be called upon to perform could not be foreseen, and when it was thought that the judges would be able, subject to the rules concerning disabilities, to continue to fill official positions in their own country.

The system, however, is no longer appropriate, the Court's work having become so heavy that the judges have to remain at The Hague for six to eight months in the year, in circumstances which make it impossible for them to continue to hold other offices.

The way to attain the object in view, within the terms of Article 32 of the 1920 Statute, is to make a radical change in the ratio between the fixed and variable portions of the judges' salaries. Thus, there might be added to the fixed salary of 15,000 florins the maximum amount which, under the terms of the resolution now in force, the allowance for days of duties can attain—namely, 20,000 florins—thus making a fixed salary of 35,000 florins. To this might be added, as an allowance for days of duty, the 50 florins *per diem* which figure in the resolution actually in force as subsistence allowance. This last named allowance, which is not expressly provided for in Article 32 of the 1920 Statute, could be abolished.

This proposal would not increase the expenses of the Court. Indeed, there is reason to believe that the members of the Court would receive, even under the resolution now in force, salaries substantially the same as those proposed by the Committee.

Moreover, the stabilization of salaries is the logical outcome of the desire that the Court should take the necessary measures to ensure the permanence of its sessions, thus doing away with any connection between the length of its sessions and the amount of the members' salaries.

It has been said that the stabilization of salaries would place judges who do not attend the Court's sessions regularly in an unduly favourable position. The First Committee is of opinion that judges are in duty bound to participate regularly in the work of the Court unless they are unavoidably prevented from doing so.

The modification of the system of judges' salaries entails also a few minor amendments in the Regulations regarding the granting of retiring pensions to members of the Court. The present Regulations were adopted in 1924. New draft regulations, intended to

come into force simultaneously with the revised Statute, were adopted by the Assembly in 1929. The object of the fifth resolution is the adoption of regulations essentially similar to that draft, with the amendments necessitated by the new system of salaries for the judges.

The Committee's desire to make only such amendments in the 1929 text as are strictly necessary, and to abstain accordingly from making, in the substance of the text, certain amendments which might have appeared desirable, is explained partly by motives of expediency and also by the fact that the pensions system can always be revised under Article 6 of the Regulations themselves.

One of the points which particularly struck the Committee was that, while the Regulations regarding salaries and allowances stipulate that these shall be free of all tax, there is no similar provision in the 1924 and 1929 texts in regard to pensions.

In this connection, the Committee's attention was drawn to the following passage in the report adopted by the Assembly in 1920 concerning the taxation of salaries of members of the Court:

'To ensure an equal position for all the members of the Court of International Justice, by neutralizing the different degrees in which their salaries may be affected by taxation in the various countries, the Committee proposes that all salaries and allowances should be free of taxation. As, however, the decisions of the Assembly may be inoperative as against the fiscal laws applied in the different countries, it has been proposed that the League of Nations should reimburse the members of the Court for any taxes which they may be obliged to pay.'

The First Committee trust that, pending the formal settlement of the question, the general principle set forth in this passage will be observed.

There are no provisions in the Regulations as regards the granting of allowances to widows and children. It should be recalled, in this connection, that the question was examined by the Fourth Committee of the Tenth Assembly¹."

After M. Pilotti's verbal report, the President of the Assembly made the following declaration recording the adoption by the Assembly of the reports of its First and Fourth Committees and of the five resolutions appended thereto:

[*Translation.*] "The Assembly has heard the conclusions of both Rapporteurs, and in particular M. Pilotti's very important statement on the organization of the Permanent Court of International Justice, and the Statute relating to its members with special reference to their right to retiring pensions.

¹ The Rapporteur then read the proposed resolutions.

If no one desires to speak or wishes for a vote, I shall regard the report of the First Committee, with the accompanying resolutions and the report of the Fourth Committee as adopted. I think I shall be interpreting the wishes of the Assembly if I add that the Assembly has duly noted the statement made by M. Pilotti on behalf of the First Committee."

On June 15th, 1931, the Protocol of Revision of September 14th, 1929, had been signed by the following States :

Union of South Africa, Albania, America (United States of—), Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Esthonia, Finland, France, Germany, Great Britain and Northern Ireland, Greece, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Venezuela, Yugoslavia.

On the same date, the following States had ratified¹ :

Union of South Africa, Albania, Australia, Austria, Belgium, Bulgaria, Canada, China, Cuba, Czechoslovakia, Denmark, Esthonia, Finland, France, Germany, Great Britain and Northern Ireland, Greece, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Luxemburg, Netherlands, New Zealand, Norway, Persia, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Yugoslavia.

¹ The instrument of ratification deposited with the Secretariat of the League of Nations on January 5th, 1931, on behalf of the Cuban Government, stipulates that ratification is given under reservation of the provisions of Article 4 of the Protocol (these provisions are reproduced on p. 90, note 3), and of the new text of Article 23 of the Statute (see Sixth Annual Report, p. 60 and p. 70, for the text of this article as drafted by the Committee of Jurists of March 1929 and the Conference of September 1929).

Further, in the letter accompanying the Cuban instrument of ratification, the Cuban Secretary of State informed the Secretary-General of the League of Nations that his Government considered that the revision Protocol would not affect the position of judges already elected; he requested the Secretary-General to take due note of this opinion.

By a letter from the Secretary-General of the League of Nations, States having signed the Protocol relating to the revision of the Statute were notified of these reservations and requested to state whether they could accept them.

II.

THE RULES OF COURT.

(1) *Preparation of the Rules.*

(See First Annual Report, pp. 126-127.)

The minutes with annexes of the meetings of the Preliminary Session of the Court devoted to the preparation of the Rules of Court (January 30th—March 24th, 1922) have been published in Series D., No. 2, of the Court's Publications.

(2) *Revision of the Rules.*

(See Third Annual Report, pp. 36-37,
and Fourth Annual Report, pp. 72-78.)

The Rules as revised in 1926 are reproduced in Series D., No. 1. The minutes of meetings relating to the revision of the Rules have been published in the form of a First Addendum to Volume No. 2 of Series D. (Preparation of the Rules); this addendum also contains notes, observations and suggestions submitted on the subject by members of the Court. Revision of
July 1926.

Further, Article 71 of the Revised Rules was amended in September 1927 (extension to advisory procedure of the provisions regarding the appointment of judges *ad hoc*). The text of Article 71 as amended is published as an addendum to Volume No. 1 of Series D. above mentioned. The Fourth Annual Report (pp. 72-78) reproduces the documents and extracts from minutes of meetings of the Court relating to this amendment.

* * *

The third Resolution¹, adopted on September 25th, 1930, by the Assembly of the League of Nations at its Eleventh Session, expressed the hope that the Court, availing itself of the power to make rules conferred upon it by the Statute (Art. 30), and taking into consideration the suggestions of Modifications
of January-
February 1931.

¹ This Resolution is quoted on page 96.

the report of the Committee of Jurists approved by the Council on September 12th, 1930¹, would examine the possibility of regulating "the question of the sessions of the Court and the attendance of judges". The suggestions referred to contemplated the institution of "the system of permanent sessions" and the possibility of bringing the opening of the Court's annual session "into relation with the system of annual leave for judges, so as to make the functioning of the Court possible during the whole period necessitated by the amount of work to be performed".

When the Court met for its Twentieth (ordinary) Session (Jan. 15th—Feb. 21st, 1931), it considered all the questions thus raised. In this connection, the Court was led to examine the question of the date on which its ordinary annual session should begin and that of the long leaves to be granted, in certain circumstances, at fixed intervals to judges coming from distant countries.

The Court's examination of the points above mentioned has resulted, *inter alia*, in the drafting of a new text of Articles 27, 28 and 57 of the Rules of Court, which is based on the idea that judges are, in principle, always at the Court's disposal, the Court itself being always at the disposal of Parties.

Following out this idea, the new version of Article 27 lays down that "the ordinary session of the Court opens on February 1st in each year"; whilst "the President may summon an extraordinary session of the Court whenever he thinks it desirable", "for instance, when a case submitted to the Court is ready for hearing"; a "session continues until the session list is finished". Under Article 28, this list indicates "the contentious cases and the cases for advisory opinion which are ready for hearing, whether submitted to the full Court or to the Special Chambers or the Chamber for Summary Procedure". The order in which cases ready for hearing will be taken is, in principle, governed by "the date of the receipt of the document submitting the case to the Court". Certain exceptions to this rule are however provided for: under Article 57, for instance, "an application made to the Court by one or both Parties for the indication

¹ This report is quoted on pages 91-95.

of interim measures of protection, shall have priority over all other cases”.

Again, with regard to the composition of the Court (new Art. 27), “judges are bound to be present at the ordinary session of the Court and at all sessions to which they are summoned by the President, unless they are on leave or are prevented by illness or other serious reasons duly explained to the President and communicated by him to the Court”; provision is made for the leave referred to for the benefit of “judges whose homes are situated at more than five days’ normal journey from The Hague, and who by reason of the fulfilment of their duties in the Court are obliged to live away from their own country”; such judges “are entitled in the course of each period of three years of duty to leave for six months in addition to the time spent in travelling”.

The ideas embodied in the provisions analysed above having been adopted, certain further modifications also appeared necessary in the chapter of the Rules relating to the office of President; these modifications, which are designed to secure that the discharge of the duties of the President will always be assured at the seat of the Court, either by the President himself or by the Vice-President, affect Articles 9, 12 and 13.

In the same connection, the Court adopted on January 30th, 1931, the following resolution: “The Court considers it desirable that it should not be convened between July 1st and October 1st, except for urgent cases¹.”

On the other hand, the Court did not think it expedient, at the beginning of the period of office of the judges recently elected, to undertake a fresh general revision of the Rules of Court. Nevertheless, it devoted immediate attention to certain questions which appeared to be of an urgent nature. This is the reason why certain new drafts have been adopted, e.g. in respect of Articles 17, 19, 21, 42 and 65. Article 17 in particular, which deals with the appointment of the Registrar and Deputy-Registrar, lays down in its amended form that members of the Court, when nominating candidates for these posts, “must give the necessary particulars regarding age,

¹ See Chapter VI (“Digest of decisions taken by the Court in application of the Statute and Rules”), p. 285.

nationality, university degrees and linguistic attainments of candidates, as also regarding their judicial and diplomatic qualifications, their experience in connection with the work of the League of Nations and their present profession"; furthermore, the Court has thought it expedient to arrange the procedure for nomination in such a way as to enable "nominations and information concerning the nationals of distant countries to be received in sufficient time".

But whilst not therefore at once embarking upon a general revision of the Rules, the Court nevertheless considered it desirable to undertake a methodical examination of them with a view to revision. With this object, on May 12th, 1931, it decided to adopt the following rules :

- (a) to determine the subjects to be examined ;
- (b) to entrust each subject to a committee of three or four judges ;
- (c) each committee to appoint a rapporteur to submit a report to it at a subsequent session ;
- (d) each committee, after discussing this report, to propose to the Court such modifications as it may consider desirable to make ;
- (e) members of the Court to be able to make any observations or propose any amendments which they may think useful and necessary in regard to the committee's report.

On the same date, in accordance with (a) of this decision, the Court decided upon the subjects to be examined and to form four committees. It also decided, when the time came, to set up a co-ordinating committee consisting of the rapporteurs of these four committees under the chairmanship of the President of the Court.

The text of the Rules of Court, amended during the session of January-February 1931, is reproduced in the second edition (1931) of Volume No. 1 of Series D. of the Court's Publications. It has been officially notified to all governments entitled to appear before the Court ; it has also been communicated, for

information, to all diplomatic missions at The Hague. The minutes of meetings devoted by the Court to the amendment of the Rules have been published in the form of a Second Addendum to Volume No. 2 of Series D.

At the session at which, as just stated, the Court amended its Rules, it also adopted, on February 20th, 1931, a resolution which relates to the functions which may be exercised by judges outside the Court (see in particular Art. 17 of the Statute)¹. This resolution is as follows:

“Question whether members of the Court may belong to conciliation commissions.

The Court decides that henceforward there is no reason why its members should not, if they see fit, belong to commissions of conciliation or enquiry, subject when necessary to the application of the provisions of the Statute.”

¹ See Chapter VI (“Digest of decisions taken by the Court in application of the Statute and Rules”), p. 277.

CHAPTER III.

THE COURT'S JURISDICTION.

I.

JURISDICTION IN CONTESTED CASES.

(1) *Jurisdiction* *ratione materiae*.

According to the first paragraph of Article 36 of the Statute, the jurisdiction of the Court comprises all cases which the Parties refer to it and all matters specially provided for in treaties and conventions in force.

As regards cases which the Parties submit to the Court by special agreement, the document instituting proceedings is that giving notice of the compromis setting out the terms of the agreement. In order that a case may be validly brought before the Court, notice of the special agreement must be given by all the Parties, unless it is expressly laid down in one of the clauses of the special agreement that the Court may take cognizance of the case upon notice being given by one Party only.

The table on the following page gives the list of cases which have been submitted to the Court by special agreement; the Parties to the case as well as the date of the special agreement are also indicated in the table.

CASES SUBMITTED BY SPECIAL AGREEMENT.

| Name of the case. | Parties. | Date of special agreement. |
|--|---|----------------------------|
| Interpretation of certain clauses of the Treaty of Neuilly ¹ | Bulgaria and Greece | March 18th, 1924 |
| The <i>Lotus</i> case ² | France and Turkey | Oct. 12th, 1926 |
| Free zones of Upper Savoy and the District of Gex ³ | France and Switzerland | Oct. 30th, 1924 |
| Payment, in gold, of the Brazilian Federal loans issued in France ⁴ | Brazil and France | Aug. 27th, 1927 |
| Payment of various Serbian loans issued in France ⁵ | France and Yugoslavia | April 19th, 1928 |
| Jurisdiction of the International Commission of the Oder ⁶ | British Empire, Czechoslovakia, Denmark, France, Germany and Sweden, and Poland | Oct. 30th, 1928 |

Jurisdiction under treaties and conventions.

As regards treaties and conventions in force, there is a special publication of the Court entitled *Collection of Texts governing the jurisdiction of the Court*, which enumerates them and gives extracts from the relevant portions⁷. This publica-

¹ See First Annual Report, p. 180.

² " Fourth " " " " 166.

³ " Sixth " " " " 201, for a summary of the order made by the Court on August 19th, 1929; and the present volume, p. 233, for a summary of the order of December 6th, 1930; the case is still pending (June 15th, 1931).

⁴ See Fifth Annual Report, p. 216.

⁵ " " " " " " 205.

⁶ " Sixth " " " " " 213.

⁷ The first edition of this publication appeared on May 15th, 1923 (Series D., No. 3). The second edition is dated June, 1924 (Series D., No. 4). The third edition is dated December 15th, 1926 (Series D., No. 5). This third edition is supplemented by four addenda: the first, second, third and fourth form Chapter X of the Third, Fourth, Fifth and Sixth Annual Reports respectively.

tion, of which a new edition, brought up to date and completed, will appear shortly, is based entirely on official information of two different kinds: official publications issued either by the League of Nations or its organizations, or by the various governments; direct communications from the same sources.

In this connection, it should be observed that on March 24th, 1927, the Registrar of the Court asked all governments entitled to appear before the Court regularly to transmit to the Registry the text of new agreements concluded by them and containing clauses relating to the Court's jurisdiction. On June 5th, 1928, a reminder was sent to those governments which had not yet replied on that date. On June 15th, 1931, the following States had accepted the suggestion made:

Spain, Netherlands, Monaco, Austria, Germany, Russia, Norway, Italy, Turkey, Great Britain, Switzerland, Finland, Mexico, Esthonia, China, Belgium, Peru, United States of America, Siam, Sweden, New Zealand, Czechoslovakia, Hungary, Latvia, India, Denmark, Poland (for Poland and for the Free City of Danzig), Egypt, France, Panama, Chile, Ecuador, Brazil, Venezuela, Colombia, Union of South Africa, Lithuania, Luxemburg.

The instruments which had come to the knowledge of the Registry on June 15th, 1931, may be divided into several categories¹:

A.—*Peace Treaties.*

(For the list, see Third Annual Report, p. 40.)

B.—*Clauses concerning the protection of Minorities.*

(For the list, see Third Annual Report, pp. 40-42.)

C.—*Mandates for various colonies and territories entrusted to certain Members of the League of Nations under Article 22 of the Covenant.*

(For the list, see Third Annual Report, pp. 42-43.)

¹ See pages 118-156 of this volume for a list in chronological order of these instruments.

D.—*General International Agreements.*

The general international agreements which had come to the knowledge of the Registry on June 15th, 1930, are indicated in the Third Annual Report (pp. 44-46), the Fourth Annual Report (p. 81), the Fifth Annual Report (p. 98) and the Sixth Annual Report (p. 104). As on June 15th, 1931, the following is to be added :

Convention establishing an international agricultural mortgage credit company, concluded at Geneva May 21st, 1931.

Article 423 of the Treaty of Versailles and the corresponding articles of the other peace treaties give the Court jurisdiction to deal, amongst other things, with any question or difficulty relating to the interpretation of conventions concluded, after coming into force of the treaties and in pursuance of the Part entitled "Labour", by the Members of the International Labour Organization. At the Fourteenth Labour Conference (Geneva, 1930)¹, the following conventions were adopted :

Convention concerning forced or compulsory labour.

Convention concerning the regulation of hours of work in commerce and offices.

E.—*Political Treaties (of alliance, commerce, navigation) and others.*

The list of agreements of this nature which had come to the knowledge of the Registry on June 15th, 1930, is given in the Fourth Annual Report (pp. 81-85), the Fifth Annual Report (pp. 99-100) and the Sixth Annual Report (pp. 105-106). As on June 15th, 1931, the following are to be added which, together with those contained in the Fourth, Fifth and Sixth Annual Reports, affect forty-two Powers :

Commercial Convention between Czechoslovakia and France.—Paris, July 2nd, 1928.

Convention regarding the settlement of reciprocal claims and debts between Czechoslovakia and Yugoslavia.—Prague, November 7th, 1928.

¹ See Third Annual Report (pp. 45-46), Fourth Annual Report (p. 81), Fifth Annual Report (p. 99) and Sixth Annual Report (p. 104) for the conventions adopted at the first thirteen Labour Conferences.

- Treaty of commerce and navigation between Esthonia and Germany.—Tallinn, December 7th, 1928.
- Convention of commerce, navigation and establishment between France and Greece.—Athens, March 11th, 1929.
- Treaty of commerce and navigation between Austria and the Netherlands.—The Hague, March 28th, 1929.
- Treaty of friendship between Persia and Sweden.—Teheran, May 27th, 1929.
- Treaty of friendship between the Netherlands and Persia.—Teheran, March 12th, 1930.
- Treaty of commerce and navigation between the Netherlands and Yugoslavia.—Belgrade, May 28th, 1930.

F.—*Various Instruments and Conventions concerning transit, navigable waterways and communications generally.*

A list of the various instruments and conventions concerning transit, navigable waterways and communications in general, which had come to the knowledge of the Registry on June 15th, 1930, is given in the Third Annual Report (pp. 49-50), the Fourth Annual Report (p. 85), the Fifth Annual Report (p. 100) and the Sixth Annual Report (p. 106).

To this list, the following conventions are to be appended as on June 15th, 1931:

- General Convention concerning air navigation between Italy and Spain.—Santander, August 15th, 1927.
- Protocol of the negotiations (regularization of the Rhine between Strasbourg, Kehl and Istein) between France, Germany and Switzerland.—Geneva, December 18th, 1929.

G.—*Treaties of arbitration and conciliation.*

In the Fourth Annual Report (pp. 85-89), the Fifth Annual Report (pp. 100-101) and the Sixth Annual Report (pp. 106-107), a complete list of instruments of this nature, which had come to the knowledge of the Registry on June 15th, 1930, is given.

As on June 15th, 1931, the following are to be added which, together with those enumerated in the Fourth, Fifth and Sixth Annual Reports, affect thirty-seven Powers:

- Treaty of arbitration and conciliation between Denmark and Haiti.—Washington, April 5th, 1928.
- Treaty of conciliation, judicial settlement and arbitration between Czechoslovakia and Spain.—Prague, November 16th, 1928.
- Treaty of conciliation, judicial settlement and arbitration between Poland and Spain.—Madrid, December 3rd, 1928.
- Treaty of conciliation, judicial settlement and arbitration between Norway and Spain.—Madrid, December 27th, 1928.
- Convention of conciliation, arbitration and judicial settlement between Belgium and Czechoslovakia.—Prague, April 23rd, 1929.
- General Act of conciliation, arbitration and judicial settlement between Czechoslovakia, Roumania and Yugoslavia.—Belgrade, May 21st, 1929.
- Pact of friendship, conciliation, arbitration and judicial settlement between Czechoslovakia and Greece.—Prague, June 8th, 1929.
- Convention of conciliation, judicial settlement and arbitration between Italy and Norway.—Oslo, June 17th, 1929.
- Convention of judicial settlement, arbitration and conciliation between Czechoslovakia and Esthonia.—Tallinn, July 9th, 1929.
- Protocol modifying the Arbitration Convention of August 29th, 1924, between Germany and Sweden.—Berlin, August 25th, 1929.
- Convention for the peaceful settlement of all international disputes between Czechoslovakia and Norway.—Geneva, September 9th, 1929.
- Treaty of conciliation, judicial settlement and arbitration between Luxemburg and Switzerland.—Geneva, September 16th, 1929.
- Convention of conciliation, arbitration and judicial settlement between Czechoslovakia and Luxemburg.—Geneva, September 18th, 1929.
- Convention of judicial settlement, arbitration and conciliation between Czechoslovakia and Finland.—Prague, October 2nd, 1929.
- Treaty of conciliation and arbitration between Esthonia and Hungary.—Tallinn, November 27th, 1929.
- Treaty of conciliation, arbitration and judicial settlement between Norway and Poland.—Oslo, December 9th, 1929.

- Treaty of judicial settlement, arbitration and conciliation between the Netherlands and Roumania.—The Hague, January 22nd, 1930.
- Treaty of judicial settlement, arbitration and conciliation between the Netherlands and Poland.—The Hague, April 12th, 1930.
- Treaty of conciliation, judicial settlement and arbitration between Finland and France.—Paris, April 28th, 1930.
- Treaty of conciliation, judicial settlement and arbitration between Norway and Portugal.—Lisbon, July 26th, 1930.
- Convention of conciliation, arbitration and judicial settlement between Austria and Norway.—Oslo, October 1st, 1930.
-

TABLE ¹ IN CHRONOLOGICAL ORDER
OF INSTRUMENTS IN FORCE, OR SIGNED ONLY,
GOVERNING THE COURT'S JURISDICTION ².

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|--------------|-----------------------|---------------------------------|---|
| 1919. | | | |
| June 28th | Versailles | Treaty of Peace | Allied and Associated Powers and Germany |
| June 28th | Versailles | Treaty (so-called "Minorities") | Principal Allied and Associated Powers and Poland |
| Sept. 10th | Saint-Germain-en-Laye | Treaty of Peace | Allied and Associated Powers and Austria |
| Sept. 10th | Saint-Germain-en-Laye | Treaty (so-called "Minorities") | Principal Allied and Associated Powers and Yugoslavia |
| Sept. 10th | Saint-Germain-en-Laye | Treaty (so-called "Minorities") | Principal Allied and Associated Powers and Czechoslovakia |

¹ This table contains instruments which had come to the knowledge of the Registry on June 15th, 1931.

² The relevant clauses of those instruments which had come to the knowledge of the Registry before June 15th, 1930, are reproduced either in the *Collection of Texts governing the jurisdiction of the Court*, third edition, or in the four addenda to the *Collection* constituting Chapter X of the Third, Fourth, Fifth and Sixth Annual Reports. All these clauses will be collected together in the fourth edition of the *Collection*, which will appear shortly and which will contain also the relevant clauses of instruments which have come to the knowledge of the Registry since June 15th, 1930. This new edition (No. D. 6) will contain in certain cases the complete text of these instruments.

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------------------------|-----------------------|--|---|
| 1919 (<i>Cont.</i>). | | | |
| Sept. 10th | Paris | Convention for the control of the trade in arms and ammunition | Collective Treaty |
| Sept. 10th | Saint-Germain-en-Laye | Convention relating to the liquor traffic in Africa | Belgium, British Empire, France, Italy, Japan, Portugal, United States of America |
| Oct. 13th | Paris | Convention for the regulation of air navigation | Collective Treaty |
| Nov. 27th | Neuilly-sur-Seine | Treaty of Peace | Allied and Associated Powers and Bulgaria |
| Nov. 28th | Washington | Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week | Collective Treaty |
| Nov. 28th | Washington | Convention concerning unemployment | Collective Treaty |
| Nov. 28th | Washington | Convention concerning night work of women | Collective Treaty |
| Nov. 28th | Washington | Convention fixing the minimum age for admission of children to industrial employment | Collective Treaty |
| Nov. 28th | Washington | Convention concerning the night work of young persons employed in industry | Collective Treaty |

| Date. | | Place of signature. | Title of the act. | Contracting Parties. |
|--------------|------|---------------------|--|---|
| 1919 | | | | |
| (Cont.). | | | | |
| Nov. | 29th | Washington | Convention concerning employment of women before and after childbirth | Collective Treaty |
| Dec. | 9th | Paris | Treaty (so-called "Minorities") | Principal Allied and Associated Powers and Roumania |
| 1920. | | | | |
| March | 26th | Stockholm | Convention concerning the establishment of a conciliation commission | Chile and Sweden |
| June | 4th | Trianon | Treaty of Peace | Allied and Associated Powers and Hungary |
| July | 9th | Genoa | Convention fixing the minimum age for admission of children to employment at sea | Collective Treaty |
| July | 9th | Genoa | Convention concerning unemployment indemnity in case of loss or foundering of the ship | Collective Treaty |
| July | 10th | Genoa | Convention for establishing facilities for finding employment for seamen | Collective Treaty |

| Date. | | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|------|---------------------|--|---|
| 1920 (Cont.). | | | | |
| Aug. | 10th | Sèvres | Treaty (so-called "Minorities") | Principal Allied and Associated Powers and Greece |
| Aug. | 10th | Sèvres | Treaty (so-called "Minorities") | Principal Allied Powers and Armenia |
| Nov. | 9th | Paris | Convention | Poland and the Free City of Danzig |
| Dec. | 17th | Geneva | Mandate for German South-West Africa | Conferred on His Britannic Majesty to be exercised in His name by the Government of the Union of South Africa |
| Dec. | 17th | Geneva | Mandate for German Samoa | Conferred on His Britannic Majesty to be exercised in His name by the Government of the Dominion of New Zealand |
| Dec. | 17th | Geneva | Mandate for Nauru | Conferred on His Britannic Majesty |
| Dec. | 17th | Geneva | Mandate for the former German possessions in the Pacific Ocean situated south of the equator other than German Samoa and Nauru | Conferred on His Britannic Majesty to be exercised in His name by the Government of the Commonwealth of Australia |

| Date. | | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------------|------|---------------------|---|--|
| 1920 <i>(Cont.)</i> | | | | |
| Dec. | 17th | Geneva | Mandate for the former German colonies in the Pacific Ocean situated north of the equator | Conferred on His Majesty the Emperor of Japan |
| 1921. | | | | |
| April | 20th | Barcelona | Convention and Statute on freedom of transit | Collective Treaty |
| April | 20th | Barcelona | Convention and Statute on the régime of navigable waterways of international concern | Collective Treaty |
| June | 24th | Geneva | Agreement in regard to the Aaland Islands | Finland and Sweden |
| July | 23rd | Paris | Convention on the Statute of the Danube | Austria, Belgium, Great Britain, Bulgaria, Czechoslovakia, France, Germany, Greece, Hungary, Italy, Roumania, Yugoslavia |
| July | 27th | Copenhagen | Convention on air navigation | Denmark and Norway |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------------|---------------------|---|----------------------|
| 1921 <i>(Cont.)</i> | | | |
| Oct. | 2nd Geneva | Declaration made before the Council of the League of Nations in regard to the protection of minorities in Albania | Albania |
| Oct. | 29th Helsingfors | Treaty of commerce and navigation | Esthonia and Finland |
| Nov. | 11th Geneva | Convention concerning the compulsory medical examination of children and young persons employed at sea | Collective Treaty |
| Nov. | 11th Geneva | Convention fixing the minimum age for the admission of young persons to employment as trimmers or stokers | Collective Treaty |
| Nov. | 12th Geneva | Convention concerning workmen's compensation in agriculture | Collective Treaty |
| Nov. | 12th Geneva | Convention concerning the rights of association and combination of agricultural workers | Collective Treaty |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|--|---|
| 1921 (Cont.). | | | |
| Nov. 16th | Geneva | Convention relating to the age at which children are to be admitted to agricultural work | Collective Treaty |
| Nov. 17th | Geneva | Convention concerning the application of the weekly rest in industrial undertakings | Collective Treaty |
| Nov. 19th | Geneva | Convention concerning the use of white lead in painting | Collective Treaty |
| Nov. 23rd | Portorose | Agreement for the regulation of international railway traffic | Austria, Czechoslovakia, Hungary, Italy, Poland, Roumania, Yugoslavia |
| Dec. 16th | Prague | Political Agreement | Austria and Czechoslovakia |
| 1922. | | | |
| Feb. 22nd | Dresden | Convention instituting the Statute of navigation of the Elbe | Belgium, Czechoslovakia, France, Germany, Great Britain, Italy |
| March 17th | Warsaw | Political Convention | Esthonia, Finland, Latvia, Poland |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|----------------|---------------------|-------------------|--|--|
| 1922 | | | | |
| <i>(Cont.)</i> | | | | |
| May | 12th | Geneva | Declaration before the Council of the League of Nations concerning the protection of minorities in Lithuania | Lithuania |
| May | 15th | Geneva | Convention with reference to Upper Silesia | Germany and Poland |
| June | 26th | Warsaw | Commercial Convention | Poland and Switzerland |
| July | 20th | London | Mandate for East Africa | Conferred on His Majesty the King of the Belgians |
| July | 20th | London | Mandate for East Africa | Conferred on His Britannic Majesty |
| July | 20th | London | Mandate for the Cameroons | Conferred on His Britannic Majesty |
| July | 20th | London | Mandate for the Cameroons | Conferred on the French Republic |
| July | 20th | London | Mandate for Togoland | Conferred on His Britannic Majesty |
| July | 20th | London | Mandate for Togoland | Conferred on the French Republic |
| July | 24th | London | Mandate for Palestine | Conferred on His Britannic Majesty |
| July | 24th | London | Mandate for Syria and Lebanon | Conferred on the French Republic |
| Oct. | 4th | Geneva | Protocols Nos. II and III relating to the restoration of Austria | Austria, British Empire, Czechoslovakia, France, Italy |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|----------------|---------------------|-------------------|---|---|
| 1922 | | | | |
| <i>(Cont.)</i> | | | | |
| Oct. | 7th | Prague | Commercial Treaty | Czechoslovakia and Latvia |
| Oct. | 10th | Bagdad | Treaty of alliance | Great Britain and Iraq |
| Oct. | 19th | Tallinn | Commercial Treaty | Esthonia and Hungary |
| 1923. | | | | |
| Jan. | 20th | The Hague | Commercial Convention | Czechoslovakia and The Netherlands |
| Feb. | 24th | Montevideo | Convention concerning the establishment of a conciliation commission | Sweden and Uruguay |
| Feb. | 28th | Montevideo | General compulsory Arbitration Treaty | Uruguay and Venezuela |
| April | 10th | Budapest | Agreement relating to arbitration | Austria and Hungary |
| May | 26th | Stockholm | Convention relating to air navigation | Norway and Sweden |
| June | 23rd | Washington | Agreement for the renewal of Arbitration Convention | British Empire and the United States of America |
| July | 7th | Geneva | Declaration to the Council of the League of Nations concerning minorities | Latvia |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|---|--|
| 1923 (Cont.). | | | | |
| July | 24th | Lausanne | Treaty of Peace | British Empire, France, Greece, Italy, Japan, Roumania, Turkey |
| July | 24th | Lausanne | Declaration relating to the administration of justice | Turkey |
| July | 24th | Lausanne | Convention relating to the compensation payable by Greece to Allied nationals | British Empire, France, Greece, Italy |
| Aug. | 23rd | Washington | Agreement for the renewal of Arbitration Convention | Japan and the United States of America |
| Sept. | 12th | Geneva | Convention for the suppression of the circulation of and traffic in obscene publications | Collective Treaty |
| Sept. | 17th | Geneva | Resolution of the Council of the League of Nations relating to the protection of minorities in Esthonia | --- |
| Nov. | 1st | Tallinn | Treaty of defensive alliance | Esthonia and Latvia |
| Nov. | 1st | Tallinn | Preliminary Treaty for Economic and Customs Union | Esthonia and Latvia |

| Date. | | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|------|---------------------|--|-------------------------------|
| 1923 (Cont.). | | | | |
| Nov. | 3rd | Geneva | International Convention for the simplification of customs formalities | Collective Treaty |
| Nov. | 19th | Riga | Treaty of commerce and navigation | Hungary and Latvia |
| Dec. | 9th | Geneva | Convention and Statute on the international régime of railways | Collective Treaty |
| Dec. | 9th | Geneva | Convention and Statute on the international régime of maritime ports | Collective Treaty |
| Dec. | 9th | Geneva | Convention relating to the transmission in transit of electric power | Collective Treaty |
| Dec. | 9th | Geneva | Convention relating to the development of hydraulic power | Collective Treaty |
| Dec. | 18th | Paris | Convention regarding the organization of the Statute of the Tangier Zone | British Empire, France, Spain |
| 1924. | | | | |
| Jan. | 25th | Paris | Treaty of alliance and friendship | Czechoslovakia and France |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|----------------------------------|---------------------|-------------------|--|---|
| 1924 (<i>Cont.</i>). | | | | |
| March | 14th | Geneva | Protocol No. II relating to the financial reconstruction of Hungary | Hungary |
| April | 14th | Bucharest | Convention concerning the Hydraulic System of the Coterminous Territories and the dissolution of the Floods Protection Associations, divided by the frontier | Hungary and Roumania |
| April | 28th | Oslo | Convention relating to the frontier between Finmark and Petsamo | Finland and Norway |
| May | 8th | Paris | Convention relating to the transfer of the Memel territory | British Empire, France, Italy, Japan, Lithuania |
| May | 30th | Warsaw | Treaty of commerce and navigation | The Netherlands and Poland |
| June | 2nd | Stockholm | Treaty of conciliation | Sweden and Switzerland |
| June | 6th | Copenhagen | Treaty of conciliation | Denmark and Switzerland |
| June | 10th | Kovno | Exchange of notes constituting a provisional arrangement with regard to commerce and navigation | Lithuania and The Netherlands |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|--------------------------------|---------------------|-------------------|---|
| 1924 <i>(Cont.).</i> | | | |
| June | 18th | Budapest | Treaty of conciliation and arbitration Hungary and Switzerland |
| June | 23rd | Rio de Janeiro | Treaty concerning the judicial settlement of disputes Brazil and Switzerland |
| June | 24th | Washington | Arbitration Convention United States of America and Sweden |
| June | 27th | Stockholm | Convention concerning the establishment of a conciliation commission Denmark and Sweden |
| June | 27th | Stockholm | Convention concerning the establishment of a conciliation commission Denmark and Norway |
| June | 27th | Stockholm | Convention concerning the establishment of a conciliation commission Denmark and Finland |
| June | 27th | Stockholm | Convention concerning the establishment of a conciliation commission Finland and Norway |
| June | 27th | Stockholm | Convention concerning the establishment of a conciliation commission Finland and Sweden |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|------------------------|---------------------|--|--|
| 1924 (Cont.) | | | |
| June 27th | Stockholm | Convention concerning the establishment of a conciliation commission | Norway and Sweden |
| July 2nd | Riga | Treaty of commerce | Latvia and The Netherlands |
| July 9th | Copenhagen | Convention concerning Eastern Greenland | Denmark and Norway |
| July 22nd | Tallinn | Provisional Commercial Treaty | Esthonia and The Netherlands |
| Aug. 9th | Riga | Treaty of commerce and navigation | Austria and Latvia |
| Aug. 14th | Oslo | Treaty of commerce and navigation | Latvia and Norway |
| Aug. 21st | Washington | Convention respecting the regulation of the liquor traffic | The Netherlands and the United States of America |
| Aug. 30th | London | Agreement relating to the arrangement of August 9th, 1924, between the German Government and the Reparation Commission | Allied Governments and German Government |
| Aug. 30th | London | Agreement | Allied Governments and German Government |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|------------------|---------------------|---|---------------------------|
| 1924 (Cont.). | | | |
| Aug. 30th | London | Agreement | Allied Governments |
| Sept. 20th | Rome | Treaty of conciliation and judicial settlement | Italy and Switzerland |
| Sept. 27th | Geneva | Decision of the Council of the League of Nations relating to the application to Iraq of the principles of Article 22 of the Covenant (British Mandate for Iraq) | British Empire |
| Oct. 2nd | Geneva | Resolutions relating to the pacific settlement of international disputes adopted by the 5th Assembly of the League of Nations | — |
| Oct. 11th | Vienna | Treaty of conciliation | Austria and Switzerland |
| Nov. 3rd | Riga | Treaty of commerce and navigation | Denmark and Latvia |
| Nov. 9th | London | Agreement for the renewal of Arbitration Convention | Great Britain and Sweden |
| Dec. 2nd | London | Treaty of commerce and navigation | Germany and Great Britain |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|--|-----------------------------------|
| 1924 (Cont.). | | | | |
| Dec. | 4th | Berlin | Commercial Convention | Latvia and Switzerland |
| Dec. | 9th | The Hague | Treaty of commerce | Hungary and The Netherlands |
| Dec. | 26th | Tokio | Treaty of judicial settlement | Japan and Switzerland |
| 1925. | | | | |
| Jan. | 17th | Helsingfors | Conciliation and Arbitration Convention | Esthonia, Finland, Latvia, Poland |
| Feb. | 13th | Brussels | Treaty of conciliation and judicial settlement | Belgium and Switzerland |
| Feb. | 14th | Oslo | Convention concerning the international legal régime of the waters of the Pasvik (Patsjoki) and of the Jakobselv (Vuoremajoki) | Finland and Norway |
| Feb. | 14th | Oslo | Convention concerning the floating of timber on the Pasvik (Patsjoki) | Finland and Norway |
| Feb. | 14th | Paris | Treaty of friendship, commerce and navigation | France and Siam |
| Feb. | 19th | Geneva | Convention concerning opium | Collective Treaty |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|--|---------------------------|
| 1925 (Cont.). | | | | |
| March | 7th | Berne | Treaty of conciliation and arbitration | Poland and Switzerland |
| March | 28th | Riga | Conciliation Convention | Latvia and Sweden |
| April | 6th | Paris | Treaty of conciliation and of compulsory arbitration | France and Switzerland |
| April | 17th | Warsaw | Exchange of notes constituting a provisional commercial Convention | Greece and Poland |
| April | 23rd | Warsaw | Treaty of conciliation and arbitration | Czechoslovakia and Poland |
| May | 13th | London | Agreement for the renewal of Arbitration Convention | Great Britain and Norway |
| May | 29th | Tallinn | Treaty of conciliation | Esthonia and Sweden |
| June | 5th | Geneva | Convention concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents | Collective Treaty |
| June | 8th | Geneva | Convention relating to night work in bakeries | Collective Treaty |

| Date. | | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|------|---------------------|---|--|
| 1925 (Cont.). | | | | |
| June | 8th | The Hague | Treaty of friendship, commerce and navigation | The Netherlands and Siam |
| June | 10th | Geneva | Convention concerning workmen's compensation for accidents | Collective Treaty |
| June | 10th | Geneva | Convention concerning workmen's compensation for occupational diseases | Collective Treaty |
| June | 11th | Kovno | Treaty of conciliation | Lithuania and Sweden |
| June | 17th | Geneva | Convention concerning the supervision of the international trade in arms and ammunition and implements of war | Collective Treaty |
| July | 7th | Brussels | Treaty of commerce and navigation | The Economic Union of Belgium and Luxemburg and Latvia |
| July | 12th | London | Agreement for the renewal of Arbitration Convention | Great Britain and The Netherlands |
| July | 14th | London | Treaty of commerce and navigation | Great Britain and Siam |
| July | 15th | Paris | Treaty of judicial settlement | Brazil and Liberia |
| Aug. | 3rd | Madrid | Treaty of friendship, commerce and navigation | Siam and Spain |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|---|-----------------------------|
| 1925 (Cont.). | | | |
| Aug. 14th | Paris | Frontier Delimitation Treaty | France and Germany |
| Aug. 14th | Lisbon | Treaty of friendship, commerce and navigation | Portugal and Siam |
| Aug. 21st | Oslo | Treaty of conciliation | Norway and Switzerland |
| Sept. 1st | Copenhagen | Treaty of friendship, commerce and navigation | Denmark and Siam |
| Sept. 21st | Geneva | Treaty of conciliation and judicial settlement | Greece and Switzerland |
| Oct. 14th | Berne | Commercial Convention | Esthonia and Switzerland |
| Oct. 16th | Locarno | Arbitration Convention | Belgium and Germany |
| Oct. 16th | Locarno | Arbitration Convention | France and Germany |
| Oct. 16th | Locarno | Arbitration Treaty | Germany and Poland |
| Oct. 16th | Locarno | Arbitration Treaty | Czechoslovakia and Germany |
| Nov. 3rd | Stockholm | Treaty of conciliation and arbitration | Poland and Sweden |
| Nov. 25th | Oslo | Convention for the pacific settlement of disputes | Norway and Sweden |
| Nov. 25th | London | Arbitration Convention | Great Britain and Siam |
| Nov. 26th | Berlin | Protocol attached to Customs and Credit Treaty | Germany and The Netherlands |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|---|---------------------------------------|
| 1925 (Cont.). | | | | |
| Dec. | 7th | Prague | Agreement regarding the execution of Articles 266 (last paragraph) and 273 of the Treaty of Saint-Germain | Austria and Czechoslovakia |
| Dec. | 12th | The Hague | Treaty of conciliation | Switzerland and The Netherlands |
| Dec. | 19th | Stockholm | Treaty of friendship, commerce and navigation | Siam and Sweden |
| 1926. | | | | |
| Jan. | 2nd | Prague | Treaty of conciliation and arbitration | Czechoslovakia and Sweden |
| Jan. | 14th | Stockholm | Convention for the pacific settlement of disputes | Denmark and Sweden |
| Jan. | 15th | Copenhagen | Convention for the pacific settlement of disputes | Denmark and Norway |
| Jan. | 29th | Helsingfors | Treaty for the pacific settlement of disputes | Finland and Sweden |
| Jan. | 30th | Helsingfors | Arbitration Treaty | Denmark and Finland |
| Feb. | 2nd | Jerusalem | Agreement to facilitate neighbourly relations | Great Lebanon and Palestine and Syria |
| Feb. | 3rd | Berne | Treaty of conciliation, of judicial settlement and of compulsory arbitration | Roumania and Switzerland |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|--|--------------------------------------|
| 1926 (Cont.). | | | | |
| Feb. | 3rd | Helsingfors | Convention for the pacific settlement of disputes | Finland and Norway |
| Feb. | 10th | Monrovia | Arbitration Convention | United States of America and Liberia |
| March | 4th | Havana | Convention for prevention of smuggling of intoxicating liquors | United States of America and Cuba |
| March | 5th | Vienna | Treaty of conciliation and arbitration | Austria and Czechoslovakia |
| April | 16th | Vienna | Treaty of conciliation and arbitration | Austria and Poland |
| April | 20th | Madrid | Treaty of conciliation and arbitration | Spain and Switzerland |
| April | 23rd | Copenhagen | Treaty of conciliation and arbitration | Denmark and Poland |
| April | 30th | Brussels | Treaty of conciliation and arbitration | Belgium and Sweden |
| May | 4th | Prague | Convention concerning the execution of life insurance and life annuity contracts | Czechoslovakia and Italy |
| May | 9th | Rome | Treaty of friendship, commerce and navigation | Italy and Siam |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|----------------|---------------------|-------------------|--|-----------------------------|
| 1926 | | | | |
| <i>(Cont.)</i> | | | | |
| May | 12th | Athens | Commercial Convention | Greece and The Netherlands |
| May | 20th | The Hague | Treaty of arbitration and conciliation | Germany and The Netherlands |
| May | 28th | Stockholm | Treaty of conciliation and arbitration | Austria and Sweden |
| May | 30th | Angora | Convention of friendship and neighbourly relations | France and Turkey |
| June | 2nd | Berlin | Treaty of arbitration and conciliation | Denmark and Germany |
| June | 4th | London | Convention renewing the Arbitration Convention of October 25th, 1905 | Denmark and Great Britain |
| June | 4th | London | Convention renewing, as far as Iceland is concerned, the Anglo-Danish Arbitration Convention of October 25th, 1905 | Great Britain and Iceland |
| June | 5th | Geneva | Convention for the simplification of the inspection of emigrants on board ship | Collective Treaty |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|--|-----------------------------------|
| 1926 (Cont.). | | | |
| June 10th | Paris | Convention for the pacific settlement of disputes | France and Roumania |
| June 19th | Paris | Agreement regarding the sanitary control over Mecca Pilgrims at Kamaran Island | Great Britain and The Netherlands |
| June 23rd | Geneva | Convention concerning the repatriation of seamen | Collective Treaty |
| June 24th | Geneva | Convention concerning seamen's articles of agreement | Collective Treaty |
| June 28th | Riga | Treaty concerning the establishment of economic relations | Germany and Latvia |
| July 5th | Paris | Treaty of arbitration | Denmark and France |
| July 16th | London | Treaty of commerce and navigation | Great Britain and Greece |
| July 16th | Oslo | Treaty of friendship, commerce and navigation | Norway and Siam |
| July 23rd | London | Treaty of commerce and navigation | Great Britain and Hungary |
| July 24th | Belgrade | Treaty of commerce | Hungary and Yugoslavia |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|-------------------|---|
| 1926 (Cont.). | | | |
| Aug. | 7th | Madrid | Treaty of friendship and arbitration Italy and Spain |
| Aug. | 27th | Berne | Convention regulating the relations with regard to certain clauses of the legal régime of the future Kembs Derivation France and Switzerland |
| Sept. | 7th | Port-au-Prince | Treaty of commerce Haiti and The Netherlands |
| Sept. | 10th | Athens | Provisional Commercial Convention Greece and Sweden |
| Sept. | 18th | Geneva | Treaty of conciliation and arbitration Poland and Yugoslavia |
| Sept. | 25th | Geneva | Convention regarding slavery Collective Treaty |
| Sept. | 28th | Brussels | Treaty of commerce and navigation Esthonia and the Economic Union of Belgium and Luxemburg |
| Oct. | 13th | Athens | Treaty of commerce and navigation Albania and Greece |
| Nov. | 29th | Athens | Provisional Commercial Convention Greece and Switzerland |
| Nov. | 30th | Prague | Arbitration Treaty Czechoslovakia and Denmark |
| Dec. | 11th | Kovno | Treaty of conciliation and arbitration Denmark and Lithuania |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------------|---------------------|-------------------|--|----------------------------|
| 1926 <i>(Cont.)</i> | | | | |
| Dec. | 18th | Tallinn | Treaty of conciliation | Denmark and Esthonia |
| Dec. | 29th | Lisbon | Exchange of notes concerning the abrogation of the Arbitration Convention of November 15th, 1907 | Portugal and Sweden |
| Dec. | 29th | Rome | Treaty of conciliation and arbitration | Germany and Italy |
| 1927. | | | | |
| Jan. | 4th | London | Agreement renewing the Arbitration Convention | Great Britain and Portugal |
| Feb. | 5th | Riga | Treaty carrying into effect the Customs Union | Esthonia and Latvia |
| Feb. | 9th | Oslo | Convention of commerce and navigation | Chile and Norway |
| Feb. | 24th | Rome | Treaty of conciliation and judicial settlement | Chile and Italy |
| Feb. | 25th | Riga | Convention of commerce and navigation | Greece and Latvia |
| March | 3rd | Brussels | Treaty of conciliation, judicial settlement and arbitration | Belgium and Denmark |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|---|-------------------------------|
| 1927 (Cont.). | | | |
| March 4th | Stockholm | Treaty of conciliation and arbitration | Belgium and Finland |
| March 24th | Brussels | Convention concerning the application of maritime health regulations | Belgium and The Netherlands |
| April 5th | Rome | Treaty of friendship, conciliation and arbitration | Hungary and Italy |
| May 12th | Guatemala | Treaty of commerce | Guatemala and The Netherlands |
| May 12th | London | Treaty of commerce and navigation | Great Britain and Yugoslavia |
| May 20th | Berlin | Convention regarding air navigation | Germany and Italy |
| May 21st | The Hague | Treaty of conciliation | The Netherlands and Sweden |
| June 15th | Geneva | Convention concerning sickness insurance for workers in industry and commerce and domestic servants | Collective Treaty |
| June 15th | Geneva | Convention concerning sickness insurance for agricultural workers | Collective Treaty |
| June 20th | Tallinn | Treaty of commerce | Czechoslovakia and Esthonia |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------------|---------------------|-------------------|--|---------------------------|
| 1927 <i>(Cont.)</i> | | | | |
| June | 29th | Berlin | Convention concerning air navigation | Germany and Great Britain |
| June | 29th | Athens | Convention of commerce and navigation | Greece and Norway |
| July | 9th | Brussels | Treaty of conciliation, judicial settlement and arbitration | Belgium and Portugal |
| July | 12th | Geneva | International Convention establishing an international Relief Union | Collective Treaty |
| July | 19th | Brussels | Treaty of conciliation, judicial settlement and arbitration | Belgium and Spain |
| Aug. | 11th | Lisbon | Convention to regulate the hydroelectric development of the international section of the river Douro | Portugal and Spain |
| Aug. | 15th | Santander | General Convention concerning air navigation | Italy and Spain |
| Aug. | 17th | Paris | Commercial Agreement | France and Germany |
| Aug. | 20th | Berne | Treaty of conciliation, judicial settlement and arbitration | Colombia and Switzerland |
| Sept. | 13th | London | Treaty of conciliation | Colombia and Sweden |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------------------------|---------------------|--|---|
| 1927 (<i>Cont.</i>). | | | |
| Sept. 17th | Rome | Treaty of conciliation and judicial settlement | Italy and Lithuania |
| Nov. 2nd | Athens | Treaty of commerce and navigation | Greece and Yugoslavia |
| Nov. 8th | Geneva | Convention for the abolition of Import and Export Prohibitions and Restrictions | Collective Treaty |
| Nov. 16th | Berne | Treaty of conciliation and judicial settlement | Finland and Switzerland |
| Dec. 22nd | Rome | Agreement concerning the execution of Articles 266 (last paragraph) and 273 of the Treaty of Saint-Germain | Austria and Italy |
| 1928. | | | |
| Jan. 2nd | Madrid | Convention of commerce and navigation | Denmark and Spain |
| Jan. 18th | Lisbon | Treaty of conciliation, judicial settlement and arbitration | Portugal and Spain |
| Jan. 28th | The Hague | Draft Protocol bestowing on the Court jurisdiction to construe conventions of private international law | (Adopted by the Sixth Session of the Conference of Private International Law) |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|---|----------------------------|
| 1928 (Cont.). | | | | |
| Jan. | 29th | Berlin | Treaty of arbitration and conciliation | Germany and Lithuania |
| March | 3rd | Paris | Treaty of conciliation and arbitration | France and Sweden |
| March | 10th | Geneva | Treaty of arbitration and conciliation | France and The Netherlands |
| March | 14th | Copenhagen | Treaty of conciliation, judicial settlement and arbitration | Denmark and Spain |
| March | 22nd | Madrid | General Convention for air navigation | France and Spain |
| April | 5th | Washington | Treaty of arbitration and conciliation | Denmark and Haiti |
| April | 6th | Vienna | Treaty of commerce | Austria and Denmark |
| April | 7th | Bangkok | Treaty of friendship, commerce and navigation | Germany and Siam |
| April | 19th | Paris | Arbitration Agreement | France and Yugoslavia |
| April | 26th | Madrid | Treaty of conciliation, judicial settlement and arbitration | Spain and Sweden |
| May | 11th | Rome | Convention regarding air navigation | Austria and Italy |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------|---------------------|--|-----------------------------|
| 1928 | | | |
| <i>(Cont.)</i> | | | |
| May 16th | Paris | Commercial Agreement | Austria and France |
| May 30th | Rome | Treaty of neutrality, conciliation and judicial settlement | Italy and Turkey |
| May 31st | Helsinki | Treaty of conciliation, judicial settlement and arbitration | Finland and Spain |
| June 9th | Geneva | Treaty of conciliation | Finland and The Netherlands |
| June 11th | Vienna | Treaty of conciliation, judicial settlement and arbitration | Austria and Spain |
| June 16th | Geneva | Convention concerning the creation of minimum wage-fixing machinery | Collective Treaty |
| July 2nd | Paris | Commercial Convention | Czechoslovakia and France |
| July 11th | Geneva | International Agreement relating to the exportation of hides and skins | Collective Treaty |
| July 11th | Geneva | International Agreement relating to the exportation of bones | Collective Treaty |
| Aug. 21st | Helsinki | Treaty of conciliation and judicial settlement | Finland and Italy |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------------------------|---------------------|--|------------------------------------|
| 1928 (<i>Cont.</i>). | | | |
| Aug. 22nd | Berlin | Convention of commerce and navigation | Denmark and Greece |
| Aug. 29th | Berne | Protocol amending the Treaty of arbitration and conciliation of December 3rd, 1921 | Germany and Switzerland |
| Sept. 1st | Pretoria | Treaty of commerce and navigation | Union of South Africa and Germany |
| Sept. 11th | Pretoria | Convention regulating the introduction of native labour from Mozambique into the Province of the Transvaal, etc. | Union of South Africa and Portugal |
| Sept. 26th | Geneva | General Act for conciliation, judicial settlement and arbitration | Collective Treaty |
| Oct. 17th | Berne | Treaty of conciliation, judicial settlement and arbitration | Portugal and Switzerland |
| Oct. 27th | The Hague | Treaty of judicial settlement and conciliation | The Netherlands and Siam |
| Oct. 30th | Berlin | Treaty of commerce and navigation | Germany and Lithuania |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------|---------------------|---|-------------------------------|
| 1928 | | | |
| <i>(Cont.)</i> | | | |
| Nov. 7th | Prague | Convention regarding the settlement of reciprocal claims and debts contracted before Feb. 26th, 1919, in former Austro-Hungarian crowns, between Serb-Croat-Slovene and Czechoslovak creditors or debtors | Czechoslovakia and Yugoslavia |
| Nov. 8th | Budapest | Convention of commerce and navigation | Hungary and Sweden |
| Nov. 10th | Berlin | Convention for the purpose of terminating the existing financial disputes | Germany and Roumania |
| Nov. 16th | Prague | Treaty of conciliation, judicial settlement and arbitration | Czechoslovakia and Spain |
| Nov. 30th | Warsaw | Treaty of conciliation and arbitration | Hungary and Poland |
| Dec. 3rd | Helsinki | Protocol amending the Treaty of arbitration and conciliation of March 14th, 1925 | Finland and Germany |
| Dec. 3rd | Madrid | Treaty of conciliation, judicial settlement and arbitration | Poland and Spain |

150 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------|---------------------|--|-----------------------------|
| 1928 | | | |
| <i>(Cont.)</i> | | | |
| Dec. 7th | Tallinn | Treaty of commerce and navigation | Esthonia and Germany |
| Dec. 9th | Angora | Treaty of conciliation, judicial settlement and arbitration | Switzerland and Turkey |
| Dec. 11th | Warsaw | Treaty of commerce | Austria and Esthonia |
| Dec. 12th | Budapest | Treaty of conciliation and arbitration | Finland and Hungary |
| Dec. 27th | Madrid | Treaty of conciliation, judicial settlement and arbitration | Norway and Spain |
| 1929. | | | |
| Jan. 5th | Budapest | Protocol annexed to Treaty of neutrality, conciliation and arbitration | Hungary and Turkey |
| March 11th | Athens | Convention of commerce, navigation and establishment | France and Greece |
| March 15th | Paris | Commercial Agreement | Esthonia and France |
| March 28th | The Hague | Treaty of commerce and navigation | Austria and The Netherlands |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|---|---|
| 1929 (Cont.). | | | |
| April 20th | Geneva | International Convention for the suppression of counterfeiting currency | Collective Treaty |
| April 23rd | Prague | Convention of conciliation, arbitration and judicial settlement | Belgium and Czechoslovakia |
| April 29th | Tallinn | Treaty of commerce and navigation | Estonia and Hungary |
| May 16th | Budapest | Convention of commerce and navigation | Hungary and Lithuania |
| May 21st | Belgrade | General Act of conciliation, arbitration and judicial settlement | Czechoslovakia, Roumania and Yugoslavia |
| May 27th | Teheran | Treaty of friendship | Persia and Sweden |
| May 30th | La Paz | Treaty of commerce | Bolivia and The Netherlands |
| June 8th | Prague | Pact of friendship, conciliation, arbitration and judicial settlement | Czechoslovakia and Greece |
| June 10th | Madrid | Treaty of conciliation, judicial settlement and arbitration | Hungary and Spain |
| June 17th | Oslo | Convention of conciliation, judicial settlement and arbitration | Italy and Norway |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|--|------------------------------------|
| 1929 (Cont.). | | | | |
| June | 21st | Geneva | Convention concerning the marking of the weight on heavy packages transported by vessels | Collective Treaty |
| June | 21st | Geneva | Convention concerning the protection against accidents of workers employed in loading or unloading ships | Collective Treaty |
| July | 9th | Tallinn | Convention for judicial settlement, arbitration and conciliation | Czechoslovakia and Esthonia |
| July | 22nd | Budapest | Treaty of conciliation and arbitration | Bulgary and Hungary |
| Aug. | 25th | Berlin | Protocol modifying the Arbitration Convention of August 29th, 1924 | Germany and Sweden |
| Sept. | 9th | Geneva | Convention for the peaceful settlement of all international disputes | Czechoslovakia and Norway |
| Sept. | 14th | Geneva | Treaty of judicial settlement, arbitration and conciliation | Czechoslovakia and The Netherlands |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|-------------------------|---------------------|--|---------------------------------|
| 1929 (Cont.). | | | |
| Sept. 16th | Geneva | Treaty of conciliation, judicial settlement and arbitration | Luxemburg and Switzerland |
| Sept. 17th | Geneva | Treaty of judicial settlement, arbitration and conciliation | Luxemburg and The Netherlands |
| Sept. 18th | Geneva | Convention of conciliation, arbitration and judicial settlement | Czechoslovakia and Luxemburg |
| Sept. 20th | Geneva | Treaty of conciliation, judicial settlement and arbitration | Czechoslovakia and Switzerland |
| Oct. 2nd | Prague | Convention of judicial settlement, arbitration and conciliation | Czechoslovakia and Finland |
| Nov. 27th | Tallinn | Treaty of conciliation and arbitration | Esthonia and Hungary |
| Dec. 9th | Oslo | Treaty of conciliation, arbitration and judicial settlement | Norway and Poland |
| Dec. 18th | Geneva | Protocol of negotiations (regularization of the Rhine between Strasburg/Kehl and Istein) | France, Germany and Switzerland |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------|---------------------|--|--|
| 1929 | | | |
| <i>(Cont.)</i> | | | |
| Dec. 27th | Vienna | Agreement concerning the payment of claims of Greek nationals in respect of damages suffered during the period of Greek neutrality | Austria and Greece |
| 1930. | | | |
| Jan. 18th | The Hague | Convention for the final settlement of questions arising out of Sections III and IV of Part X of the Treaty of Saint-Germain | Austria and Belgium |
| Jan. 20th | The Hague | Agreement | South Africa, Australia, Belgium, Canada, Czechoslovakia, France, Germany, Great Britain, Greece, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania, Yugoslavia |
| Jan. 20th | The Hague | Declaration (Annex 1 to Agreement of January 20th, 1930) | Germany |
| Jan. 22nd | The Hague | Treaty of judicial settlement, arbitration and conciliation | The Netherlands and Roumania |
| March 12th | Teheran | Treaty of friendship | The Netherlands and Persia |

| Date. | Place of signature. | Title of the act. | Contracting Parties. |
|----------------|---------------------|--|--|
| 1930 | | | |
| <i>(Cont.)</i> | | | |
| April 12th | The Hague | Treaty of judicial settlement, arbitration and conciliation | The Netherlands and Poland |
| April 12th | The Hague | Convention on certain questions relating to the conflict of nationality laws | Collective Treaty |
| April 12th | The Hague | Protocol relating to military obligations in certain cases of double nationality | Collective Treaty |
| April 12th | The Hague | Protocol relating to a certain case of statelessness | Collective Treaty |
| April 12th | The Hague | Special Protocol concerning statelessness | Collective Treaty |
| April 28th | Paris | Agreement (No. I) | South Africa, Australia, Belgium, Canada, Czechoslovakia, France, Great Britain, Greece, Hungary, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania, Yugoslavia |
| April 28th | Paris | Agreement (No. II) | <i>Idem</i> |
| April 28th | Paris | Agreement (No. III) | <i>Idem</i> |
| April 28th | Paris | Agreement (No. IV) | France, Czechoslovakia, Great Britain, Italy, Roumania, Yugoslavia |

| Date. | Place of signature. | Title of the act. | Contracting Parties. | |
|-------------------------|---------------------|-------------------|---|--------------------------------|
| 1930 (Cont.). | | | | |
| April | 28th | Paris | Agreement | Hungary and Roumania |
| April | 28th | Paris | Treaty of conciliation, judicial settlement and arbitration | Finland and France |
| May | 28th | Belgrade | Treaty of commerce and navigation | The Netherlands and Yugoslavia |
| June | 28th | Geneva | Convention concerning forced or compulsory labour | Collective Treaty |
| June | 28th | Geneva | Convention concerning the regulation of hours of work in commerce and offices | Collective Treaty |
| July | 26th | Lisbon | Treaty of conciliation, judicial settlement and arbitration | Norway and Portugal |
| Oct. | 1st | Oslo | Convention of conciliation, arbitration and judicial settlement | Austria and Norway |
| 1931. | | | | |
| May | 21st | Geneva | Convention establishing an international agricultural mortgage credit company | Collective Treaty |

* * *

In addition to the cases submitted by the Parties and matters specially provided for in the treaties and conventions mentioned above, the Court's jurisdiction extends to other disputes, under the following instruments:

Jurisdiction
in other dis-
putes.

The Optional Clause annexed to the Statute of the Court;
The Resolution adopted by the Council on May 17th, 1922;
The General Act of conciliation, judicial settlement and arbitral settlement, adopted on September 26th, 1928, by the Assembly of the League of Nations at its Ninth Session.

These instruments are open for the adhesion of a considerable number of States. Each of them creates in respect of every State adhering to it relations between that State and all the other States which have already adhered or may subsequently adhere to it¹.

The first of these instruments, namely the "Optional Clause", forms the subject of paragraphs 2 and 3 of Article 36 of the Statute, which run as follows:

Compulsory
jurisdiction
under the
Optional
Clause.

"The Members of the League of Nations and States mentioned in the Annex to the Covenant may, either when signing or ratifying the Protocol to which the present Statute is adjoined, or at a later moment, declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other Member or State accepting the same obligation, the jurisdiction of the Court in all or any of the classes of legal disputes concerning:

- (a) the interpretation of a treaty;
- (b) any question of international law;
- (c) the existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) the nature or extent of the reparation to be made for the breach of an international obligation.

The declaration referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain Members or States, or for a certain time."

The special protocol, annexed to the Statute and by means of which the declaration in question is made, is known as the "Optional Clause". This protocol is as follows:

¹ In the next edition of the *Collection of Texts governing the jurisdiction of the Court*, the Optional Clause annexed to the Court's Statute and the General Act of 1928 are grouped under the heading "Collective instruments having for their object the pacific settlement of disputes".

“The undersigned, being duly authorized thereto, further declare, on behalf of their Government, that, from this date, they accept as compulsory *ipso facto* and without special convention, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of the Statute of the Court, under the following conditions:”

Below the Optional Clause is affixed the declaration in which the governments enumerate the conditions under which they recognize the Court's jurisdiction as compulsory.

The table included in Chapter X of the present Report (p. 447) indicates the names of the forty-seven States which have signed the Optional Clause (or have renewed their adherence thereto), and indicates the conditions of their acceptance (or renewed adherence). The date on which declarations were affixed is entered on the table in those cases where it is known from documentary evidence. The text of declarations made before June 15th, 1930, is reproduced on pp. 468-485 of the Sixth Annual Report; those made since are reproduced on pp. 464-467 of this volume.

The position, resulting from the information afforded by the table above mentioned, is as follows:

I.

A. *States having signed the Optional Clause:*

Union of South Africa, Albania, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Costa Rica ¹, Czechoslovakia, Denmark, Dominican Republic, Esthonia, Ethiopia, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Persia, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Yugoslavia.

¹ Costa Rica, on December 24th, 1924, informed the Secretary-General of her decision to withdraw from the League of Nations, this decision taking effect as from January 1st, 1927. Before that date, Costa Rica had not ratified the Protocol of Signature of the Statute; moreover, Costa Rica is not mentioned in the Annex to the Covenant of the League of Nations. This would seem to lead to the conclusion that the engagement resulting for Costa Rica from her signature of the Protocol above mentioned and, consequently, also that resulting from her signature of the Optional Clause, have lapsed.

II.

B. *Of these, the following have signed, subject to ratification, and have ratified:*

Union of South Africa, Albania, Australia, Austria, Belgium, Canada, Denmark, France, Germany, Great Britain, Hungary, India, Irish Free State, Latvia, New Zealand, Roumania, Siam, Switzerland, Yugoslavia.

C. *States having signed subject to ratification but not ratified:*

Czechoslovakia, Dominican Republic, Guatemala, Italy, Liberia, Persia, Peru, Poland.

D. *States having signed without condition as to ratification*¹:

Brazil, Bulgaria, China, Costa Rica², Esthonia, Ethiopia, Finland, Greece, Haiti, Lithuania, Luxemburg, Netherlands, Nicaragua, Norway, Panama, Portugal, Salvador, Spain, Sweden, Uruguay.

E. *States having signed without condition as to ratification but not ratified the Protocol of Signature of the Statute:*

Costa Rica², Nicaragua.

F. *States in the case of which the period for which Clause accepted has expired:*

China (date of expiration: May 13th, 1927).

III.

G. *States at present bound by the Clause:*

Union of South Africa, Albania, Australia, Austria, Belgium, Brazil³, Bulgaria, Canada, Denmark, Esthonia, Ethiopia, Fin-

¹ Certain of these States have ratified their declarations, although this was not required according to the Optional Clause.

² See note on previous page.

³ Brazil's undertaking was given, subject, *inter alia*, to the acceptance of compulsory jurisdiction by two at least of the Powers permanently represented on the Council of the League of Nations. It is to be noted that Germany has been bound by it since February 29th, 1928, and Great Britain since February 5th, 1930.

land, France, Germany, Great Britain, Greece, Haiti, Hungary, India, Irish Free State, Latvia, Lithuania, Luxemburg, Netherlands, New Zealand, Norway, Panama, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Yugoslavia.

The foregoing data are summarized in the synoptic table on the following page.

The Court has received two unilateral applications instituting proceedings under the Optional Clause of the Court's Statute. The first of these was filed by the Belgian Government on November 25th, 1926, and was directed against the Chinese Government. It concerned the denunciation by China of the Treaty of November 2nd, 1865, between China and Belgium¹. On February 13th, 1929, the Belgian Government asked permission to withdraw the suit thus brought. The second application, dated July 11th, 1931, was filed by the Danish Government and is directed against the Norwegian Government; it concerns a difference of opinion existing between these two Governments with regard to the legal status of certain parts of Eastern Greenland; the suit thus submitted has been placed in the Court's general list and bears the number 43².

¹ See Third Annual Report, pp. 125-130, Fourth Annual Report, p. 151, and Fifth Annual Report, pp. 203-204.

² See p. 231.

| STATES WHICH HAVE SIGNED THE OPTIONAL CLAUSE (47) | | | | |
|---|---|---|--|---|
| without any condition as to ratification or other suspensive conditions | | | subject to ratification or other suspensive conditions | |
| but in the case of which the period of engagement has expired. | but which have not ratified the Protocol of Signature of the Court's Statute. | and which have ratified the Protocol of Signature of the Court's Statute. | and in the case of which the condition or conditions are fulfilled. | and in the case of which the condition or conditions were not fulfilled on June 15th, 1931. |
| China | Costa Rica Nicaragua | Bulgaria Esthonia Ethiopia Greece Haiti Luxemburg Netherlands Panama Portugal Salvador Spain Sweden Uruguay | Union of South Africa Albania Australia Austria Belgium Brazil Canada Denmark Finland France Germany Great Britain Hungary India Irish Free State Latvia Lithuania New Zealand Norway Roumania Siam Switzerland Yugoslavia | Czechoslovakia Dominican Republic Guatemala Italy Liberia Persia Peru Poland |
| States not bound by the Clause. | | STATES BOUND BY THE CLAUSE (36). | | States not bound by the Clause. |

* * *

Resolution adopted by the Council of the League of Nations on May 17th, 1922. The second of the three instruments above mentioned is the Resolution adopted by the Council on May 17th, 1922. The text of this Resolution was reproduced in the First Annual Report, on pp. 142-143. There has been nothing new to record in this connection since June 15th, 1930 (see Fifth Annual Report, pp. 138-139).

* * *

General Act of 1928. The third of these instruments is the General Act of conciliation, judicial settlement and arbitral settlement adopted by the Assembly of the League of Nations on September 26th, 1928, at its Ninth Session. This Act provides for the pacific settlement of disputes which may arise between the States adhering thereto.

The third addendum to the third edition of the *Collection of Texts governing the jurisdiction of the Court* (Fifth Annual Report, Chapter X) reproduces, under No. 277, the provisions of this Act which directly concern the Court; it will be reproduced in full in the fourth edition of the *Collection*, which will appear shortly.

On June 15th, 1931, the States whose names are given below had adhered to the General Act¹.

| | | |
|---------------|-----|-----------------------|
| Australia | (A) | May 21st, 1931. |
| Belgium | (A) | May 18th, 1929. |
| Denmark | (A) | April 14th, 1930. |
| Finland | (A) | September 6th, 1930. |
| France | (A) | May 21st, 1931. |
| Great Britain | (A) | May 21st, 1931. |
| India | (A) | May 21st, 1931. |
| Luxemburg | (A) | September 15th, 1930. |
| Netherlands | (B) | August 8th, 1930. |
| New Zealand | (A) | May 21st, 1931. |

¹ According to Article 38 of the Act, contracting Parties may adhere:

- "A. Either to all the provisions of the Act (Chapters I, II, III and IV);
- B. Or to those provisions only which relate to conciliation and judicial settlement (Chapters I and II), together with the general provisions dealing with these procedures (Chapter IV);
- C. Or to those provisions only which relate to conciliation (Chapter I), together with the general provisions concerning that procedure (Chapter IV)."

| | | |
|--------|-----|-----------------------|
| Norway | (A) | June 11th, 1930. |
| Spain | (A) | September 16th, 1930. |
| Sweden | (B) | May 13th, 1929. |

* * *

(See Sixth Annual Report, p. 147.)

Jurisdiction
as a Court of
appeal.

On September 8th, 1930 (1st meeting of its 60th Session), the Council of the League of Nations had before it the report prepared by the Committee of Jurists which it had instructed, in view of the Finnish Government's proposal, to examine the question of the most appropriate procedure to be followed by States desiring to enable the Permanent Court of International Justice to assume in a general manner, as between them, the functions of a tribunal of appeal from international arbitral tribunals in all cases when it is contended that the arbitral tribunal was without jurisdiction or exceeded its jurisdiction. The Council decided to transmit the report to the Assembly. The latter, on the proposal of its First Committee, resolved, on October 3rd, 1930, (22nd plenary meeting of 11th ordinary Session) to postpone examination of the report until its ordinary session in 1931.

* * *

(See Fifth Annual Report, p. 139.)

Interim meas-
ures of pro-
tection.

At its Twentieth Session (Jan.-Feb., 1931), the Court amended Article 57 of its Rules which relates to interim measures of protection. The new text of this article, which came into force on February 21st, 1931, is as follows:

“An application made to the Court by one or both of the Parties, for the indication of interim measures of protection, shall have priority over all other cases. The decision thereon shall be treated as a matter of urgency, and if the Court is not sitting it shall be convened without delay by the President for the purpose.

If no application is made, and if the Court is not sitting, the President may convene the Court to submit to it the question whether such measures are expedient.

In all cases, the Court shall only indicate measures of protection after giving the Parties an opportunity of presenting their observations on the subject.”

* * *

Power to
determine its
own juris-
diction.

(See Fifth Annual Report, p. 140.)

The Court passed upon its jurisdiction in the Order of December 6th, 1930, made in the second phase of the case of the free zones of Upper Savoy and the District of Gex¹.

* * *

Interpretation
of judgments.

(See Fifth Annual Report, p. 140.)

* * *

(2) *Jurisdiction* ratione personæ.

Only States or Members of the League of Nations can be Parties in cases before the Court². The Statute makes a distinction between States, according to whether they are, on the one hand, Members of the League of Nations or mentioned in the Annex to the Covenant, or, on the other hand, outside the League of Nations³.

Members of
the League of
Nations.

A.—The Members of the League of Nations are, on June 15th, 1930⁴:

| | |
|-----------------------|--------------------|
| Union of South Africa | Colombia |
| Albania | Cuba |
| Argentine Republic | Czechoslovakia |
| Australia | Denmark |
| Austria | Dominican Republic |
| Belgium | Estonia |
| Bolivia | Ethiopia |
| British Empire | Finland |
| Bulgaria | France |
| Canada | Germany |
| Chile | Greece |
| China | Guatemala |

¹ See p. 233 for a summary of the Order of December 6th, 1930. Mr. Kellogg, judge, whilst concurring in this Order, desired to append thereto certain observations relating *inter alia* to the question of jurisdiction.

² Article 34 of Statute.

³ " 35 " " "

⁴ Communication from the Secretary-General of the League of Nations.

| | |
|------------------|-------------|
| Haiti | Panama |
| Honduras | Paraguay |
| Hungary | Peru |
| India | Persia |
| Irish Free State | Poland |
| Italy | Portugal |
| Japan | Roumania |
| Latvia | Salvador |
| Liberia | Siam |
| Lithuania | Spain |
| Luxemburg | Sweden |
| Netherlands | Switzerland |
| New Zealand | Uruguay |
| Nicaragua | Venezuela |
| Norway | Yugoslavia. |

B.—The States mentioned in the Annex to the Covenant which do not belong to the League of Nations are :

States mentioned in the Annex to the Covenant.

| | |
|---------------------|---------------------------|
| Brazil ¹ | Hedjaz |
| Ecuador | United States of America. |

To the above-mentioned States, the Court is open as of right, and they have the right to sign the Protocol of December 16th, 1920, to which the Statute of the Court is attached.

In the preceding Annual Reports an account has been given of the events following upon the adoption by the United States on January 27th, 1926, of a Resolution² advising and consenting to the adherence of the United States to the Protocol of Signature of the Statute of the Court (together with the Statute) upon certain conditions³.

The United States of America.

¹ Brazil, on June 14th, 1926, stated that she intended to withdraw from the League of Nations; her withdrawal became effective on June 15th, 1928 (Article 1 of the Covenant).

² For the text of the Resolution, see Second Annual Report, p. 84.

³ For the communication sent by the United States Government, see Second Annual Report, p. 85. For the Conference of signatories of the Protocol of Signature of the Statute, held at Geneva in September 1926, see Third Annual Report, pp. 92-97. For the status on May 1st, 1928, of replies to the communications of the American Government, see Fourth Annual Report, pp. 126-127. For the note of the Secretary of State of the United States, dated February 19th, 1929, the preparation of a draft protocol by the Committee of Jurists, the Resolution of the Council of the League of Nations of June 12th, 1929, see Fifth Annual Report, pp. 142-150. For the approval of the Protocol by the Tenth Assembly of the League

In the Sixth Annual Report (p. 155) was reproduced, *inter alia*, the Protocol of Adherence approved by the Assembly of the League of Nations on September 14th, 1929, and opened for signature as from that date, which Protocol was signed on December 9th, 1929, by the United States Chargé d'affaires at Berne, on behalf of his Government, together with the Protocol of Signature of the Court's Statute of December 16th, 1920, and the Protocol of Revision of the Court's Statute which, like the Protocol of Adherence, was dated September 14th, 1929.

On December 10th, 1930, the President of the United States of America addressed the following message on this subject to the Senate¹:

"I have the honour to transmit to the Senate for its consideration and action, three documents concerning adherence of the United States to the Court of International Justice. I enclose also a report of November 18th, 1929, by the Secretary of State². I trust the protocols may have consideration as soon as possible after the emergency relief and appropriation legislation has been disposed of.

It will be recalled that on January 27th, 1926, following extended consideration, the Senate advised and gave consent to adherence to the Court with five reservations; and it gave authorization to effect their acceptance by an exchange of notes. Consent to four of these reservations was promptly expressed at a meeting of the nations members of the Court, and after negotiations undertaken with the approval of President Coolidge, two protocols were drawn to revise the statutes of the Court in order to embody this consent and also to meet the fifth reservation. The protocol of accession of the United States and the protocol of revision have now been signed by practically all the nations which are members of the Court and have also already been ratified by a large majority of those nations.

of Nations; the report thereon; the text of the Protocol; the Note of the Secretary-General of the League of Nations to the Secretary of State of the United States dated October 7th, 1929; the signature of the Protocol on behalf of the Government of the United States of America; the exchange of notes on the subject between the Secretary of State of the United States of America and the President of the United States of America (18th and 26th Nov., 1929): see Sixth Annual Report, pp. 149-170.

¹ The message of the President of the United States of America is reproduced on page 49 of the pamphlet entitled: World Court, Hearing before the Committee on Foreign Relations, United States Senate, Seventy-First Congress, Third Session, relative to protocols concerning adherence of the United States to the Court of International Justice; January 21st, 1931, United States Government Printing Office, Washington.

² See Sixth Annual Report, pp. 162-170.

The provisions of the protocols free us from any entanglement in the diplomacy of other nations. We can not be summoned before this Court, we can from time to time seek its services by agreement with other nations. These protocols permit our withdrawal from the Court at any time, without reproach or ill will.

The movement for the establishment of such a Court originated with our country. It has been supported by Presidents Wilson, Harding, and Coolidge; by Secretaries of State Hughes, Kellogg and Stimson. It springs from the earnest seeking of our people for justice in international relations and to strengthen the foundations of peace.

Through the Kellogg-Briand Pact we have pledged ourselves to the use of pacific means in settlement of all controversies. Our great nation, so devoted to peace and justice, should lend its co-operation in this effort of the nations to establish a great agency for such pacific settlements.

(Signed) HERBERT HOOVER."

On January 21st, 1931, the Committee on Foreign Relations of the Senate heard on this subject the observations of Mr. Elihu Root, who had taken part in the proceedings of which the Protocol of Geneva of September 14th, 1929, relating to the adherence of the United States, was the outcome¹. This Committee also received from Mr. Elihu Root the following memorandum for hearing upon the question:

"MEMORANDUM FOR HEARING
REGARDING THE PROTOCOL OF ADHERENCE TO THE WORLD COURT.

I.

Facts important for an understanding of the Adhesion Protocol.

(For convenience, action of the Council is discussed. The same observations apply generally to the Assembly.)

The original Protocol establishing the World Court—December 16th, 1920—contained a provision that it should remain open for signature by the United States.

February 24th, 1923, President Harding asked the Senate for consent to our signing the Protocol, upon grounds stated in a letter from the Secretary of State, Mr. Hughes.

December 3rd, 1924, President Coolidge repeated the request.

¹ Mr. Elihu Root's statement is reproduced in the pamphlet already mentioned, p. 1 (see p. 166, note 1).

January 27th, 1926, the Senate advised and consented that the signature of the United States be affixed to the Protocol on the following conditions :

(1) That such adherence shall not be taken to involve any legal relation on the part of the United States to the League of Nations or the assumption of any obligations by the United States under the Treaty of Versailles.

(2) That the United States shall be permitted to participate, through representatives designated for the purpose and upon an equality with the other States Members, respectively, of the Council and Assembly of the League of Nations, in any and all proceedings of either the Council or the Assembly for the election of judges or deputy-judges of the Permanent Court of International Justice or for the filling of vacancies.

(3) That the United States will pay a fair share of the expenses of the Court as determined and appropriated from time to time by the Congress of the United States.

(4) That the United States may at any time withdraw its adherence to the said Protocol and that the Statute for the Permanent Court of International Justice adjoined to the Protocol shall not be amended without the consent of the United States.

(5) That the Court shall not render any advisory opinion except publicly after due notice to all States adhering to the Court and to all interested States, and after public hearing or opportunity for hearing given to any State concerned ; nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest.

After the terms of these reservations had been communicated to the signatory Powers and to the Secretary-General of the League of Nations, the Council of the League adopted a statement, March 18th, 1926, which contained the following paragraphs :

'The terms of the fifth paragraph of the Senate resolution necessitate further examination before they could safely be accepted by the States which are Parties to the Protocol of 1920. This paragraph is capable of bearing an interpretation which would hamper the work of the Council and prejudice the rights of Members of the League, but it is not clear that it was intended to bear any such meaning. The correct interpretation of this paragraph of the resolution should be the subject of discussion and agreement with the United States Government.

It should not be difficult to frame a new agreement giving satisfaction to the wishes of the United States Government

if an opportunity could be obtained for discussing with a representative of that Government the various questions raised by the terms of the Senate resolution. To any such new agreement the States which have signed the Protocol of December 16th, 1920, and the United States Government would be Parties.'

September 1st, 1926, a meeting of the States which had already signed the Protocol was held at Geneva to consider the conditions imposed in the Senate resolutions. The conclusions of this meeting were embodied in a document entitled 'Final Act of the Conference', which was signed by the representatives of the several States and transmitted to the Government of the United States.

The conclusions thus communicated to the United States express assent to all the conditions of the resolutions, excepting the second part of the fifth reservation.

In regard to the second part of the fifth reservation relating to advisory opinions, the Final Act says:

'The conference is confident that the Government of the United States entertains no desire to diminish the value of such opinions in connection with the functioning of the League of Nations. Yet the terms employed in the fifth reservation are of such a nature as to lend themselves to a possible interpretation which might have that effect in consequence it is desirable that the manner in which the consent provided for in the second part of the fifth reservation will be given should form the object of a supplementary agreement which would insure that the peaceful settlement of future differences between Members of the League of Nations would not be made more difficult.'

The Final Act includes a suggested draft protocol to give effect, which contains the following:

'The manner in which the consent provided for in the second part of the fifth reservation is to be given, will be the subject of an understanding to be reached by the Government of the United States with the Council of the League of Nations.'

Thus making the Council the agent of all the signatory States to represent them in reaching such an understanding.

The Committee of Jurists which recommended the Protocol now under consideration in March, 1929, stated the main difficulty in these words:

'The discussions in the Committee have shown that the conditions with which the Government of the United States thought it necessary to accompany the expression of its willingness to adhere to the Protocol establishing the World Court owed their origin to the apprehension that the Council or the Assembly of the League might request from the Court advisory opinions without reference

to the interests of the United States which might in certain cases be involved. Those discussions have also shown that the hesitation felt by the delegates to the Conference of 1926 as to recommending the acceptance of those conditions was due to apprehension that the rights claimed in the reservations formulated by the United States might be exercised in a way which would interfere with the work of the Council or the Assembly and embarrass their procedure. The task of the Committee has been to discover some method of insuring that neither on the one side nor on the other should these apprehensions prove to be well founded.'

February 6th, 1928, Senator Gillett introduced a resolution in the Senate, which was referred to the Committee on Foreign Relations, recalling that the signatory States had proposed a further exchange of views and suggesting to the President that the exchange of views be entered into in order to establish whether the differences between the United States and the signatory States can be satisfactorily adjusted.

Before this resolution was acted upon, President Coolidge, November 24th, 1928, announced that he intended to reopen the negotiations and Mr. Kellogg was instructed accordingly.

February 19th, 1929, a letter was sent by the Secretary of State, Mr. Kellogg, to each of the signers of the original Protocol and to the Secretary-General of the League of Nations. That letter, after briefly summarizing the history of the matter, contains the following paragraphs:

'The Government of the United States desires to avoid in so far as may be possible any proposal which would interfere with or embarrass the work of the Council of the League of Nations, doubtless often perplexing and difficult, and it would be glad if it could dispose of the subject by a simple acceptance of the suggestions embodied in the Final Act and draft Protocol adopted at Geneva on September 23rd, 1926. There are, however, some elements of uncertainty in the bases of these suggestions which seem to require further discussion.

.

'Possibly the interest of the United States thus attempted to be safeguarded may be fully protected in some other way or by some other formula. The Government of the United States feels that such an informal exchange of views as is contemplated by the twenty-four Governments should, as herein suggested, lead to agreement upon some provision which in unobjectionable form would protect the rights and interests of the United States as an adherent to the Court Statute, and this expectation is strongly supported by the fact that there seems to be but little difference regarding the substance of these rights and interests.'

Before sending this letter, Mr. Kellogg submitted it to Senators upon both side of the Senate who had taken an active part in the proceedings of January, 1926, and it had received their informal and personal approval.

II.

Under these circumstances the immediate object of the proposed negotiation necessarily was to bring about acceptance of the fifth reservation by finding some provisions under which the exercise by the United States of its rights under that reservation would not interfere unnecessarily with the main business of the Council in attempting to preserve peace.

III.

The attainment of this object was made less difficult by the agreement on the fourth Senate reservation which made the protocol terminable at will.

In accepting the fourth reservation, the Final Act of September 23rd, 1926, said :

'It may be agreed that the United States may at any time withdraw its adherence to the Protocol of December 16th, 1920.

In order to assure equality of treatment, it seems natural that the signatory States, acting together and by not less than a majority of two-thirds, should possess the corresponding right to withdraw their acceptance of the special conditions attached by the United States to its adherence to the said Protocol in the second part of the fourth reservation and in the fifth reservation. In this way the *status quo ante* could be reestablished if it were found that the arrangement agreed upon was not yielding satisfactory results.

It is to be hoped, nevertheless, that no such withdrawal will be made without an attempt by a previous exchange of views to solve any difficulties which may arise.'

This seems to have been a satisfactory acceptance and it was so treated in Mr. Kellogg's letter of February 19th, 1929.

Under the fourth Senate reservation and this acceptance of it, the Protocol which is under consideration will be an agreement terminable at the will of either Party. It is a very common provision in treaty making.

Whenever two States make a treaty regarding the future conduct of affairs between them, it is impossible to be absolutely certain about the way in which the arrangement will work. Of course the treaty makers hope it will work ; but their expectations may be wrong, or may be frustrated by misunderstandings or changes in conditions. The ordinary way of guarding against the ill effects of

such a result is by including a withdrawal provision in the treaty itself.

The United States has in the neighbourhood of 400 treaties containing such provisions. As a rule the withdrawal is accomplished by a notice fixing a period of time varying from thirty days to a year for termination. The terms of the Senate reservation, that the United States 'may at any time withdraw', have been met in the eighth article of the present Protocol, which provides that the method of effecting withdrawal shall be by a notice taking effect immediately.

Notable illustrations of the use of the right of withdrawal are afforded by the Treaty of Washington of May 8th, 1871 (the treaty under which the Alabama arbitration was held). That Treaty contained in Articles 18 to 25 an elaborate system of reciprocal fishing rights, and Article 30 provided for reciprocal rights of transportation between domestic ports and by land carriage and in bond. All of these rights were terminable by notice, and they were terminated by a notice given pursuant to a joint resolution of Congress of March 3rd, 1883.

Another notable illustration is our Treaty of 1832 with Russia, which provided for reciprocal rights of citizens of each country in the territory of the other country. The Treaty contained a clause providing for termination at will on one year's notice, and the Treaty was terminated by such a notice, given by the President of the United States in December, 1911, with the approval of a joint resolution of Congress.

Senators may remember that this withdrawal put an end to a controversy which threatened serious consequences.

Such is the object of including withdrawal provisions in treaties, and experience has shown that such is the effect of acting upon them.

IV.

The Protocol of Adherence.

An essential thing to observe in this Protocol is that it establishes as law the second part of the fifth Senate reservation, without any change. The second part of the fifth reservation relates solely to the jurisdiction of the Court. It is:

'The Court shall not nor shall it, without the consent of the United States, entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest.'

It is purely statutory in form, and its incidence is upon the Court alone. It does not impose any prohibition or command upon anyone who may request advisory opinions or who may be interested in them. Like most statutes, it says nothing about how it may be enforced.

The express acceptance of that provision and the signature and ratification of the formal instrument by all the several nations under whose authority the Court acts, will make it a part of the Statute, controlling the conduct of the Court. There are no terms or conditions attached to this acceptance which affect this prohibition or the rights of the United States under it.

The Protocol is introduced as follows :

'The signatory States and the United States have mutually agreed upon the following provisions regarding the adherence of the United States of America to the said Protocol subject to the five reservations formulated by the United States in the resolution adopted by the Senate on January 27th, 1926.

Article I.—The said signatories of the said Protocol accept the special conditions attached by the United States in the five reservations mentioned above to its adherence to the said Protocol upon the terms and conditions set out in the following articles.'

The procedural provisions which follow and constitute the terms and conditions referred to in Article I, do not in the slightest degree modify the provisions of the fifth reservation. They relate to matters entirely outside of the prohibition of that reservation. The only provisions which in any manner refer to the jurisdictional rule prescribed in the fifth reservation, far from attempting to change that rule, are expressly declared to be with a view to its effective enforcement.

Article 5 of the Protocol says :

'With a view to insuring that the Court shall not without the consent of the United States entertain any request for an advisory opinion touching any dispute or question in which the United States has or claims an interest....'

Then follow provisions relating not at all to the Court or its jurisdiction, but establishing a procedure out of Court appropriate to secure full information for the Council before it resolves whether to request an opinion and for the United States before it decides whether to consent and whether to claim an interest.

The theory of these provisions is that to prevent hindrance and embarrassment in the ordinary business of the Council, the essential thing is to have at every stage of the proceedings that full mutual information and understanding produced by the process described in diplomatic language as 'exchange of views' and that this same frank and open treatment of the business will remove all ground for apprehension on the part of the signatory Powers, lest the United States should divert the power given to her by the fifth reservation for the protection of her own interests into

a means of interfering with affairs in which she had no particular concern.

If the fifth reservation had been accepted without being accompanied or followed by some such provision, the first thing the United States would have known about an objectionable request for an advisory opinion would have been by notice from the Registrar of the Court to the United States, among the other nations, to the effect that such question was pending before the Court, and the only thing for the United States to do would have been to put before the Court something equivalent to a plea to the jurisdiction, based upon the fifth reservation. This would have left the Council in an unfortunate and injurious position. The Council would necessarily have sent its request without knowing whether the question was going to be objectionable to the United States, for it had no means of getting direct and authentic information on that subject. It would have had no opportunity to seek from the United States its consent that the Court should give an advisory opinion on the subject. The result would probably be that the Council would be rebuffed by the Court, the plans for settlement of an international controversy, of which the request for an advisory opinion formed a part, would be frustrated and the whole use of advisory opinions, often very important for the prevention of war, especially during the readjustments following the World War, would be made doubtful and uncertain.

The Council in reason ought to have an opportunity before going to the Court at all (*a*) to refrain from sending a request for an opinion, on account of an American objection if any; (*b*) to modify the request should that prove practicable, by limiting its terms so as not to touch any question of American interest; (*c*) to seek from the United States consent to the Court's entertaining the question. Provision for this follows necessarily from the terms and spirit of Mr. Kellogg's letter reopening the negotiation and it is precisely the kind of thing good faith and fair dealing require private litigants to do before going into a court of equity.

Such provision is required by the rule of honest and fair diplomacy. It is especially required in relations which have as a specific object friendly cooperation for the preservation of peace. And it is necessarily for the continuance of an agreement terminable at the will of either Party.

V.

The same frank and open treatment of the business was considered adequate also to meet the apprehensions by the signatory Powers that the United States might use its power under the fifth reservation to bar jurisdiction in cases not really affecting United States interests. This apprehension did not necessarily imply any fear of bad faith on the part of the United States,

but it arose from the fact that the United States would appear under the fifth reservation to have absolute power to bar any advisory opinion proceeding in the Court by making a claim, and no one could tell beforehand under what construction of the term 'interest' the claim might be made.

This apprehension was due in some measure to the fact that in some American discussions of the fifth reservation the power given to the United States was spoken of as being equivalent to the power possessed by each nation represented in the Council under a system requiring a unanimous vote for the requesting of an opinion. That was quite true so far as the effects of exercising these two different powers are concerned, under the present system of unanimous voting in the Council. The votes on such a question in the Council are not limited to protecting the voters' special interests. They have a veto effect quite regardless of the voter's interest and may be based upon any sort of reason or no reason at all. So long as that system prevails in the business of the Council it makes no difference for what reason the United States interposes a claim to bar the jurisdiction of the Court. It would be only doing at the end of a proceeding what all the Members of the Council had the opportunity to do at the beginning.

The other Powers are willing that the United States shall exercise the same veto power, independently of interest, which they can now exercise by their votes on the question of asking for an advisory opinion, and a clause to that effect has been put into the Protocol. It appears, however, that possibly the present practice of unanimous voting may be changed and the veto power of the several Members of the Council under that practice may be taken away by a change into a majority voting. In that case the United States would have a power by making a claim of interest which it would be possible to exercise without explanation or limitation, and which would not be possessed by any other signatory State; and the signatory States had to envisage the acceptance of the fifth reservation with a view to the question whether the power of barring jurisdiction under that reservation was going to be used simply for the protection of American interests or without being limited to those interests.

The fifth reservation meets our apprehension as to the action of the Council; but what provision could be found to meet the signatory Powers' apprehension regarding the action of the United States under the fifth reservation?

We could not agree to modify the fifth reservation or put an interpretation upon it, because this might affect the conclusiveness of our claim of interest before the Court. But it became apparent that if there could be assured a full, frank explanation, out of Court, between the United States and the Council, of the reasons, if any, why the United States considered that any particular proposed request would affect its interest, there would be no real

danger that the Council would send to Court a request which would require the United States to make to the Court a claim of interest for its own protection, and there would be no real danger that the United States would interpose in Court a claim to bar the jurisdiction except upon questions where the United States really did consider that it had an interest.

The conclusion stated in the Committee of Jurists' report upon this subject is as follows :

'Furthermore, mature reflection convinced the Committee that it was useless to attempt to allay the apprehension on either side, which have been referred to above, by the elaboration of any system of paper guarantee or abstract formulæ. The more hopeful system is to deal with the problem in a concrete form, to provide some method by which such questions as they arise may be examined and views exchanged, and a conclusion thereby reached after each side has made itself acquainted with the difficulties and responsibilities which beset the other.'

VI.

There is every reason to believe that there would be entire and easy agreement between the Council and the United States. The question for discussion in each case will be very simple. Under the terms of the fifth reservation, the Council will still have the legal right to request an opinion and the United States will have the legal right to interpose before the Court an objection based upon a claim of interest and refusal to consent. But in an agreement terminable at will the exercise of those powers must be reasonable and considerate and free from subterfuge or concealment of motives, or the agreement will come to a speedy end.

Observance of this consideration will indicate to both Parties that if the question affects an interest of the United States it cannot wisely be asked although the Council has power to ask it, and that if the question does not affect an interest of the United States, a claim of interest can not wisely be interposed, although the United States had power to interpose it.

Both Parties will wish to reach a common understanding as to the nature and effect of each question as it arises, because the continuance of the agreement is in the interest of each.

On the other hand, the signatory Powers, with the Council which represents them, have been and are having a serious and difficult time in maintaining peace, and they have found the Court of very great value to that end, especially in the vast regions of eastern Europe subject to the rearrangements of territory which have followed the war. For the nations of Europe, prevention of armed conflict is a matter of vital and immediate importance to a degree very difficult for us to realize. The signatory Powers say in the Final Act of their Conference of September, 1926 :

'This Conference has unanimously welcomed the proposal of the United States to collaborate in the maintenance of the Permanent Court of International Justice; such collaboration has been awaited with confidence by the States which have accepted the Statute of the Court. The Conference has taken full account of the great moral effect which the participation of the United States in the maintenance of this institution of peace and justice would have on the development of international law and on the progressive organization of world society on the basis of a respect for law and the solidarity of nations.'

On the other hand, the United States has many reasons for wishing the success of the Court. Our material interests demand peace. A vast multitude of Americans strongly desire that their country shall do its full share in the world toward the promotion of peace. A vast multitude of them have come to believe that just as national courts to decide personal controversies have largely prevented private wars, international courts to decide international controversies may in a great measure prevent public wars.

This present Court appears to them to have demonstrated the soundness of that view and they hope for the perpetuity of the Court and the enlargement of its power and influence. For thirty years the American Government has been urging this view upon the rest of the world. Other nations have now come around to our view, and it seems as if we should naturally do whatever we can toward making that view effectual. Where there is a common interest to agree, and a common wish to agree, a common standard of conduct naturally follows.

There seems as little danger of disagreement and dissatisfaction over the conduct of the various Parties concerned in the transaction of this business, in view of the rule established by the fifth reservation, as there ever is in the making of treaties in regard to the future conduct of nations.

VII.

If there should be final disagreement of views, the United States could stand upon its rights in Court under the fifth reservation, and as long as the United States remains an adherent of the Court, no opinion could be rendered by the Court against its claim of interest; but one Party or the other, or both, would probably be dissatisfied and the agreement would be terminated. Such a termination, if it came, would necessarily result either from an irreconcilable difference of opinion or in a change of feeling which would make cooperation in support of the Court impracticable. In either case the termination of the agreement would remove a cause of irritation and controversy and would be in the interests of peace.

If the result should be that either the signatory Powers or the United States should terminate the Protocol, the effect would be a return to the *status quo ante* without any injury whatever, and the people of the United States would have the satisfaction of having made an honest effort to promote the judicial settlement of international disputes.

The clause in Article V of this Protocol regarding withdrawal is declaratory merely. Article VIII to which it refers applies equally to all Parties, and no Party is put under obligation to withdraw.

The clause in Article V is designed to prevent any possible misunderstanding in case of the withdrawal of any Party by recording a prior understanding that under the circumstances indicated such withdrawal would be appropriate and reasonable.

VIII.

Since January 27th, 1926, when the Senate adopted its consent resolution, there has been a development of opinion in the same direction, which makes friction over conformity to the fifth reservation even more improbable.

July 31st, 1926—after the Senate resolution and before the Conference of signatories in September, 1926—the Court itself amended its rules regarding advisory opinions so as to conform to the first half of the fifth reservation requiring decision in open Court after notice and hearing.

The clause in the Protocol now under consideration making the revised rules irrevocable was readily agreed to.

After this Protocol was approved, the signatory Powers put the revised rules into amendments of the Statute and added to them a new paragraph, as follows :

‘In the exercise of its advisory functions, the Court shall further be guided by the provisions of the Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.’

This amendment was adopted by a Conference September 4th, 1929, after the reason for its adoption had been stated for the drafting committee and accepted without objection and ordered to be entered in the minutes, as follows :

‘In contentious cases, when a decision had to be pronounced, the procedure naturally had to provide for both Parties to be heard ; both Parties stated their case and the judges therefore had all the arguments before them. The same ought to be the case in advisory opinions.

When an advisory opinion was asked for, the latter could have no value unless the person consulted could know all the relevant facts of the case in the same way as in contentious cases ; he

should know the arguments of both Parties, and both Parties should adduce their evidence.

It would be quite useless to give an advisory opinion after hearing only one side. For the opinion to be useful both Parties must be heard.

It was therefore quite natural to lay down in the Statute of the Court that in regard to advisory opinions the Court should proceed in all respects in the same way as in contentious cases.'

This action completely destroys all possibility of secret or confidential advisory opinions; and it is a practical incorporation in the law of the principles of the Eastern Carelia case.

(Signed) ELIHU ROOT."

The Protocol of September 14th, 1929, concerning the adherence of the United States to the Court, had, on June 15th, 1931, received the signatures of the following States:

South Africa (Union of—), Albania, America (United States of—), Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Cuba, Czechoslovakia, Denmark, Dominican Republic, Esthonia, Finland, France, Germany, Greece, Great Britain and Northern Ireland, Guatemala, Haiti, Hungary, India, Irish Free State, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Persia, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Venezuela, Yugoslavia.

On the same date, the following States had deposited their instruments of ratification:

South Africa (Union of—), Albania, Australia, Austria, Bulgaria, Canada, China, Cuba, Czechoslovakia, Denmark, Esthonia, Finland, France, Great Britain and Northern Ireland, Germany, Greece, Hungary, India, Irish Free State, Italy, Japan, Latvia, Luxemburg, Netherlands, New Zealand, Norway, Persia, Poland, Portugal, Roumania, Siam, Sweden, Switzerland, Yugoslavia.

C.—As concerns States not Members of the League of Nations nor mentioned in the Annex to the Covenant, Article 35 of the Statute provides that the conditions under which the Court will be open to them are, subject to the special

Other States
to which the
Court is open.

provisions of treaties in force¹, to be laid down by the Council ; but in no case will such provisions place the Parties in a position of inequality before the Court.

In accordance with this article, the Council, on May 17th, 1922, adopted a Resolution which regulates this matter.

(See First Annual Report, p. 142 ;
see also Third Annual Report. p. 89.)

The States neither Members of the League of Nations nor mentioned in the Annex to the Covenant, which have been notified by the Court of the Resolution of the Council to the effect that they are entitled to appear before it, are now as follows :

Afghanistan, Free City of Danzig (through the intermediary of Poland), Egypt, Georgia, Iceland, Liechtenstein, Mexico, Monaco, Russia, San Marino, Turkey.

Costa Rica, which is not mentioned in the Annex to the Covenant, and which was admitted into the League of Nations by a Resolution of the Assembly dated December 16th, 1920, notified the Secretary-General on December 24th, 1924, that it had decided to withdraw from the League, this decision taking effect as from January 1st, 1927. The Resolution of May 17th, 1922, referred to above, was adopted at a time when Costa Rica was still a Member of the League of Nations, and was accordingly communicated to that country at the time by the Secretary-General of the League of Nations.

Contributions
towards the
expenses of
the Court.

(See Fifth Annual Report, p. 150.)

(3) *Channels of communications with governments.*

During the preliminary session, the Court decided that it would be well to have the procedure for communications which it might have to send to the various governments

¹ The following passage of the report in regard to the Statute, adopted by the First Assembly of the League of Nations on December 13th, 1920, explains the clause analysed in the text : "The access of other States to the Court will depend either on the special provisions of the treaties in force (for example, the provisions of the treaties of peace concerning the right of minorities, labour, etc.) or else on a resolution of the Council."

definitely laid down, so that a communication transmitted to a government in the manner indicated by that government could be regarded as having been duly effected. The Registrar, in a letter of March 27th, 1922, requested the Secretary-General of the League of Nations to ask the governments of States Members of the League to state their wishes in regard to the procedure to be adopted. He also wrote direct to States not Members of the League for similar information.

Certain governments not having replied to this request, the Registrar of the Court sent them a reminder on May 15th, 1928. According to the replies received up to June 15th, 1931, as a result of the steps taken in 1922 or in 1928, the channels to be used for direct communications emanating from the Court are as follows :

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| South Africa (Union of—) | The Prime Minister of the Union of South Africa, Capetown. | |
| America (United States of—) | The Secretary of State, Washington. | Through the U.S. Legation at The Hague. |
| Argentine Republic | Ministry for Foreign Affairs, Buenos-Ayres. | Through the Argentine Legation at The Hague. |
| Australia | The Prime Minister of the Commonwealth of Australia, Melbourne. | |
| Austria | The Federal Chancellery, Department for Foreign Affairs, Vienna. | |
| Belgium | The Minister for Foreign Affairs, Brussels. | |
| Brazil | The Ministry for Foreign Affairs, Rio de Janeiro. | Through the Brazilian Legation at The Hague. |
| Bulgaria | The Ministry for Foreign Affairs, Sofia. | |
| Canada | The Secretary of State for Foreign Affairs, Ottawa. | |
| Chile | The Minister for Foreign Affairs, Santiago. | |
| China | The Chinese Legation at The Hague. | |
| Colombia | The Ministry for Foreign Affairs, Bogotá. | |
| Cuba | The Secretary of State for Foreign Affairs, Havana. | |

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| Czechoslovakia | The Czechoslovak Minister at The Hague. | |
| Danzig | The Polish Minister at The Hague. | |
| Denmark | The Danish Legation at The Hague. | In case of extreme urgency: The Ministry for Foreign Affairs, Copenhagen. |
| Dominican Republic | The Secretary of State for Foreign Affairs, San Domingo. | |
| Ecuador | The Ministry for Foreign Affairs, Quito. | |
| Egypt | The Ministry for Foreign Affairs, Cairo. | |
| Esthonia | The Ministry for Foreign Affairs, Tallinn. | |
| Finland | The Finnish Chargé d'affaires at The Hague. | |
| France | The Ministry for Foreign Affairs, French Service for the League of Nations, Paris. | |
| Germany | The German Legation at The Hague. | |
| Great Britain | The Secretary of State for Foreign Affairs, Foreign Office, Whitehall, London, S.W.1. | |
| Greece | The Ministry for Foreign Affairs, Athens. | Copy to the Greek Delegation to the League of Nations at Geneva. |
| Haiti | The Secretary of State for Foreign Affairs, Port-au-Prince. | |
| Honduras | The Ministry for Foreign Affairs, Tegucigalpa. | |
| Hungary | The Hungarian Minister at The Hague. | For communications under Article 44 of the Statute: The Royal Ministry of Justice, Budapest. |
| India | The India Office, Whitehall, London, S.W.1. | |
| Irish Free State | Ministry for Foreign Affairs, Dublin. | |

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| Italy | Ministry for Foreign Affairs—League of Nations Section, Rome. | |
| Japan | The Minister for Foreign Affairs, Tokio. | Through the Japanese Office for matters concerning the League of Nations, Paris. |
| Latvia | Ministry for Foreign Affairs, Riga. | |
| Liberia | The Liberian Secretary of State, Monrovia. | |
| Lithuania | The Minister for Foreign Affairs of the Lithuanian Republic, Kovno. | |
| Luxemburg | The Minister of State, President of the Grand-ducal Government, Luxemburg. | (By registered letter.) |
| Mexico | The Secretary of State for Foreign Affairs, Mexico. | Through the Mexican Legation at The Hague. |
| Monaco | The Secretary of State, Director of the foreign relations and judicial administration of the Principality of Monaco. | |
| Netherlands | The Ministry for Foreign Affairs, The Hague. | |
| New Zealand | The High Commissioner for New Zealand, New Zealand Government Offices, Strand, London, W.C.2. | |
| Nicaragua | The Ministry for Foreign Affairs, Managua. | |
| Norway | The Ministry for Foreign Affairs, Oslo. | |
| Panama | The Ministry for Foreign Affairs, Panama. | |
| Persia | The Ministry for Foreign Affairs (3rd Section), Teheran. | |
| Peru | The Peruvian Chargé d'affaires at The Hague. | The Court's publications are sent direct to the Ministry for Foreign Affairs at Lima. |
| Poland | The Polish Minister at The Hague. | |

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| Portugal | The Minister for Foreign Affairs, Lisbon. | |
| Roumania | The Minister for Foreign Affairs, Bucharest. | Copy to the Roumanian Minister at The Hague, with the request to transmit it to Bucharest. |
| Salvador | The Ministry for Foreign Affairs, San Salvador. | |
| Siam | The Ministry for Foreign Affairs, Bangkok. | Through the Siamese Legation in London. |
| Spain | The Ministry of State, Madrid. | Through the Spanish Legation at The Hague. |
| Sweden | The Swedish Minister at The Hague. | |
| Switzerland | The Swiss Minister at The Hague. | |
| Turkey | The Ministry for Foreign Affairs, Ankara. | Through the Turkish Legation at The Hague. |
| Uruguay | The Ministry for Foreign Affairs, Montevideo. | |
| Venezuela | The Venezuelan Legation at The Hague. | |
| Yugoslavia | The Yugoslav Minister at The Hague. | |

In the case of governments not appearing in the above list, the Court communicates either with their Legations at The Hague, or, where necessary, with their Ministries for Foreign Affairs.

II.

JURISDICTION AS AN ADVISORY BODY.

(See First Annual Report, pp. 148-150.)

The twenty-three requests for advisory opinion which the Council has submitted to the Court may be divided into two categories: those really originating with the Council itself and those—more numerous—submitted at the instigation or request of a State or international organization.

The following belong to the first category:

Requests from
the Council
proprio motu.

- The question concerning the German settlers in Poland (Opinion No. 6, Series A./B., fascicule No. 6¹).
- The question concerning the acquisition of Polish nationality (Opinion No. 7, fascicule No. 7).
- The question of the Polish postal service at Danzig (Opinion No. 11, fascicule No. 15).
- The question of the expulsion from Constantinople of the Ecumenical Patriarch (this question having been withdrawn, the Court was not called upon to give an opinion upon it).
- The Mosul question (Opinion No. 12, fascicule No. 17).
- The question of the jurisdiction of the Danzig Courts (Opinion No. 15, fascicule No. 28).
- The question of access to German Minority schools (fascicule No. 40).
- The question of the Customs Régime between Germany and Austria (in regard to which the written proceedings will be terminated on July 1st, 1931).
- The question concerning railway traffic between Lithuania and Poland—railway sector Landwarów-Kaisiadorys (in regard to which the written proceedings will be terminated on July 15th, 1931).

The following belong to the second category:

Other requests.

- The question of the appointment of the Dutch Workers' Delegate to the Third Session of the International Labour Conference (Opinion No. 1, fascicule No. 1).
- The question of the competence of the International Labour Organization in regard to agricultural labour (Opinion No. 2, fascicule No. 2).
- The question of the competence of the International Labour Organization in regard to agricultural production (Opinion No. 3, fascicule No. 2).
- The question of the nationality decrees in Tunis and Morocco (Opinion No. 4, fascicule No. 3).
- The question of the status of Eastern Carelia (Opinion No. 5, fascicule No. 4).

¹ In 1931, the Court decided to modify the numbering of judgments and opinions given by it. See Chapter VII (Publications of the Court), p. 339, for a description of the new system applied for the first time in the case of the German Minority schools and for a table establishing concordance between the new and old numbering.

- The Jaworzina question (Opinion No. 8, fascicule No. 8).
 The St. Naoum question (Opinion No. 9, fascicule No. 10).
 The question concerning the exchange of Greek and Turkish Populations (Opinion No. 10, fascicule No. 12).
 The question of the competence of the International Labour Organization incidentally to regulate the personal work of the employer (Opinion No. 13, fascicule No. 19).
 The question concerning the jurisdiction of the European Commission of the Danube between Galatz and Braila (Opinion No. 14, fascicule No. 25).
 The question concerning the interpretation of Article IV of the Final Protocol to the Greco-Turkish Agreement of December 1st, 1926 (Opinion No. 16, fascicule No. 31).
 The question concerning the interpretation of the Greco-Bulgarian Convention of November 27th, 1919 (Opinion No. 17, fascicule No. 37).
 The question concerning the relations between the Free City of Danzig and the International Labour Organization (Opinion No. 18, fascicule No. 38).
 The question of the treatment of Polish nationals and of other persons of Polish origin or speech in the Danzig territory (in regard to which the written proceedings will be terminated on September 17th (October 15th), 1931).

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Procedure
for voting
upon requests
for opinions.

(See Fifth Annual Report, pp. 159-160,
and Sixth Annual Report, pp. 178-179.)

The Committee for the amendment of the Covenant of the League of Nations which met at Geneva in February and March, 1930, proposed, *inter alia*, in its report that the following clause should be inserted between the present paragraphs 7 and 8 of Article 15 of the Covenant of the League of Nations:

“At any stage of the examination, the Council may, either at the request of the Parties or on its own initiative, ask the Permanent Court of International Justice for an advisory opinion on points of law relating to the dispute. Such application shall not require a unanimous vote by the Council.”

The report of the Committee was submitted for examination to the First Committee of the Eleventh Session of the

Assembly (1930). As a result of its examination of the report, the First Committee was led to consider changes in the proposals of the Amendment Committee and, *inter alia*, the deletion of the paragraph quoted above: the First Committee in fact considered that, as the obligatory character of the Council's unanimous recommendations was not retained, the principal reason which had led to the insertion of this supplementary provision in the Covenant and which would have justified its retention, had ceased to exist. Furthermore, considering that it was desirable that the question of amendments to the Covenant should be submitted to further study, the First Committee proposed to the Assembly that the report of the Amendment Committee and subsequent documents should be communicated to the governments of Members of the League, who should be invited to formulate their observations before June 1st, 1931, and to state, should they so desire, what amendments would, in their opinion, be best suited to attain the object in view.

The Assembly decided in accordance with this proposal on October 4th, 1930 (24th plenary meeting of the Eleventh Session).

III.

OTHER ACTIVITIES.

On several occasions the Court or its President have been entrusted with certain missions—such, for instance, as the appointment of arbitrators or experts—either under an international legal instrument or under a contract of private law.

The synopsis, which precedes the third edition of the *Collection of Texts governing the jurisdiction of the Court*, contains an analysis and a classification of those of the various clauses which were known at the time.

The Third Annual Report gives in two lists (*a*: appointments by the Court; *b*: appointments by the President) all instruments of this nature which had come to the knowledge of the Court on June 15th, 1927. The Fourth, Fifth and Sixth Annual Reports bring these lists up to date to June 15th,

1928, June 15th, 1929, and June 15th, 1930, respectively. On June 15th, 1931, the following additions are to be made¹:

(a) APPOINTMENTS BY THE COURT.

(See Third Annual Report, p. 104,
Fourth Annual Report, p. 136,
and Sixth Annual Report, p. 180.)

Since June 15th, 1930, the Court has not been notified of any instrument under which it might in certain circumstances be asked to make an appointment.

Nevertheless, the Court has had to apply one instrument of this nature, namely, Agreement No. II (with Hungary) signed at Paris on April 28th, 1930, which is mentioned on page 180 of the Sixth Annual Report. Under Article 9 of this Agreement, which relates to the obligations resulting from the Treaty of Trianon, the Mixed Arbitral Tribunals operating between Roumania, Czechoslovakia and Yugoslavia, on the one hand, and Hungary, on the other, are, for all questions, agrarian or otherwise, each to be completed by the addition of two members, chosen by the Permanent Court of International Justice from amongst the nationals of States which remained neutral during the late war and possessing the necessary qualifications to act as arbitrators.

Following upon a request to that effect addressed to it by the Hungarian Government on May 31st, 1930, and upon receipt of notification from the French Government, on April 10th, 1931, of the signature of the minute recording the deposit of the ratifications of this Agreement, the Court, on May 9th, 1931, decided to undertake the mission thus entrusted to it. On May 15th, 1931, it made the required appointments and its choice fell on the following persons:

For the Hungaro-Roumanian Mixed Arbitral Tribunal:

M. de la Barra (Mexico), Former President of the Republic;
M. Michael Hansson (Norway), President of the Mixed Court
of Appeal at Alexandria.

¹ The relevant extracts of each of these instruments will be published in the new edition of the *Collection of Texts governing the jurisdiction of the Court* which will appear shortly.

For the Hungaro-Czechoslovak Mixed Arbitral Tribunal:

- M. Alejandro Alvarez (Chile), Member and Former President of the Institute of International Law;
 Baron D. W. van Heeckeren (Netherlands), Former President of Mixed Arbitral Tribunals.

For the Hungaro-Yugoslav Mixed Arbitral Tribunal:

- M. J. van Hamel (Netherlands), Former High Commissioner at Danzig;
 M. D. G. Nyholm (Denmark), Former Member of the Permanent Court of International Justice.

(b) APPOINTMENTS BY THE PRESIDENT.

I.—*Under an instrument of public international law.*

(See Third Annual Report, pp. 105-108,
 Fourth Annual Report, pp. 136-137,
 Fifth Annual Report, pp. 161-162,
 and Sixth Annual Report, pp. 180-181.)

Agreements for the pacific settlement of international disputes.

Appointment in certain circumstances of a single commissioner for the purposes of conciliation:

Treaty of arbitration and conciliation between Denmark and Haiti, April 5th, 1928.

Appointment in certain circumstances of three members of a conciliation commission:

Convention of conciliation, judicial settlement and arbitration between Italy and Norway, June 17th, 1929.

Treaty of conciliation, judicial settlement and arbitration between Luxemburg and Switzerland, September 16th, 1929.

Appointment in certain circumstances of three arbitrators:

Convention of arbitration and judicial settlement between Belgium and Czechoslovakia, April 23rd, 1929.

General Act of conciliation, arbitration and judicial settlement between Czechoslovakia, Roumania and Yugoslavia, May 21st, 1929.

Pact of friendship, conciliation, arbitration and judicial settlement between Czechoslovakia and Greece, June 8th, 1929.

Convention of conciliation, judicial settlement and arbitration between Italy and Norway, June 17th, 1929.

Convention for the pacific settlement of all international disputes between Czechoslovakia and Norway, September 9th, 1929.

Convention of conciliation, arbitration and judicial settlement between Czechoslovakia and Luxemburg, September 18th, 1929.

Convention of conciliation, arbitration and judicial settlement between Austria and Norway, October 1st, 1930.

Treaties of commerce.

Appointment in certain circumstances of a third arbitrator:

Treaty of commerce and navigation between Esthonia and Germany, December 7th, 1928.

Treaties of peace and various conventions.

Appointment in certain circumstances of a third arbitrator:

Treaty of friendship between Persia and Sweden, May 27th, 1929.

Appointment in certain circumstances of three arbitrators or of a third arbitrator:

Treaty of friendship between The Netherlands and Persia, March 12th, 1930.

2.—*Under a contract of private law.*

(See First Annual Report, p. 155,
Second Annual Report, pp. 95-96,
and Fifth Annual Report, p. 162.)

Since June 15th, 1930, the President of the Court has been requested on behalf of the Greek Government and the *Société commerciale de Belgique* of Ougrée, in pursuance of a convention signed at Athens on August 27th, 1925, between these two Parties, to appoint the president of an arbitration committee entrusted with the settlement of a dispute between them. The President's choice fell on Sir Francis H. Dent, C.V.O., a director of the Southern Railway, and formerly general manager of the South-Eastern and Chatham Railway, member of the Railway Transport Committee of the Advisory and Technical Committee of Communications and Transit of the League of Nations, and assessor to the Permanent Court of International Justice for transit and communications cases. The Arbitration Committee presided over by Sir Francis Dent gave its award in this case on May 31st, 1931.

* * *

It often happens that private individuals apply to the Court with the object of laying before it matters at issue between them and some government. These are generally claims for compensation for dispossession and arise as a rule from the fact that the applicants have lost their original national status and have not acquired another, and, for this reason, have met with a refusal, on the part of the courts to which they have applied, to entertain their claims. Most of these disputes have arisen in countries which have undergone territorial readjustments; for instance, persons entitled to pensions (former officials, war-cripples, widows) who have changed their nationality complain that payment of their pensions is refused both by the State in whose service they were and by the succession State. Very often also claims are received for compensation for injuries resulting from the war, for debts dating from before the war and for the depreciation of assets in specie and in securities.

Applications from private persons against a government.

The First Annual Report (pp. 155 *et seq.*), the Third Annual Report (pp. 109 *et seq.*) and the Fifth Annual Report (pp. 162 *et seq.*) gave several examples showing what is, as a general rule, the nature of such cases; in response to such applications the Registry invariably states that, under the terms of Article 34 of the Statute of the Court, "only States or Members of the League of Nations can be Parties in cases before the Court".

Some new examples are given below¹.

The interested person, a German national, after 22 years service in the army, was given a pension in 1920 by the Government of the Reich. At the end of that year he moved to a neighbouring State and became a subject of that State. Subsequently, the German Government refused to pay his pension because it was obliged to do so only to German subjects. The interested person thereupon appealed first to the administration of the neighbour State and then to the Courts of that State, but was informed that the government of the latter country was not liable to him. He asks the Court to say which Government should pay his pension.

The interested person, an Austrian, had his house occupied and pillaged by enemy troops. He applied for compensation to the

¹ These summaries give the facts as stated in the applications received: the Registry evidently assumes no responsibility for their accuracy.

Vienna Office for liquidation of war damages, but without success. He asks the Court to take up the matter.

The interested person was born in 1876 on what was then Austro-Hungarian territory but which became Roumanian at the end of the war 1914-1918. At three years of age he accompanied his parents to Belgrade where he has lived ever since and where he was registered along with his parents in accordance with the local law. In reply to his claim for pension at the end of the war, the Yugoslavian authorities refused to recognize his Yugoslavian nationality on the following grounds: firstly, that nationality had not been acquired in accordance with the Treaty of 1881 with Austria-Hungary, and secondly, his birthplace having become a part of Roumanian territory, his only option was to become a Roumanian. The Roumanian authorities refused to allow him to exercise this option because of his absence from his birthplace for forty-three years. He asks that his Yugoslavian nationality be recognized.

The interested persons, Spanish subjects, ask (in 1930) the Court to condemn as being illegal the expulsion from Spain of certain nationals for political crimes and the handing of them over to foreign police.

Eleven Annamites, who for political reasons have emigrated from Indo-China to a neighbouring country, are threatened, in connection with a crime of which they declare they are innocent, with expulsion from that country and delivery to the French authorities in Indo-China, by whom they are wanted as rebels. The petitioners maintain that the government of the country in question is empowered to judge all criminal or political acts committed by foreigners in its territory; moreover, that country is bound by international law not to expel persons for political offences and especially not to hand over political refugees to their enemies. Lastly, in the case in point the country in question has not respected the forms of judicial procedure. The petitioners ask the Court to intervene with the authorities of the country in question.

The interested person, formerly an Austrian subject, received an order in 1918 from the State railways at Vienna to deliver certain goods at a specified railway station belonging to the system. Delivery was duly made, but as the result of the war the account was not met. In the meantime the person concerned became a national of one of the Succession States of the Austro-Hungarian Monarchy, and the sovereignty of this State extended to the place where the goods had been delivered. The person concerned claimed from the authorities of the Succession State payment of the debt at the current value of the goods; in reply to his claim he was offered the same number of Austrian crowns that he would have received in 1918 if payment had been made on delivery. He asks the Court to decide in his favour.

In 1914, a commercial company belonging to Americans and with head offices in Germany, consigned goods to a country with which Germany shortly afterwards found herself at war. The goods were seized by the authorities of the said country and sold by auction. The authorities of that country now refuse the payment in gold francs of the sum which they say the auction fetched. The company's representatives ask whether the Court can deal with this case.

The interested person, an official in the employ of the Austro-Hungarian Monarchy, was in 1900 granted a pension and certain travelling facilities on the railways. In consequence of the war the corresponding obligations—hitherto assumed by the Austro-Hungarian Government—were transferred to one of the Succession States, which suppressed the travelling facilities and paid the pension in depreciated Austrian crowns and the likewise depreciated national currency. The interested person, who alleges that he has no redress against that State, asks the Court's intervention. He maintains that his request is also supported by an international treaty, viz. a convention between Austria and the State in question, whereby the latter undertakes to pay all pensions of officials of the former Austro-Hungarian Monarchy at pre-war rates and values.

The interested person was born in 1847 on territory which at that time was Austrian but which as the result of the war passed under the sovereignty of one of the Succession States of the old Austro-Hungarian Monarchy. He served as an Austrian official in another part of Austrian territory, which has also ceased since the war to belong to Austria, and is now under the sovereignty of another Succession State. When pensioned off, he transferred his domicile to the place of his birth. His option for the first Succession State having been refused, he applied for payment of his pension to the other State. The latter refused on the grounds that, having opted for the first State, he had become a national thereof. He asks the Court to decide which of the two States should pay his pension.

The interested person, who was born in Austria at a place now belonging to the territory of a Succession State of Austria-Hungary, served for 26 years in a part of Austrian territory transferred after the war to another State, for which he opted at the end of the war. He made various efforts to obtain the recognition of his nationality by the government of the said State, but these being of no avail, he applied, with the same lack of success, to the authorities of the territory in which he was born. He asks the Court to obtain the recognition of his right to a pension—and to compensation for not having been employed during his last years of service in accordance with his rank—from the government of the State now exercising sovereignty over the territory in which he served.

The interested person was born in Austria at a place now belonging to the territory of one of the Succession States of the former Austro-Hungarian Monarchy. After the latter's dissolution, he asked to be employed in the Austrian Administration, and his request was granted subject to his acquiring Austrian nationality. On reaching the age of retirement he was granted a pension. Subsequently, however, the Austrian authorities denied that his Austrian nationality had been validly acquired and ceased to pay the pension. He asks the Court to state what his nationality is.

In 1919, during fighting between Austrian and Serb-Croat-Slovene troops, the petitioner, of Yugoslav nationality, sustained serious damage to his property. He has applied to the authorities of the two countries for compensation, but so far without success. He asks the Court's intervention in his favour.

The offices of the interested person, a German national, had been requisitioned for private purposes by officers of the troops of occupation in German territory. The *Reichswirtschaftsgericht* at Berlin acknowledged the damage caused to the interested person but did not grant him compensation as the requisition was made, not for the purposes of the troops of occupation, but for private purposes. The interested person applied to the authorities of the State of which the officers were nationals, but received the reply that in virtue of the international agreements which had been concluded, these claims no longer concerned them. The interested person is of opinion that these agreements only apply to requisitions for the troops of occupation and asks the Court to intervene on his behalf.

The interested person, a native of Hungary, had been since 1915 an official in a town which, as a result of the war, forms part of the territory of a Succession State of Austria-Hungary. He was placed on the retired list in 1919. In 1920, his passport, made out by the said Succession State, was taken from him; he was sent back to Hungary and his pension was no longer paid to him. He subsequently asked the Succession State to recognize him as its national; this request was refused on the ground that the interested person had been expelled by the authorities of the State in question. He asks that the Succession State should pay the pension and compensation for the damages sustained as a result of his expulsion.

The interested person, a Czechoslovak national, is trying to obtain a pension on account of his son's death from the after-effects of the war. Czechoslovakia refuses payment on the ground that, as his son opted for German nationality, Germany is liable. The German authorities, on the other hand, declare that, in virtue of an agreement concluded with the Czechoslovak State, that State

is in this instance liable to pay the pension. The interested person asks the Court to decide which of the two States is liable.

The property of the interested person, then a German national, was situated in a German colony and was liquidated during the war by one of the Allied States. The German *Entschädigungsamt*, which had assessed the damages and paid an advance, refused to pay the compensation because the interested person had acquired Polish nationality. The government of the Allied State in question, in order to be able to examine the question, demanded a declaration from the Polish authorities that the interested person had acquired Polish nationality in virtue of the Treaty of Versailles. Being unable to obtain this declaration, the interested person applied to the Polish courts, which recognized his Polish nationality. The authorities of the Allied State, however, do not recognize this judicial decision and refuse to pay compensation. The interested person asks the Court to decide which of the States in question is liable.

INTRODUCTION TO CHAPTERS IV AND V.

In conformity with Article 27 of its Rules, as amended on February 21st, 1931, the ordinary session of the Court opens on February 1st in each year; furthermore, the President may summon an extraordinary session of the Court whenever he thinks it desirable.

DATES OF THE SESSIONS HELD BY THE COURT.

(Table brought up to date to July 16th, 1931.)

| Order number. | | Year. | Date | |
|--------------------|----------------|-------|--------------|--------------|
| | | | of opening. | of closure. |
| <i>Preliminary</i> | — | 1922 | January 30th | March 24th |
| First | O ¹ | „ | June 15th | August 12th |
| Second | E | 1923 | January 8th | February 7th |
| Third | O | „ | June 15th | Sept. 15th |
| Fourth | E | „ | Nov. 12th | Dec. 6th |
| Fifth | O | 1924 | June 16th | Sept. 4th |
| Sixth | E | 1925 | January 12th | March 26th |
| Seventh | E | „ | April 14th | May 16th |
| Eighth | O | „ | June 15th | June 19th |
| | | | July 15th | August 25th |
| Ninth | E | „ | October 22nd | Nov. 21st |
| Tenth | E | 1926 | February 2nd | May 25th |
| Eleventh | O | „ | June 15th | July 31st |
| Twelfth | O | 1927 | June 15th | Dec. 16th |
| Thirteenth | E | 1928 | February 6th | April 26th |
| Fourteenth | O | „ | June 15th | Sept. 13th |
| Fifteenth | E | „ | Nov. 12th | Nov. 21st |
| Sixteenth | E | 1929 | May 13th | July 12th |
| Seventeenth | O | „ | June 17th | Sept. 10th |
| Eighteenth | O | 1930 | June 16th | August 26th |
| Nineteenth | E | „ | Oct. 23rd | Dec. 6th |
| Twentieth | O | 1931 | January 15th | Feb. 21st |
| Twenty-First | E | „ | April 20th | May 15th |
| Twenty-Second | E | „ | July 16th | |

On February 21st, 1931, the Court adopted a new text of General list
Article 28. Paragraph 1 of Article 28, as thus amended,
reads as follows :

¹ O : Ordinary Session.

E : Extraordinary Session.

“The general list of cases submitted to the Court for decision or for advisory opinion shall be prepared and kept up to date by the Registrar on the instructions and subject to the authority of the President. Cases shall be entered in the list and numbered successively according to the date of the receipt of the document submitting the case to the Court.”

The tables which follow hereafter (pp. 199-231) reproduce the data of the general list for the forty-three cases which have been submitted to the Court up till July 12th, 1931, and replace the list of judgments, opinions and orders, given in the preceding Annual Reports as an introduction to Chapters IV and V.

The general list contains the following headings :

- I. *Number in list.*
 - II. *Short title.*
 - III. *Date of registration.*
 - IV. *Registration number.*
 - V. *File number in the Archives.*
 - VI. *Nature of case.*
 - VII. *Parties.*
 - VIII. *Interventions.*
 - IX. *Method of submission.*
 - X. *Date of document instituting proceedings.*
 - XI. *Time-limits for filing of documents in written proceedings.*
 - XII. *Prolongation of time-limits, if any.*
 - XIII. *Date of termination of written proceedings (date of entry in session list).*
 - XIV. *Postponements.*
 - XV. *Date of the beginning of the hearing (date of the first public sitting).*
 - XVI. *Observations.*
 - XVII. *References to earlier or subsequent cases.*
 - XVIII. *Solution (nature and date).*
 - XIX. *Removal from the list (nature and date).*
 - XX. *References to publications of the Court relating to the case.*
Notes.
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Fol. No. 1.

I. 1.

II. **International Labour Organization and the conditions of agricultural labour.**

III. 27. V. 22.

IV. I. 690.

V. F. a. II. 1.

VI. Advisory opinion.

VII. *Members, States and Organizations*(a) *to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court :*

International Federation of Agricultural Trades Unions, International League of Agricultural Associations, International Agricultural Commission, International Federation of Christian Unions of Land Workers, International Federation of Land Workers, International Institute of Agriculture, International Federation of Trades Unions, International Association for the Legal Protection of Workers ;

(b) *which submitted written statements to the Court :*

France, Italy, Sweden, International Labour Office, International Federation of Land Workers, Central Association of French Agriculturists, International Institute of Agriculture, International Federation of Christian Unions of Land Workers, International Federation of Agricultural Trades Unions ;

(c) *accorded a hearing by the Court :*

France, Great Britain, Portugal, Hungary, International

Agricultural Commission, International Labour Office, International Federation of Trades Unions.

VIII.

IX. Request signed by the Secretary-General of the League of Nations.

X. 22. V. 22. (Council's Resolution, 12. V. 22.)

XI. Time-limit given to Members, States and Organizations within which to notify their desire to be heard: 23. VI. 22.

XII.

XIII. 15. VI. 22 (the President's decision fixing the date of the first hearing).

XIV.

XV. 3. VII. 22.

XVI. 1st (ordinary) Session.

XVII. No. 3.

XVIII. Advisory Opinion No. 2: 12. VIII. 22.

XIX.

XX. Series B., Vol. 2 and 3.

" C., " I.

" E., " I, p. 189.

Notes.(1) *The following were notified that they were entitled to be heard by the Court :*

The Members of the League of Nations, the States mentioned in the Annex to the Covenant, Germany, Hungary, International Labour Office, International Federation of

Agricultural Trades Unions, International League of Agricultural Associations, International Agricultural Commission, International Federation of Christian Unions of Land Workers, Inter-

national Federation of Land Workers, International Institute of Agriculture, International Federation of Trade Unions, International Association for the Legal Protection of Workers.

Fol. No. 2.

- I. 2.
- II. **Nomination of the workers' delegate to the International Labour Conference.**
- III. 27. V. 22.
- IV. I. 69r.
- V. F. a. III. 1.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
- (a) *to which a communication was addressed under Article 73. paragraph 2, of the Rules of Court :*
International Association for the Legal Protection of Workers, International Federation of Christian Trades Unions, International Federation of Trades Unions;
- (b) *which submitted written statements to the Court :*
Netherlands, Sweden, International Labour Office, Netherlands General Confederation of Trades Unions;
- (c) *accorded a hearing by the Court :*
Great Britain, Netherlands, International Labour Office, International Federation of Trades Unions, International Federation of Christian Trades Unions.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 22. V. 22. (Council's Resolution, 12. V. 22.)
- XI. Time-limit given to Members, States and Organizations within which to notify their desire to be heard: 23. VI. 22.
- XII.
- XIII. 15. VI. 22 (the President's decision fixing the date of the first hearing).
- XIV.
- XV. 22. VI. 22.
- XVI. 1st (ordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. 1: 31. VII. 22.
- XIX.
- XX. Series B., Vol. 1.
" C., " 1.
" E., " 1, p. 185.
- Notes.*
- (1) *The following were notified that they were entitled to be heard by the Court :*

The Members of the League of Nations, the States mentioned in the Annex to the Covenant, Germany, Hungary, International Labour Office, International Association

for the Legal Protection of Workers, International Federation of Christian Trades Unions, International Federation of Trades Unions.

Fol. No. 3.

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| <p>I. 3.</p> <p>II. International Labour Organization and the methods of agricultural production.</p> <p>III. 20. VII. 22.</p> <p>IV. I. 1184.</p> <p>V. F. a. IV. 1.</p> <p>VI. Advisory opinion.</p> <p>VII. <i>Members, States and Organizations</i></p> <p>(a) <i>to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court:</i> International Institute of Agriculture:</p> <p>(b) <i>which submitted written statements to the Court:</i> Estonia, France, Haiti, Sweden, International Labour Office, International Institute of Agriculture, International Federation of Agricultural Trades Unions;</p> <p>(c) <i>accorded a hearing by the Court:</i> France, International Labour Office.</p> <p>VIII.</p> | <p>IX. Request signed by the Secretary-General of the League of Nations.</p> <p>X. 18. VII. 22. (Council's Resolution, 18. VII. 22.)</p> <p>XI.</p> <p>XII.</p> <p>XIII. 25. VII. 22 (the Court's decision in regard to the date for the investigation of the case).</p> <p>XIV.</p> <p>XV. 3. VIII. 22.</p> <p>XVI. 1st (ordinary) Session.</p> <p>XVII. No. 1.</p> <p>XVIII. Advisory Opinion No. 3: 12. VIII. 22.</p> <p>XIX.</p> <p>XX. Series B., Vol. 2 and 3. " C., " 1. " E., " 1, p. 189.</p> |
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Fol. No. 4.

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| I. 4. | XII. |
| II. Nationality decrees in Tunis and Morocco. | XIII. 6. I. 23. |
| III. 10. XI. 22. | XIV. |
| IV. I. 1620. | XV. 9. I. 23. |
| V. F. c. V. 1. | XVI. 2nd (extraordinary) Session. |
| VI. Advisory opinion. | XVII. |
| VII. <i>Members, States and Organizations</i> | XVIII. Advisory Opinion No. 4: 7. II. 23. |
| (a) <i>which submitted written statements to the Court:</i> France, Great Britain; | XIX. |
| (b) <i>accorded a hearing by the Court:</i> France, Great Britain. | XX. Series B., Vol. 4. " C., " 2 and additional volume. Series E., Vol. 1, p. 195. |
| VIII. | <i>Notes.</i> |
| IX. Request signed by the Secretary-General of the League of Nations. | (1) <i>The following were considered in the request of 6. XI. 22 as being directly concerned in the case:</i> France, Great Britain. |
| X. 6. XI. 22. (Council's Resolution, 4. X. 22.) | |
| XI. 25. XI. 22 (Cases). 23. XII. 22 (Counter-Cases). | |

Fol. No. 5.

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| I. 5. | <i>Respondent:</i> Germany. |
| II. S/S Wimbledon. | VIII. Request of the Polish Government to be permitted to intervene under Article 62 of the Statute, dated 22. V. 23, filed at the Registry 23. V. 23. Declaration of the same Government of its intention "to avail itself of the right conferred upon it by Article 63 of the Statute", 25. VI. 23. The Polish intervention declared admissible: Judgment, 28. VI. 23. |
| III. 16. I. 23. | |
| IV. I. 1933. | |
| V. E. b. II. 1. | |
| VI. Contentious case. | |
| VII. <i>Applicants:</i> France, Great Britain, Italy, Japan. | |

- IX. Application of the British, French, Italian and Japanese Governments.
- X. 16. I. 23.
- XI. 25. II. 23 (Case).
31. III. 23 (Counter-Case).
28. IV. 23 (Reply).
26. V. 23 (Rejoinder).
- XII. 17. III. 23 (Case).
20. IV. 23 (Counter-Case).
18. V. 23 (Reply).
15. VI. 23 (Rejoinder).
- XIII. 15. VI. 23.
- XIV.
- XV. 5. VII. 23.
- XVI. 3rd (ordinary) Session.
- XVII.
- XVIII. Judgment No. 1: 17. VIII. 23.
- XIX.
- XX. Series A., Vol. 1.
" C., " 3—I, II,
and additional volume.
Series E., Vol. 1, p. 163.
- Notes.*
- (1) *In regard to the intervention* :
Close of written proceedings:
15. VI. 23.
Commencement of oral proceedings: 25. VI. 23.
Interlocutory Judgment: 28. VI. 23.

Fol. No. 6.

- I. 6.
- II. **German settlers in Poland.**
- III. 5. III. 23.
- IV. I. 2139.
- V. F. c. VI. 2.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
- (a) *to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court* :
Germany ;
- (b) *which submitted written statements to the Court* :
Germany, Poland ;
- (c) *which were accorded a hearing by the Court* :
Germany, Poland.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 2. III. 23. (Council's Resolution, 3. II. 23.)
- XI.
- XII.
- XIII. 18. VI. 23 (declaration of the President with regard to the Session list).
- XIV.
- XV. 2. VIII. 23.
- XVI. 3rd (ordinary) Session.
- XVII. No. 8.
- XVIII. Advisory Opinion No. 6: 10. IX. 23.
- XIX.
- XX. Series B., Vol. 6.
" C., " 3—I,
III^I and III^{II}.
Series E., Vol. 1, p. 204.

Fol. No. 7.

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| I. 7. | XI. |
| II. Status of Eastern Carelia. | XII. |
| III. 30. IV. 23. | XIII. 18. VI. 23 (decision of the President with regard to the Session list). |
| IV. I. 2374. | |
| V. F. c. VII. 1. | XIV. |
| VI. Advisory opinion. | XV. 22. VI. 23. |
| VII. <i>Members, States and Organizations</i> | XVI. 3rd (ordinary) Session. |
| (a) <i>to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court: The Union of Socialist Soviet Republics of Russia;</i> | XVII. |
| (b) <i>which submitted written statements to the Court:</i> Finland; | XVIII. Advisory Opinion No. 5: 23. VII. 23. |
| (c) <i>accorded a hearing by the Court:</i> Finland. | XIX. |
| VIII. | XX. Series B., Vol. 5. " C., " 3—I and II. Series E., " 1, p. 200. |
| IX. Request signed by the Secretary-General of the League of Nations. | <i>Notes.</i> (1) The Russian Government informed the Court on 11. VI. 23 that it did not intend to take any part in the proceedings in this case. |
| X. 27. IV. 23. (Council's Resolution, 21. IV. 23.) | |

Fol. No. 8.

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| I. 8. | VII. <i>Members, States and Organizations</i> |
| II. Acquisition of Polish nationality. | (a) <i>to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court:</i> Germany; |
| III. 16. VII. 23. | (b) <i>accorded a hearing by the Court:</i> Germany, Poland. |
| IV. I. 2816. | |
| V. F. c. VIII. 1. | VIII. Request of Roumania relying on Articles 62 and 63 of the Statute, 24. VIII. 23. Request declared inadmis- |
| VI. Advisory opinion. | |

- sible and a time-limit expiring 3. IX. 23 fixed in accordance with Article 73 of the Rules of Court for a hearing, if any, 24. VIII. 23.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 11. VII. 23. (Council's Resolution, 7. VII. 23.)
- XI.
- XII.
- XIII. 11. VIII. 23 (decision of the Court fixing the date of the first hearing).
- XIV.
- XV. 27. VIII. 23.
- XVI. 3rd (ordinary) Session.
- XVII. No. 6.
- XVIII. Advisory Opinion No. 7: 15. IX. 23.
- XIX.
- XX. Series B., Vol. 7.
 „ C., „ 3—I, III^I
 and III^{II}.
 Series E., Vol. 1, p. 210.

Fol. No. 9.

- I. 9.
- II. **Polish-Czechoslovakian frontier (question of Jaworzina).**
- III. 2. X. 23.
- IV. I. 3222.
- V. F. c. IX. 1.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
 (a) *which submitted written statements to the Court:*
 Czechoslovakia, Poland;
 (b) *accorded a hearing by the Court:*
 Czechoslovakia, Poland.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 29. IX. 23. (Council's Resolution, 27. IX. 23.)
- XI.
- XII.
- XIII. 12. X. 23 (the President's decision fixing the date of the first hearing).
- XIV.
- XV. 13. XI. 23.
- XVI. 4th (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. 8: 6. XII. 23.
- XIX.
- XX. Series B., Vol. 8.
 „ C., „ 4.
 „ E., „ 1, p. 215.

Fol. No. 10.

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| I. 10. | XI. 1. I. 25 (Counter-Case). 10. I. 25 (Reply). 26. I. 25 (Rejoinder). |
| II. The Mavrommatis Palestine concessions (merits). | XII. |
| III. 13. V. 24. | XIII. 27. I. 25 (decision of the Court fixing the date of the first hearing). |
| IV. I. 3995. | XIV. |
| V. E. c. III. 1. E. c. V. 1. | XV. 10. II. 25. |
| VI. Contentious case. | XVI. 6th (extraordinary) Session. |
| VII. <i>Applicant</i> : Greece. <i>Respondent</i> : Great Britain. | XVII. Nos. 12, 27 and 28. |
| VIII. | XVIII. Judgment No. 5 : 26. III. 25. The Mavrommatis Jerusalem concessions. |
| IX. Application of the Greek Government. | XIX. |
| X. 12. V. 24. | XX. Series A., Vol. 5. ,, C., ,, 7—II. ,, E., ,, I, p. 177. |

Fol. No. 11.

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| I. 11. | X. Date of special agreement, 18. III. 24. (The special agreement came into force 29. V. 24). Date of the document giving notice of the special agreement, 2. VI. 24. |
| II. Interpretation of paragraph 4 of the Annex following Article 179 of the Treaty of Neuilly. | XI. 5. VII. 24 (Memorials). |
| III. 3. VI. 24. | XII. First prolongation : 19. VII. 24 (Memorials). Second prolongation : 31. VII. 24 (Memorials). 25. VIII. 24 (Replies) (see note). |
| IV. I. 4083. | XIII. 25. VIII. 24. |
| V. E. d. IV. 1. | XIV. |
| VI. Contentious case. | |
| VII. Bulgaria, Greece. | |
| VIII. | |
| IX. Special arbitration agreement. | |

- XV. The Court did not consider it necessary to institute oral proceedings in this case.
- XVI. Chamber of Summary Procedure, 5th (ordinary) Session.
- XVII. No. 14.
- XVIII. Judgment No. 3 : 12. IX. 24.
- XIX.
- XX. Series A., Vol. 3.
 „ C., „ 6.
 „ E., „ 1, p. 180.
- Notes.*
- (1) The Parties, having jointly proposed that the Court, in accordance with Article 32 of the Rules of Court, should authorize the submission of Replies, as an exception to the procedure indicated in Article 69 of the Rules, the Court acceded to this request.

Fol. No. 12.

- I. 12.
- II. **The Mavrommatis Palestine concessions (jurisdiction).**
- III. 5. VI. 24.
- IV. I. 4090.
- V. E. c. III. 31.
- VI. Contentious case.
- VII. *Applicant* :
 Greece.
Respondent :
 Great Britain.
- VIII.
- IX. Objection to jurisdiction raised by Great Britain.
- X. 3. VI. 24.
- XI. 16. VI. 24 (Filing of objection).
 30. VI. 24 (Reply to objection).
- XII.
- XIII. 30. VI. 24.
- XIV.
- XV. 15. VII. 24.
- XVI. 5th (ordinary) Session.
- XVII. Nos. 10, 27 and 28.
- XVIII. Judgment No. 2 : 30. VIII. 24.
- XIX.
- XX. Series A., Vol. 2.
 „ C., „ 5—I.
 „ E., „ 1, p. 169.

Fol. No. 13.

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| I. 13. | XI. |
| II. The Monastery of Saint-Naoum (Servian-Albanian frontier). | XII. |
| III. 19. VI. 24. | XIII. 21. VII. 24. |
| IV. I. 4179. | XIV. |
| V. F. c. X. I. | XV. 23. VII. 24. |
| VI. Advisory opinion. | XVI. 5th (ordinary) Session. |
| VII. <i>Members, States and Organizations</i> | XVII. |
| (a) <i>which submitted written statements to the Court:</i> Albania, Serb-Croat-Slovene State; | XVIII. Advisory Opinion No. 9: 4. IX. 24. |
| (b) <i>accorded a hearing by the Court:</i> Albania, Serb-Croat-Slovene State. (See VIII.) | XIX. |
| VIII. Greece, availing herself of Article 73 of the Rules of Court, asked to be heard: 21. VII. 24. The Court acceded to this request: 21. VII. 24. | XX. Series B., Vol. 9. " C., " 5—II. " E., " 1, p. 221. " " " 2, " 137. |
| IX. Request signed by the Secretary-General of the League of Nations. | <i>Notes.</i> (1) The oral proceedings were terminated on 23. VII. 24. On 2. VIII. 24, the Royal Government of the Serbs, Croats and Slovenes asked that the hearing might be reopened. The Court decided on 4. VIII. 24 not to accede to this request. |
| X. 17. VI. 24. (Council's Resolution, 17. VI. 24.) | |

Fol. No. 14.

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| I. 14. | V. E. d. IV. 126. |
| II. Interpretation of Judgment No. 3 (interpretation of the paragraph 4 of the Annex following Article 179 of the Treaty of Neuilly). | VI. Interpretation. |
| III. 29. XI. 24. | VII. Bulgaria, Greece. |
| IV. I. 4799. | VIII. |
| | IX. Request of the Greek Government under Article 60 of the Statute. |

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| X. 27. XI. 24. | XVI. Chamber of Summary Procedure, 6th (extraordinary) Session. |
| XI. | |
| XII. | XVII. No. 11. |
| XIII. 7. I. 25. | XVIII. Judgment No. 4: 26. III. 25. |
| XIV. | XIX. |
| XV. The Court did not consider it necessary to institute oral proceedings in this case. | XX. Series A., Vol. 4. " C., " 6, additional volume. Series E., Vol. 1, p. 180. |

Fol. No. 15.

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| I. 15. | IX. Request signed by the Secretary-General of the League of Nations. |
| II. Exchange of Greek and Turkish populations. | X. 18. XII. 24. (Council's Resolution, 13. XII. 24.) |
| III. 20. XII. 24. | XI. 10. I. 25 (Memorials). |
| IV. I. 4910. | XII. |
| V. F. c. XI. 7. | XIII. 10. I. 25. |
| VI. Advisory opinion. | XIV. |
| VII. <i>Members, States and Organizations</i> | XV. 16. I. 25. |
| (a) <i>to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court: Greece, Turkey, Mixed Commission for the Exchange of Greek and Turkish populations;</i> | XVI. 6th (extraordinary) Session. |
| (b) <i>which submitted written statements to the Court: Greece, Turkey;</i> | XVII. |
| (c) <i>accorded a hearing by the Court: Greece, Turkey.</i> | XVIII. Advisory Opinion No. 10: 21. II. 25. |
| VIII. | XIX. |
| | XX. Series B., Vol. 10. " C., " 7—I. " E., " 1, p. 226. |

Fol. No. 16.

- I. 16.
- II. **Polish Postal Service in Danzig.**
- III. 16. III. 25.
- IV. I. 5353.
- V. F. c. XII. 4.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
- (a) *to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court: Danzig;*
- (b) *which submitted written statements to the Court: Danzig, Poland.*
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 14. III. 25. (Council's Resolution, 13. III. 25.)
- XI. 10. IV. 25 (written statements).
17. IV. 25 (additional written statements).
27. IV. 25 (Observations).
1. V. 25 (Reply by the Government of Danzig).
- XII. 4. V. 25 (Reply by the Government of Danzig).
- XIII. 4. V. 25.
- XIV.
- XV.
- XVI. 7th (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. II: 16. V. 25.
- XIX.
- XX. Series B., Vol. II.
" C., " 8.
" E., " 1, p. 231.
" " " 2, " 139.
- Notes.*
- (1) *The following were notified that they were entitled to furnish information to the Court either orally or in writing: Danzig, Poland.*
- (2) On 15. IV. 25, the time-limit fixed, the Court not having received any request to the effect that it should hold a public hearing for the submission of oral statements by the interested Parties in regard to the whole question before it, decided that there should be no hearing for this purpose.

Fol. No. 17.

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| I. 17. | XII. |
| II. Expulsion of the Ecumenical Patriarch. | XIII. 23. III. 25 (entry on Session list). |
| III. 23. III. 25. | XIV. |
| IV. I. 5394. | XV. |
| V. F. c. XIII. 1. | XVI. 8th (ordinary) Session. |
| VI. Advisory opinion. | XVII. |
| VII. <i>Members, States and Organizations</i> <i>to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court : Turkey.</i> | XVIII. |
| VIII. | XIX. Struck off the Session list : 12. VI. 25 (decision of the Council to withdraw the request : 8. VI. 25). |
| IX. Request signed by the Secretary-General of the League of Nations. | XX. Series C., Vol. 9—II. „ E., „ I, p. 237. |
| X. 21. III. 25. (Council's Resolution, 14. III. 25.) | <i>Notes.</i> (1) <i>The following were notified that they were entitled to furnish information to the Court either orally or in writing : Greece, Turkey.</i> |
| XI. 12. VI. 25 (written Observations). | |

Fol. No. 18.

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| I. 18. | VII. <i>Applicant :</i> Germany. <i>Respondent :</i> Poland. |
| II. German interests in Polish Upper Silesia (merits). | VIII. |
| III. 16. V. 25. | IX. Application of the German Government. |
| IV. I. 5695. | X. 15. V. 25. |
| V. E. c. VI. 1. E. c. VII. 1. E. c. VIII. 1. | XI. 26. VI. 25 (Case). 31. VII. 25 (Counter-Case). 21. VIII. 25 (Reply). 11. IX. 25 (Rejoinder). |
| VI. Contentious case. | |

- XII. First prolongation :
 10. VII. 25 (Case).
 Second prolongation : *sine die* (pending the decision on the preliminary objections—see No. 19).
 Third prolongation :
 16. IX. 25 (Case).
 28. X. 25 (Counter-Case).
 25. XI. 25 (Reply).
 23. XII. 25 (Rejoinder).
 Fourth prolongation :
 28. XI. 25 (Counter-Case).
 26. XII. 25 (Reply).
 23. I. 26 (Rejoinder).
- XIII. 23. I. 26.
- XIV.
- XV. 5. II. 26.
- XVI. 10th (extraordinary) Session.
- XVII. Nos. 19, 18 *bis*, 25, 26 and 30.
- XVIII. Judgment No. 7: 25. V. 26.
- XIX.
- XX. Series A., Vol. 7.
 „ C., „ 11—I, II and III.
 Series E., „ 2, p. 100.
- Notes.*
- (1) By its decision of 5. II. 26, the Court, for the purposes of the proceedings on the merits, joined the causes of action mentioned in the application of 25. VIII. 25 to those mentioned in conclusion No. 3 of the application of 15. V. 25.
- (2) By Order of 22. III. 26, the Court invited the Parties to furnish, at a public hearing, by whatever means they might think fit, further information regarding the points reserved by the Court for this purpose.

Fol. No. 19.

- I. 19.
- II. **German interests in Polish Upper Silesia (jurisdiction).**
- III. 20. VI. 25.
- IV. I. 5866.
- V. E. c. VI. 23.
- VI. Contentious case.
- VII. *Applicant* :
 Germany.
Respondent :
 Poland.
- VIII.
- IX. Preliminary objections raised by the Polish Government.
- X. 18. VI. 25.
- XI. 10. VII. 25 (Reply to objections).
- XII.
- XIII. 10. VII. 25.
- XIV.
- XV. 16. VII. 25.
- XVI. 8th (ordinary) Session.
- XVII. Nos. 18, 18 *bis*, 25, 26 and 30.
- XVIII. Judgment No. 6: 25. VIII. 25.
- XIX.
- XX. Series A., Vol. 6.
 „ C., „ 9—I.
 „ E., „ 2, p. 100.

Fol. No. 18 bis.

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| I. 18 <i>bis</i> . | XII. 28. XI. 25 (Counter-Case). 26. XII. 25 (Reply). 23. I. 26 (Rejoinder). |
| II. German interests in Polish Upper Silesia. | |
| III. 25. VIII. 25. | XIII. 23. I. 26. |
| IV. I. 6158. | XIV. |
| V. E. c. VIII. 1. | XV. 5. II. 26. |
| VI. Contentious case. | XVI. 10th (extraordinary) Session. |
| VII. <i>Applicant</i> : | XVII. Nos. 18, 19, 25, 26 and 30. |
| Germany. | |
| <i>Respondent</i> : | XVIII. By its decision of 5. II. 26, the Court, for the purposes of the proceedings on the merits, joined the causes of action mentioned in the application of 25. VIII. 25 to those mentioned in conclusion No. 3 of the application of 15. V. 25. |
| Poland. | |
| VIII. | |
| IX. Second application of the German Government. | XIX. |
| X. 25. VIII. 25. | |
| XI. 16. IX. 25 (Case). 28. X. 25 (Counter-Case). 25. XI. 25 (Reply). 23. XII. 25 (Rejoinder). | XX. Series A., Vol. 7. " C., " 11—I, II and III. Series E., " 2, p. 109. |

Fol. No. 20.

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| I. 20. | VI. Advisory opinion. |
| II. Frontier between Turkey and Irak (the Mosul question). | VII. <i>Members, States and Organizations</i> |
| III. 26. IX. 25. | (a) <i>to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court :</i> |
| IV. I. 6281. | Great Britain, Turkey ; |
| V. F. c. XIV. 1. | |

- (b) *which submitted written statements to the Court :*
Great Britain, Turkey ;
- (c) *accorded a hearing by the Court :*
Great Britain.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 23. IX. 25. (Council's Resolution, 19. IX. 25.)
- XI. 21. X. 25 (Memorials).
Time-limit granted to Turkey in order to enable her to communicate with the Court : 31. X. 25.
- XII.
- XIII. 20. X. 25.
- XIV.
- XV. 26. X. 25.
- XVI. 9th (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. 12 :
21. XI. 25.
- XIX.
- XX. Series B., Vol. 12.
" C., " 10.
" E., " 2, p. 140.
- Notes.*
- (1) *The following were notified that the Court would no doubt be prepared favourably to receive an application from any of them to be allowed to furnish information in regard to the case :*
The Members of the League of Nations.

Fol. No. 21.

- I. 21.
- II. **The International Labour Organization and the personal work of the employer.**
- III. 23. III. 26.
- IV. I. 7315.
- V. F. a. XV. 1.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
(a) *to which a communication was addressed under Article 73, paragraph 2, of the Rules of Court :*
International Labour Organization, International Organization of Industrial Employers, International Federation of Trades Unions ;
- (b) *which submitted written statements to the Court :*
International Labour Organization, International Organization of Industrial Employers, International Federation of Trades Unions ;
- (c) *accorded a hearing by the Court :*
International Labour Organization, International Organization of Industrial Employers, International Federation of Trades Unions, International Confederation of Christian Trades Unions.
- VIII.

- IX. Request signed by the Secretary-General of the League of Nations.
- X. 20. III. 26. (Council's Resolution, 17. III. 26.)
- XI. 10. VI. 26 (Memorials).
- XII. 15. VI. 26 (Memorials).
- XIII. 18. VI. 26.
- XIV.
- XV. 28. VI. 26.
- XVI. 11th (ordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. 13: 23. VII. 26.
- XIX.
- XX. Series B., Vol. 13.
 „ C., „ 12.
 „ E., „ 3, p. 131.

Fol. No. 22.

- I. 22.
- II. **Denunciation of the Treaty of November 2nd, 1865, between China and Belgium.**
- III. 26. XI. 26.
- IV. I. 8383.
- V. E. c. IX. 1.
- VI. Contentious case.
- VII. *Applicant* :
 Belgium.
Respondent :
 China.
- VIII.
- IX. Application of the Belgian Government.
- X. 25. XI. 26.
- XI. 5. I. 27 (Case).
 16. III. 27 (Counter-Case).
 6. IV. 27 (Reply).
 8. VI. 27 (Rejoinder).
- XII. First prolongation :
 25. V. 27 (Counter-Case).
 15. VI. 27 (Reply).
17. VIII. 27 (Rejoinder).
 Second prolongation :
 18. VI. 27 (Counter-Case).
 Third prolongation :
 15. II. 28 (Counter-Case).
 1. IV. 28 (Reply).
 15. V. 28 (Rejoinder).
 Fourth prolongation :
 25. II. 28 (Counter-Case).
 Fifth prolongation :
 15. VIII. 28 (Counter-Case).
 1. X. 28 (Reply).
 15. XI. 28 (Rejoinder).
 Sixth prolongation :
 15. II. 29 (Counter-Case).
 1. IV. 29 (Reply).
 15. V. 29 (Rejoinder).
- XIII. 3. I. 27.
- XIV.
- XV. 15. V. 29.
- XVI. 16th (extraordinary) Session.
- XVII.
- XVIII. Order of the Court recording the Belgian Government's withdrawal of the suit, 25. V. 29.

XIX.

- XX. Series A., Vol. 8 and 18.
 „ C., „ 16—I.
 „ E., „ 3, p. 125.
 „ „ „ 5, „ 190.

Notes.

- (1) In its Application and its Case, the Belgian Govern-

ment asked the Court to indicate measures of interim protection.

Order indicating measures of interim protection, 8. I. 27.

Order declaring that the Order of 8. I. 27 shall cease to be operative, 15. II. 27.

Fol. No. 23.

I. 23.

II. **Jurisdiction of the European Commission of the Danube.**

III. 20. XII. 26.

IV. I. 8490.

V. F. b. XVI. 1.

VI. Advisory opinion.

VII. *Members, States and Organizations*

(a) *to which a communication was addressed under Article 73, No. 1, paragraph 2, of the Rules of Court:*
 France, Great Britain, Italy, Roumania;

(b) *which submitted written statements to the Court:*
 France, Great Britain, Italy, Roumania;

(c) *accorded a hearing by the Court:*
 France, Great Britain, Italy, Roumania.

VIII.

IX. Request signed by the Secretary-General of the League of Nations.

X. 18. XII. 26. (Council's Resolution, 9. XII. 26.)

XI. 9. IV. 27 (written statements).
 31. V. 27 (Replies).

XII. 6. IV. 27 (written statements).
 12. IV. 27 (written statements).
 17. VI. 27 (Replies).
 1. VIII. 27 (Replies).
 15. IX. 27 (Replies).

XIII. 14. IX. 27.

XIV.

XV. 6. X. 27.

XVI. 12th (ordinary) Session.

XVII.

XVIII. Advisory Opinion No. 14:
 8. XII. 27.

XIX.

XX. Series B., Vol. 14.
 „ C., „ 13—IV
 (4 vol.).
 Series E., „ 4, p. 201.
 „ „ „ 5, „ 223.

Fol. No. 24.

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| I. 24. | XI. 1. III. 27 (Cases). 24. V. 27 (Counter-Cases). |
| II. Case of the S/S "Lotus". | XII. |
| III. 4. I. 27. | XIII. 8. VII. 27. |
| IV. I. 8550. I. 8553. | XIV. |
| V. E. c. X. 1. E. c. X. 2. | XV. 2. VIII. 27. |
| VI. Contentious case. | XVI. 12th (ordinary) Session. |
| VII. France, Turkey. | XVII. |
| VIII. | XVIII. Judgment No. 9: 7. IX. 27. |
| IX. Special arbitration agreement. | XIX. |
| X. Date of special agreement, 12. X. 26. (The special agreement came into force 27. XII. 26.) Date of documents giving notice of the special agreement, 4. I. 27. | XX. Series A., Vol. 10. " C., " 13—II. " E., " 4, p. 166. |
| | <i>Notes.</i> |
| | (1) Declaration of the Turkish Government accepting the Court's jurisdiction in the case, 24. I. 27. |

Fol. No. 25.

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| I. 25. | VII. <i>Applicant</i> : Germany. |
| II. Claim for indemnities in respect of the factory at Chorzów (merits). | <i>Respondent</i> : Poland. |
| III. 8. II. 27. | VIII. |
| IV. I. 8756. | IX. Request of the German Government. |
| V. E. c. XI. 1. E. c. XIII. 1. E. c. XIII <i>bis</i> 1. E. I. 27. 1. E. c. 19. 1. | X. 8. II. 27. |
| VI. Contentious case. | XI. 3. III. 27 (Case). 14. IV. 27 (Counter-Case). 5. V. 27 (Reply). 14. VI. 27 (Rejoinder). |

- XII. First prolongation :
 30. IX. 27 (Counter-Case).
 15. XI. 27 (Reply).
 30. XII. 27 (Rejoinder).
 Second prolongation :
 30. XI. 27 (Counter-Case).
 14. I. 28 (Reply).
 29. II. 28 (Rejoinder).
 Third prolongation :
 20. II. 28 (Reply).
 7. IV. 28 (Rejoinder).
 Fourth prolongation :
 7. V. 28 (Rejoinder).
- XIII. 7. V. 28.
- XIV.
- XV. 21. VI. 28.
- XVI. 14th (ordinary) Session.
 16th (extraordinary) Session.
- XVII. Nos. 18, 19, 18 *bis*, 26 and 30.
- XVIII. Judgment No. 13 : 13. IX. 28.
 Order recording the agreement concluded between the Parties, 25. V. 29.
- XIX.
- XX. Series A., Vol. 12, 17 and 19.
 " C., " 15—II ; 16—II.
 Series E., " 4, p. 163 : 5, pp. 183, 196, 200.
- Notes.*
- (1) Request of the German Government asking for the indication of a measure of interim protection, dated 14. X. 27, filed 15. XI. 27. Order deciding that effect cannot be given to the request of the German Government, 21. XI. 27.
- (2) Order instituting an expert enquiry, 13. IX. 28. Order appointing the experts, 16. X. 28. Order fixing the time-limit for the filing of the experts' report, 14. XI. 28. Order terminating the expert enquiry, 15. XII. 28.

Fol. No. 26.

- I. 26.
- II. **Claim for indemnity in respect of the factory at Chorzów (jurisdiction).**
- III. 14. IV. 27.
- IV. I. 9128.
- V. E. c. XI. 49.
- VI. Contentious case.
- VII. *Applicant* :
 Germany.
Respondent :
 Poland.

VIII.

- IX. Preliminary objection raised by Poland.
- X. 8. IV. 27.
- XI. 1. VI. 27 (Reply to objection).
- XII.
- XIII. 1. VI. 27.
- XIV.
- XV. 22. VI. 27.

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| XVI. 12th (ordinary) Session. | XIX. |
| XVII. Nos. 18, 19, 18 <i>bis</i> , 25 and 30. | XX. Series A., Vol. 9. |
| XVIII. Judgment No. 8: 26. VII. 27. | " C., " 13—I. |
| | " E., " 4, p. 155. |

Fol. No. 27.

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| I. 27. | XI. 7. VI. 27 (Case). |
| II. Readaptation of the Mavromatis Jerusalem concessions (merits). | 5. VII. 27 (Counter-Case). |
| III. 28. V. 27. | 2. VIII. 27 (Reply). |
| IV. I. 9375. | 30. VIII. 27 (Rejoinder). |
| V. E. c. XII. 2. | XII. 15. VIII. 27 (Counter-Case). |
| VI. Contentious case. | XIII. |
| VII. <i>Applicant</i> : | XIV. |
| Greece. | XV. |
| <i>Respondent</i> : | XVI. |
| Great Britain. | XVII. Nos. 10, 12 and 28. |
| VIII. | XVIII. |
| IX. Application of the Greek Government. | XIX. By its Judgment No. 10, given on 10. X. 27, the Court upheld the preliminary objection to the jurisdiction raised by the Respondent; see No. 28. |
| X. 28. V. 27. | XX. Series A., Vol. 11. |
| | " C., " 13—III. |
| | " E., " 4, p. 176. |

Fol. No. 28.

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| I. 28. | VI. Contentious case. |
| II. Readaptation of the Mavromatis Jerusalem concessions (jurisdiction). | VII. <i>Applicant</i> : |
| III. 11. VIII. 27. | Greece. |
| IV. I. 9791. | <i>Respondent</i> : |
| V. E. c. XII. 98. | Great Britain. |
| | VIII. |
| | IX. Objection to jurisdiction raised by Great Britain. |

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| X. 9. VIII. 27. | XVI. 12th (ordinary) Session. |
| XI. 26. VIII. 27 (Reply to the preliminary objection). | XVII. Nos. 10, 12 and 27. |
| XII. 1. IX. 27 (Reply to the preliminary objection). | XVIII. Judgment No. 10: 10. X. 27. |
| XIII. 1. IX. 27. | XIX. |
| XIV. | XX. Series A., Vol. 11. |
| XV. 8. IX. 27. | " C., " 13—III. |
| | " E., " 4, p. 176. |
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Fol. No. 29.

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| I. 29. | X. 24. IX. 27. (Council's Resolution, 22. IX. 27). |
| II. Jurisdiction of the Courts of Danzig. | XI. Time-limit fixed for the filing of written statements : 4. XI. 27. Time-limit within which the Governments of Danzig and Poland may, if they see fit, file Counter-Cases : 15. I. 28. |
| III. 26. IX. 27. | XII. 5. XII. 27 (written statements). |
| IV. I. 10155. | XIII. 5. XII. 27. |
| V. F. c. XVII. 1. | XIV. |
| VI. Advisory opinion. | XV. 7. II. 28. |
| VII. <i>Members, States and Organizations</i> | XVI. 13th (extraordinary) Session. |
| (a) <i>to which a communication was addressed under Article 73, No. 1, paragraph 2. of the Rules of Court :</i> | XVII. |
| Danzig, Poland ; | XVIII. Advisory Opinion No. 15 : 3. III. 28. |
| (b) <i>which submitted written statements to the Court :</i> | XIX. |
| Danzig, Poland ; | XX. Series B., Vol. 15. |
| (c) <i>accorded a hearing by the Court :</i> | " C., " 14—I. |
| Danzig, Poland. | " E., " 4, p. 213. |
| VIII. | |
| IX. Request signed by the Secretary-General of the League of Nations. | |
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Fol. No. 30.

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| <p>I. 30.</p> <p>II. Interpretation of Judgments Nos. 7 and 8 (the Chorzów factory).</p> <p>III. 18. X. 27.</p> <p>IV. I. 10339.</p> <p>V. E. c. XIV.</p> <p>VI. Interpretation.</p> <p>VII. <i>Applicant</i> : Germany. <i>Respondent</i> : Poland.</p> <p>VIII.</p> <p>IX. Application of the German Government.</p> <p>X. 17. X. 27.</p> | <p>XI. Time-limit within which the Respondent may, if it sees fit, file a written statement : 7. XI. 27. Time-limit within which the Parties may, if they see fit, file a second written statement : 21. XI. 27.</p> <p>XII.</p> <p>XIII. 21. XI. 27.</p> <p>XIV.</p> <p>XV. 28. XI. 27.</p> <p>XVI. 12th (ordinary) Session.</p> <p>XVII. Nos. 18, 19, 18 <i>bis</i>, 25 and 26.</p> <p>XVIII. Judgment No. 11: 16. XII. 27.</p> <p>XIX.</p> <p>XX. Series A., Vol. 13. " C., " 13—V. " E., " 4, p. 184.</p> |
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Fol. No. 31.

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| <p>I. 31.</p> <p>II. Rights of minorities in Upper Silesia (Minority schools).</p> <p>III. 2. I. 28.</p> <p>IV. I. 10793.</p> <p>V. E. c. XV. 1.</p> <p>VI. Contentious case.</p> <p>VII. <i>Applicant</i> : Germany. <i>Respondent</i> : Poland.</p> <p>VIII.</p> | <p>IX. Application of the German Government.</p> <p>X. 2. I. 28.</p> <p>XI. 4. II. 28 (Counter-Case). 22. II. 28 (Reply). 10. III. 28 (Rejoinder).</p> <p>XII. 20. II. 28 (Counter-Case). 1. III. 28 (Reply).</p> <p>XIII. 12. III. 28 (entry on Session list).</p> <p>XIV.</p> <p>XV. 13. III. 28.</p> <p>XVI. 13th (extraordinary) Session.</p> |
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- XVII. Cf. No. 40.
 XVIII. Judgment No. 12: 26. IV. 28.
 XIX.
- XX. Series A., Vol. 15.
 „ C., „ 14—II.
 „ E., „ 4, p. 191.

Fol. No. 32.

- I. 32.
- II. **Free zones of Upper Savoy and the District of Gex.**
- III. 29. III. 28.
- IV. I. 11408.
 I. 11409.
- V. E. c. XVI. 1.
 E. c. XVI. 2.
- VI. Contentious case.
- VII. France, Switzerland.
- VIII.
- IX. Special arbitration agreement.
- X. Date of special agreement, 30. X. 24. (The special agreement came into force 21. III. 28.)
 Date of documents notifying special agreement: 29. III. 28.
- XI. *First phase*:
 5. IX. 28 (Cases).
 23. I. 29 (Counter-Cases).
 12. VI. 29 (Replies).
Second phase:
 31. VII. 30 (Documents, Proposals and Observations).
 30. IX. 30 (Replies).
Third phase:
 30. IX. 31 (Observations provided for by the Order of 6. XII. 30).
- XII.
- XIII. *First phase*:
 12. VI. 29.
Second phase:
 30. IX. 30.
- XIV.
- XV. *First phase*:
 9. VII. 29.
Second phase:
 23. X. 30.
- XVI. *First phase*:
 17th (ordinary) Session.
Second phase:
 19th (extraordinary) Session.
- XVII.
- XVIII. *First phase*:
 Order according to the Parties a period for negotiation (expiring 1. V. 30): 19. VIII. 29.
Second phase:
 Order according to the Parties a further period for negotiation (expiring, subject to extension, on 31. VII. 31): 6. XII. 30.
- XIX.
- XX. *First phase*:
 Series A., Vol. 22.
 „ C., „ 17—I
 (4 vol.).
 Series E., „ 6, p. 201.
Second phase:
 Series A., Vol. 24.
 „ C., „ 19—I
 (5 vol.).
 Series E., „ 7, p. 233.

Notes.

- (1) *The attention of the following States was called to the right reserved to them to inform the Court, should they so desire, that they wished to intervene under Article 63 of the Statute:*

Parties to one of the following treaties:

The Treaty of Paris of November 20th, 1815, the Treaty of Turin of March 16th, 1816, the Treaty of Versailles of June 28th, 1919, namely: Australia, Austria, Belgium, Bolivia, Brazil, Canada, Cuba, Czechoslovakia, Germany,

Great Britain, Greece, Guatemala, Haiti, Honduras, India, Italy, Japan, Liberia, New Zealand, Nicaragua, Panama, Peru, Poland, Portugal, Roumania, Serb-Croat-Slovene State, Siam, Union of Socialist Soviet Republics, Union of South Africa and Uruguay.

- (2) By letters dated 28. III. 30 (I. 16302) and 29. IV. 30 (I. 16493), the Parties informed the Court of the break-down of the negotiations provided for by the Order of 19. VIII. 29.

Fol. No. 33.

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| I. 33. | |
| II. Brazilian Federal Loans issued in France. | |
| III. 27. IV. 28. | |
| IV. I. 11571. | |
| V. E. c. XVII. 1. | |
| VI. Contentious case. | |
| VII. Brazil, France. | |
| VIII. | |
| IX. Special arbitration agreement. | |
| X. Date of special agreement, 27. VIII. 27. (The special agreement came into force 23. II. 28.) Dates of the documents notifying the special agreement, 26. IV. 28; 27. IV. 28. | |
| XI. 30. VI. 28 (the French Government's Case). 31. VII. 28 (the Brazilian Government's Case). | |
| | i. X. 28 (the French Government's Counter-Case). 31. X. 28 (The Brazilian Government's Counter-Case). |
| | XII. |
| | XIII. 31. X. 28. |
| | XIV. |
| | XV. 25. V. 29. |
| | XVI. 16th (extraordinary) Session. |
| | XVII. |
| | XVIII. Judgment No. 15: 12. VII. 29. |
| | XIX. |
| | XX. Series A., Vol. 21. " C., " 16—IV. " E., " 5, p. 216. |

Fol. No. 34.

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| I. 34. | XIII. 25. IX. 28. |
| II. Serbian Loans issued in France. | XIV. |
| III. 25. V. 28. | XV. 15. V. 29. |
| IV. I. 11775. | XVI. 15th (extraordinary) Session. 16th(" ") " . |
| V. E. c. XVIII. 1. | XVII. |
| VI. Contentious case. | XVIII. Judgment No. 14: 12. VII. 29. |
| VII. France, Serb-Croat-Slovene State. | XIX. |
| VIII. | XX. Series A., Vol. 20. " C., " 16—III. " E., " 5, p. 205. |
| IX. Special arbitration agreement. | <i>Notes.</i> |
| X. Date of special agreement, 19. IV. 28. (The special agreement came into force 16. V. 28.) Date of the documents notifying the special agreement, 24. V. 28. | (1) The Court met on 12. XI. 28 in extraordinary session (fifteenth) in order to hear the case. The first hearing, held on 13. XI. 28, had to be suspended, the number of judges having fallen below the quorum required by the Statute. The session was declared closed by Order of 21. XI. 28. |
| XI. 25. VII. 28 (Cases). 25. IX. 28 (Counter-Cases). | |
| XII. | |

Fol. No. 35.

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| I. 35. | VII. <i>Members, States and Organizations</i> |
| II. Interpretation of the Greco-Turkish Agreement of December 1st, 1926 (Final Protocol, Article IV). | (a) <i>to which a communication was addressed under Article 73, No. 1, paragraph 2, of the Rules of Court:</i> Greece, Turkey ; |
| III. 9. VI. 28. | (b) <i>which submitted written statements to the Court:</i> Greece, Turkey ; |
| IV. I. 11891. | (c) <i>accorded a hearing by the Court:</i> Greece, Turkey. |
| V. F. c. XVIII. 1. | |
| VI. Advisory opinion. | VIII. |

- IX. Request signed by the Secretary-General of the League of Nations.
- X. 7. VI. 28. (Council's Resolution, 5. VI. 28.)
- XI. 10. VII. 28 (written statements).
- XII.
- XIII. 10. VII. 28.
- XIV.
- XV. 6. VIII. 28.
- XVI. 14th (ordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. 16: 28. VIII. 28.
- XIX.
- XX. Series B., Vol. 16.
 „ C., „ 15—I.
 „ E., „ 5, p. 227.

Fol. No. 36.

- I. 36. Date of the document notifying the special agreement, 29. XI. 28.
- II. **Territorial jurisdiction of the International Commission of the River Oder.**
- III. 29. XI. 28.
- IV. I. 13138.
- V. E. b. XX. 1.
- VI. Contentious case.
- VII. *Between* :
 Czechoslovakia, Denmark, France, Germany, Great Britain and Northern Ireland, Sweden,
and
 Poland.
- VIII.
- IX. Special arbitration agreement.
- X. Date of special agreement, 30. X. 28. (The special agreement came into force 30. X. 28.)
- XI. 1. III. 29 (Cases).
 1. V. 29 (Counter-Cases).
 1. VI. 29 (Replies).
- XII. First prolongation :
 1. IV. 29 (Cases).
 1. VI. 29 (Counter-Cases).
 Second prolongation :
 15. IV. 29 (Cases).
 10. VI. 29 (Counter-Cases).
- XIII. 17. VIII. 29.
- XIV.
- XV. 20. VIII. 29.
- XVI. 17th (ordinary) Session.
- XVII.
- XVIII. Judgment No. 16: 10. IX. 29.
- XIX.

- XX. Series A., Vol. 23.
 „ C., „ 17—II.
 „ E., „ 6, p. 213.

Notes.

- (1) In accordance with the terms of Article 63 of the Statute, notification of the filing of the special agreement was sent to the Parties to the Treaty of Versailles other than those concerned in the case.
- (2) The President of the Court, by an Order dated 25. II. 29, dispensed with the submission of written Replies by the Parties.
- (3) By an Order dated 15. VIII. 29, the Court invited the Agent of the Polish Govern-

ment to file by midday 17. VIII. 29 at latest any alternative submissions as to the second of the two questions submitted to the Court under Article 1 of the special agreement.

- (4) By an Order dated 15. VIII. 29, the Court invited the Agents of the Parties to submit at the hearing fixed for 20. VIII. 29, and before any argument on the merits, their observations and final submissions as to the admissibility of certain evidence.
- (5) By an Order dated 20. VIII. 29, the Court ruled that certain evidence should be excluded from the proceedings.

Fol. No. 37.

- I. 37.
- II. **The Greco-Bulgarian “communities”.**
- III. 20. I. 30.
- IV. I. 15890.
- V. F. c. XIX. 1.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
- (a) *to which a communication was sent under Article 73, No. 1, paragraph 2, of the Rules of Court:*
 Bulgaria, Greece;
- (b) *which submitted written statements to the Court:*
 Bulgaria, Greece;
- (c) *accorded a hearing by the Court:*
 Bulgaria, Greece.

VIII.

- IX. Request signed by the Secretary-General of the League of Nations.
- X. 17. I. 30. (Council's Resolution, 16. I. 30.)
- XI. Time-limit fixed for the filing of the first written statement: 28. II. 30.
 Time-limit within which the Bulgarian and Greek Governments may, if they see fit, file a second written statement: 24. IV. 30.
- XII. 17. III. 30 (first written statement).
- XIII. 24. IV. 30.
- XIV.
- XV. 19. VI. 30.

- XVI. 18th (ordinary) Session. (1) By an Order dated 30. VI. 30, the Court invited the Agents of the two Governments concerned and the President of the Mixed Commission of Greco-Bulgarian emigration to reply to certain questions formulated therein.
- XVII.
- XVIII. Advisory Opinion No. 17: 31. VII. 30.
- XIX.
- XX. Series B., Vol. 17.
 „ C., „ 18—I.
 „ E., „ 7, p. 245.

Fol. No. 38.

- I. 38. X. 15. V. 30. (Council's Resolution, 15. V. 30.)
- II. **Danzig and the International Labour Organization.** XI. 30. VI. 30 (written statements).
- III. 17. V. 30. XII. 10. VII. 30 (written statements).
- IV. I. 16585. XIII. 10. VII. 30.
- V. F. c. XX. I. XIV.
- VI. Advisory opinion. XV. 4. VIII. 30.
- VII. *Members, States and Organizations* XVI. 18th (ordinary) Session.
- (a) *to which a communication was addressed under Article 73, No. 1, paragraph 2, of the Rules of Court:* XVII.
- Danzig, Poland, International Labour Organization; XVIII. Advisory Opinion No. 18: 26. VIII. 30.
- (b) *which submitted written statements to the Court:* XIX.
- Danzig, Poland, International Labour Organization; XX. Series B., Vol. 18.
 „ C., „ 18—II.
 „ E., „ 7, p. 255.
- (c) *accorded a hearing by the Court:* *Notes.*
- Danzig, Poland, International Labour Organization. (1) *The attention of the following was drawn, in connection with the case, to the terms of Article 73, No. 1, paragraph 3, of the Rules of Court:*
- VIII. The Members of the International Labour Organization.
- IX. Request signed by the Secretary-General of the League of Nations.

Fol. No. 39.

Entry approved on February 2nd, 1931.

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| I. 39. | XIII. 20. VII. 31. |
| II. Railway traffic between Lithuania and Poland. | XIV. |
| | XV. |
| III. 31. I. 31. | XVI. |
| IV. I. II. 268. | XVII. |
| V. F. b. XXI. 1. | XVIII. |
| VI. Advisory opinion. | XIX. |
| VII. <i>Members, States and Organ- izations</i> | XX. |
| (a) <i>to which a communication was addressed under Article 73, No. 1, paragraph 2, of the Rules of Court:</i> | |
| Lithuania, Poland, Advis- ory and Technical Com- mittee for Communications and Transit; | |
| (b) <i>which submitted written statements to the Court:</i> | |
| Lithuania, Poland; | |
| (c) <i>accorded a hearing by the Court:</i> | |
| VIII. | |
| IX. Request signed by the Secre- tary-General of the League of Nations. | |
| X. 28. I. 31. (Council's Reso- lution, 24. I. 31.) | |
| XI. 1. VI. 31 (first written statement). 15. VII. 31 (second written statement). | |
| XII. | |

Notes.

- (1) *In connection with the case, a communication was addressed to the following, drawing their attention to the terms of Article 73, No. 1, paragraph 3, of the Rules of Court:*
States parties to the Covenant of the League of Nations; to the Convention and Statute relating to Freedom of Transit, signed at Barcelona on April 20th, 1921; to the Convention and transitory provision relating to Memel, signed at Paris on May 8th, 1924, and to the Treaty of Commerce and Navigation between Germany and Lithuania of October 30th, 1928.
- (2) The second written statement of the Polish Government was filed on 20. VII. 31. The Court decided to accept it, although filed after the expiration of the time-limit fixed.

- Fol. No. 40.** Entry approved on February 3rd, 1931.
- I. 40. IX. Request signed by the Secretary-General of the League of Nations.
- II. **Access to German Minority schools in Polish Upper Silesia.** X. 31. I. 31. (Council's Resolution, 24. I. 31.)
- III. 2. II. 31. XI. Time-limit fixed for the filing of the first written statement: 25. III. 31. Time-limit for the filing by the German and Polish Governments of a second written statement, should they see fit: 13. IV. 31.
- IV. I. II. 274.
- V. F. c. XXII. 1.
- VI. Advisory opinion.
- VII. *Members, States and Organizations*
 (a) *to which a communication was addressed under Article 73, No. 1, paragraph 2, of the Rules of Court:*
 Germany, Poland;
 (b) *which submitted written statements to the Court:*
 Germany, Poland;
 (c) *accorded a hearing by the Court:*
 Germany, Poland.
- VIII. XII.
 XIII. 13. IV. 31.
 XIV.
 XV. 15. IV. 31.
 XVI. 21st (extraordinary) Session.
 XVII. Cf. No. 31.
 XVIII. Advisory Opinion: 15. V. 31.
 XIX.
 XX. Series A./B., Vol. 40.
 „ C., „ 52.
 „ E., „ 7, p. 261.

- Fol. No. 41.** Entry approved on May 21st, 1931.
- I. 41. (c) *accorded a hearing by the Court* :
Austria, Czechoslovakia,
France, Germany, Italy.
- II. **Customs Régime between
Germany and Austria (Pro-
tocol of March 19th, 1931).**
- III. 21. V. 31. VIII.
- IV. I. II. 1184. IX. Request signed by the Secre-
tary-General of the League
of Nations.
- V. F. c. XIII. 1. X. 19. V. 31. (Council's Reso-
lution, 19. V. 31.)
- VI. Advisory opinion. XI. 1. VII. 31 (written state-
ments).
- VII. *Members, States and Organ-
izations* XII.
- (a) *to which a communication was
addressed under Article 73, No. 1,
paragraph 2, of the Rules of
Court* : XIII. 1. VII. 31.
- Union of South Africa, Aus- XIV.
tralia, Austria, Belgium,
Canada, China, Great Bri-
tain, Cuba, Czechoslovakia,
France, Germany, Greece,
Italy, New Zealand, Nicara-
gua, Poland, Portugal, Rou-
mania, Spain, Siam, Yugo-
slavia ;
- (b) *which submitted written state-
ments to the Court* : XV. 20. VII. 31.
- Austria, Czechoslovakia, XVI. 22nd (extraordinary) Ses-
sion.
- France, Germany, Italy ; XVII.
- XVIII.
- XIX.
- XX.

- Fol. No. 42.** Entry approved on May 28th, 1931.
- I. 42. *paragraph 2, of the Rules of
Court* :
Danzig, Poland ;
- II. **Treatment of Polish nation-
als, etc., in Danzig.** (b) *which submitted written state-
ments to the Court* :
- III. 28. V. 31. (c) *accorded a hearing by the Court* :
- IV. I. II. 1237. VIII.
- V. F. c. XXIV. 1. IX. Request signed by the Secre-
tary-General of the League
of Nations.
- VI. Advisory opinion. X. 23. V. 31. (Council's Reso-
lution, 22. V. 31.)
- VII. *Members, States and Organ-
izations*
- (a) *to which a communication was
addressed under Article 73, No. 1,*

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| XI. Time-limit fixed for the filing of the first written statement: 17. IX. 31. Time-limit for the filing of a second written statement, in case the Court or its President should order or authorize its submission: 15. X. 31. | XVII. |
| XII. | XVIII. |
| XIII. | XIX. |
| XIV. | XX. |
| XV. | <i>Notes.</i> |
| XVI. | (1) <i>In connection with the case, a communication was addressed to the following, drawing their attention to the terms of Article 73, No. 1, paragraph 3, of the Rules of Court:</i> The Parties to the Treaty of Versailles of June 28th, 1919. |

Fol. No. 43.

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| I. 43. |
| II. Eastern Greenland. |
| III. 12. VII. 31. |
| IV. I. II. 1808. |
| V. E. c. XXI. 1. |
| VI. Contentious case. |
| VII. <i>Applicant:</i> Denmark. <i>Respondent:</i> Norway. |
| VIII. |
| IX. Application of the Danish Government. |
| X. 11. VII. 31. |

Entry approved on July 13th, 1931.

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| XI. 1. XI. 31 (Case). 15. III. 32 (Counter-Case). 1. VII. 32 (Reply). 1. IX. 32 (Rejoinder). |
| XII. |
| XIII. |
| XIV. |
| XV. |
| XVI. |
| XVII. |
| XVIII. |
| XIX. |
| XX. |

CHAPTER IV.

JUDGMENTS AND ORDERS.

ORDER OF DECEMBER 6th, 1930.

CASE OF THE FREE ZONES OF UPPER SAVOY
AND THE DISTRICT OF GEX (SECOND PHASE).

FIXING OF TIME-LIMIT BEFORE DECISION ON THE MERITS.

Interpretation of Article 435 of the Treaty of Versailles: the Order of August 19th, 1929.—Respect for the treaty rights of Switzerland; respect for the sovereignty of France.—Mission of the Court in virtue of the Special Agreement; interpretation of the Special Agreement.—Fixing of a further time-limit, after the expiry of which the final judgment will be rendered.

The Special Agreement of October 30th, 1924, by which the Court had been seized of the case of the Free Zones of Upper Savoy and the District of Gex, requested the Court to say whether as between Switzerland and France, Article 435, paragraph 2, of the Treaty signed at Versailles on June 28th, 1919, had abrogated or was intended to abrogate certain provisions of the treaties of 1815 and 1816 relating to the economic and customs systems of the free zones, having regard to all facts anterior to the Treaty of Versailles (such as the establishment of the Federal Customs in 1849) considered relevant by the Court.

The first
phase of the
case.

By the terms of letters exchanged with each other and notified at the same time as the Special Agreement, the Parties authorized the Court, after concluding its deliberation on this question, to communicate to them unofficially and in each other's presence the results of its deliberation and requested

it to grant them a further period to settle between themselves, under such conditions as they might consider expedient, the new régime to be applied in those districts. Lastly, failing the conclusion and ratification of a convention between the Parties within the time specified, the Court was requested to give its decision on the interpretation of Article 435, paragraph 2, of the Treaty of Versailles, and at the same time, having regard to present conditions, to settle all the questions involved by the execution of that paragraph.

In an Order dated August 19th, 1929¹, the Court had brought the first of these two phases to an end by fixing May 1st, 1930, as the date of the expiration of the time-limit granted with a view to enabling the Parties to agree. In this Order the Court pointed out that its Statute would not allow it to communicate unofficially to the Parties the result of its deliberation on a question submitted to it for decision; at the same time, the Court considered that it would be useless to fix a time-limit without indicating at the same time the solution of the question of interpretation which had hitherto rendered an agreement impossible between the Parties, and it therefore declared, in the recital clauses of its Order, that Article 435 of the Treaty of Versailles had not abolished the former provisions and was not intended necessarily to lead to their abrogation.

In a letter dated March 28th, 1930, the Swiss Federal Political Department informed the Court that the negotiations entered into in conformity with the Order of August 19th, 1929, had not led to the discovery of a basis for agreement, so that it appeared materially impossible for a convention to be concluded and ratified by the Parties before May 1st, 1930. The Federal Political Department's letter accordingly requested the Court to proceed to apply Article 4 of the Special Agreement. That article lays down that should the Court, owing to the failure of the Parties to agree, be called upon itself to settle all the questions involved by the execution of Article 435, paragraph 2, of the Treaty of Versailles, it would grant the Parties reasonable times for the production of all documents, proposals and observations which they might see fit

¹ See Sixth Annual Report (June 15th, 1929—June 15th, 1930), p. 201.

to submit to the Court for the purposes of this settlement and in reply to those submitted by the other Parties.

Similarly, the Agent of the French Government informed the Court on April 29th, 1930, that it had not been possible to reach an agreement between the Parties.

In these circumstances, and after ascertaining the wishes of the Parties in regard to the length of the time-limits to be fixed, the President of the Court decided by an Order dated May 3rd, 1930, to allow the Governments concerned a first time-limit expiring on July 31st, 1930, and a second time-limit (for the replies to the documents, proposals and observations submitted during the first time-limit) expiring on September 30th, 1930.

The documents of the written proceedings were duly deposited within the time-limits thus laid down, and the Court was convoked in extraordinary session for October 22nd, 1930.

The Court, on this occasion, was composed as follows :

Composition
of the Court.

MM. ANZILOTTI, *President* ; LODER, NYHOLM, ALTAMIRA, ODA, HUBER, SIR CECIL HURST, Mr. KELLOGG, *Judges* ; MM. YOVANOVITCH, BEICHMANN, NEGULESCO, *Deputy-Judges*.

M. DREYFUS, who was appointed judge *ad hoc* by the French Government and who had already sat in the first phase, also sat on the Court for the purposes of this case.

The composition of the Court was not the same as in the first phase. At the first hearing, on October 23rd, before calling on the Agents of the Parties, the President asked them if they had any observations or declarations to make in regard to this point¹. They declared that they agreed to the

¹ The statement made by the President on October 23rd, 1930, contained the following passage : "To comply with the provisions of Article 13, paragraph 3, of the Statute, the composition of the Court should, for the present session, have been the same as in 1929, when the first stage of the case had been taken. Circumstances had however rendered this impossible. Three members of the Court who had sat in the first stage of the case being unable at the present time to attend, the number of judges who had taken part in the session in 1929, already reduced by the resignation of Mr. Hughes, had fallen below the quorum required by Article 25 of the Statute in order to constitute the Court. Accordingly, I have been obliged, for the purposes of the present case, to reconstitute the Court in accordance with the principles of Article 25 of the Statute, that is to say, to summon all the regular judges available and the number of deputy-judges, in the order of the list, whose presence was necessary to make up the number of eleven laid down by the Statute."

continuation of the proceedings, but the French Agent added that in the opinion of his Government the solution of the question which was now to be argued was not dependent on the solution given in regard to the question argued in the first phase of the case; the Agent of the Swiss Government, on the contrary, declared that in the opinion of his Government the first and second phases of the case were interdependent, and that the question argued during the first phase of the proceedings appeared to it to have been decided.

Hearings.

The representatives of the Parties made their oral statements at the hearings on October 23rd, 24th, 25th, 27th, 28th, 29th and 31st, and on November 1st, 3rd and 4th.

On the latter date the President, according to custom, declared the hearing closed, subject to the right of the Court to ask the Agents for any supplementary explanations which it might subsequently think necessary.

After having deliberated, the Court availed itself of this right and on November 20th asked to be informed as to the manner in which the Parties understood one of the provisions (paragraph 2 of Article 2) of the Special Agreement in virtue of which the Court had been seized of the case.

The explanations of the representatives of the Parties on this point were given at a hearing on November 24th, after which the Court continued to deliberate.

* * *

Order of
Court
(analysis).

On December 6th, 1930, the Court made an Order.

This Order begins by stating the mission of the Court according to the terms of the Special Agreement: namely to declare by a single judgment, first, whether Article 435 of the Treaty of Versailles abrogated or was intended to abrogate the former provisions, and secondly to settle, having regard to present conditions, all the questions involved by the execution of that article.

In regard to the first point, the recital clauses of the Order of 1929 showed that the deliberation of the Court had led to a negative conclusion; that conclusion, based on the interpretation of Article 435 and on the existence of a Swiss right to the free zones in virtue of the former provisions, has now

been confirmed by the Court, as at present composed, and must be regarded as established for the purposes of the continuation of the proceedings; accordingly it must serve as a basis for the settlement contemplated as a second step by the Special Agreement.

The above conclusion is supported by the following reasons: The Special Agreement does not give the Court power—even assuming that such power were not incompatible with the Statute—to disregard rights and only to take into account considerations of pure expediency; further, it is hardly conceivable that a settlement made by the Court should disregard or conflict with the interpretation of a text as given by the Court itself; lastly, it is asked, what would the Parties have gained by being given a ruling on a point of law prior to the negotiations if, in the event of the failure of the negotiations, the Court was free to give its judgment on a basis other than that which it had itself indicated to the Parties?

Moreover, the Special Agreement and the history of the negotiations between the Parties show that the real difference of opinion which had prevented an agreement between the Parties related to the question whether the régime of the zones might be abolished without the consent of Switzerland: in other words, whether Switzerland has a right to the free zones. It was, in reality, that difference of opinion which was submitted to the Court, and it is from this standpoint that the Special Agreement must be construed. Switzerland might, if she had chosen, have renounced that right, in the course of the negotiations with France, by accepting an agreement abolishing the free zones; but it in no way follows that the Court enjoys freedom to abolish the zones: such a freedom would be contrary to the proper functions of the Court and could in any case only be enjoyed by it if it resulted from an explicit provision; but no such provision is to be found in the Special Agreement.

But, though the settlement which the Special Agreement required the Court to prescribe must respect the rights of Switzerland over the zones, it must also respect the sovereignty of France over these territories; and this sovereignty, except in so far as it is limited by the former treaties, is complete and unimpaired. It follows from this principle that France is

entitled to have a police cordon at the political frontier of the zones and to collect duties and taxes at this frontier, analogous to those which may be imposed on the like articles produced or manufactured in France, provided always that there is no abuse of that right; such abuse cannot, however, be presumed by the Court. It follows also from this principle that the Court's judgment could not, without the consent of the French Government, modify the territorial delimitation of the zones or the powers of the French administration in these territories, as was proposed in certain respects by the draft settlement submitted by the Swiss Government.

In view of the foregoing considerations, it is practically in the domain of the terms of the exchange of goods between the regions concerned, and in that of the importation into Switzerland, free of customs duty, of the zones' products that a settlement should be sought, which would bring the zones régime into closer harmony with present conditions, without disregarding the rights of the two Parties.

But Article 2, paragraph 2, of the Special Agreement lays down clearly that the importation of goods free of duty, if provided for in the judgment, can only be regulated with the consent of the two Parties. This text does not state definitely at what moment the consent is to be given: whether previously or subsequently to the judgment. However, the latter solution could not be entertained, for it would certainly be incompatible with the character of the judgments rendered by the Court and with the binding force attaching to them for it to be possible for either of the Parties to render a judgment inoperative. On the other hand, there seems nothing to prevent the Court from embodying in its judgment an agreement previously concluded between the Parties (judgment by consent).

At the present time no agreement exists, since the Agent of the French Government has not, like the Agent of the Swiss Government, declared that he would accept in advance any provision which the Court might adopt in this respect. In these circumstances, if the Court were now to render its judgment, it would have to confine itself to answering the legal questions relating to the execution of Article 435, a solution which would hardly seem desirable, having regard to the

important position occupied by importations free of duty in the Swiss draft. Accordingly, it appears desirable to invite the Parties to come to an agreement on the regulation of importations free of duty or at reduced rates across the Federal customs line.

A resumption of the negotiations appears also desirable from other points of view: thus, the Parties might also consider a settlement covering the whole problem even though departing from strict law; the Court, being a Court of Justice, could not itself contemplate a solution of pure expediency, or disregard rights recognized by itself; but there is nothing to prevent it from offering the Parties a further opportunity of achieving this end.

Nevertheless, the fact of granting further time for negotiations in order to enable an agreement to be reached would not prevent the Court from subsequently giving judgment on the points of law raised if the negotiations should prove fruitless. Indeed, to leave the dispute unsettled owing to the absence of an agreement in regard to importations free of duty would be contrary to the intention of the Parties, who doubtless desire that the case should be settled.

With a view to facilitating an agreement, the Court gives its opinion at once on two questions in regard to which the Parties disagree. The first relates to the meaning of the expression "present conditions" used in the Special Agreement; these conditions, which the Special Agreement directs the Parties to take into account, are those existing at the time of the conclusion of the agreement. An agreement which only took account of conditions existing at a previous period would not be in accordance with the real intention of the Parties. Nevertheless, no account may be taken of changes which have occurred since November 1923 as a result of the transfer of the French customs cordon to the political frontier. The other question relates to the legal character of the Manifesto of the Sardinian Court of Accounts, dated September 9th, 1829, in regard to the zone of Saint-Gingolph; that Manifesto gives effect to an agreement which confers on the zone of Saint-Gingolph the character of a treaty stipulation, which France is bound to respect as she has succeeded Sardinia in the sovereignty over that territory.

In its operative clause the Order grants the Parties a further time-limit expiring on July 31st, 1931, to settle between themselves the matter of importations free of duty, or at reduced rates, across the Federal customs line and also any other points concerning the régime of the free zones. At the expiry of this period, which may be prolonged by the President of the Court, the latter will deliver a judgment at the request of either Party, and after having, if necessary, afforded the Parties an opportunity of submitting further observations.

* * *

Dissenting
opinions:

The Court's Order is followed by a dissenting opinion signed by MM. D. G. Nyholm, Rafael Altamira, and Sir Cecil J. B. Hurst, judges, by MM. Yovanovitch and Negulesco, deputy-judges, and by M. Eugène Dreyfus, judge *ad hoc*, who, while agreeing with the operative clause of the Order and with the recitals which correspond to that clause, declare that they are unable to concur in the other recitals of the Order, as is set forth by themselves in their dissenting opinion.

Another judge, Mr. Kellogg, has also added observations regarding certain points of the Order with which he is, however, in agreement.

CHAPTER V.
ADVISORY OPINIONS.

ACTION TAKEN UPON ADVISORY OPINION No. 14.

CASE CONCERNING THE JURISDICTION
OF THE EUROPEAN COMMISSION OF THE DANUBE
BETWEEN GALATZ AND BRAILA ¹.

The draft agreement between the interested governments prepared by the Special Committee of the Advisory and Technical Committee for Communications and Transit and initialled on March 20th, 1929, by the delegates of the governments represented on the European Commission of the Danube, of which draft a summary was given in the Fifth Annual Report ², was communicated on December 20th, 1929, by the President of the Advisory and Technical Committee to the Secretary-General of the League of Nations for transmission to the Council.

The President of the Advisory and Technical Committee, in his covering letter of December 20th ³, briefly indicated the history of the dispute and the various phases of its settlement, and expressed the opinion that the Council would doubtless wish for its part to facilitate the complete success of the work of conciliation. In conclusion he made the following proposals:

“In the opinion of the Special Committee and of the delegates to the European Commission of the Danube, the text, which these delegates consider might be embodied in a Convention between the Powers represented on the European Commission of the Danube, with a view to ending the difficulties

¹ See Fourth Annual Report, p. 201, and Fifth Annual Report, p. 223.

² P. 223.

³ See *League of Nations, Official Journal*, February 1930, p. 188.

which have arisen and avoiding their recurrence in the future, involves the modification of certain provisions of the international treaties, instruments or arrangements maintained in force by Articles 5 and 6 of the Convention instituting the Definitive Statute of the Danube and, previously, by Article 346 of the Treaty of Versailles, the provisions of the latter article, however, being among those which the League of Nations may recommend for revision under Article 377 of the Treaty.

If the Council agrees with the Advisory and Technical Committee and decides to support its recommendations, I have the honour to request it, in conformity with the proposals put forward by the Chairman of the Special Committee in agreement with the delegates to the European Commission of the Danube, to ask the Secretary-General to communicate the attached draft Convention (Appendix I)¹, which the Powers represented on the European Commission of the Danube propose to conclude, to the other Powers parties to the Convention instituting the Definitive Statute of the Danube, and further to request him to invite the representatives of all the Powers parties to the said Convention to sign a protocol in which, by a joint declaration, they would signify their assent to the modifications proposed in the legal régime of the maritime portion of the Danube. A draft of this declaration is attached (Appendix II)¹."

This draft declaration² is as follows :

"The undersigned Plenipotentiaries of the Governments of the States which are parties to the Convention instituting the Definitive Statute of the Danube, duly authorized, hereby declare that their respective Governments, having been acquainted by a communication from the Secretary-General of the League of Nations dated...., in pursuance of a resolution of the Council dated...., with the provisions which the Powers represented on the European Commission of the Danube propose to embody in a special Convention with the object of putting an end to the difficulties that have arisen between them and preventing the recurrence of such difficulties :

Hereby declare that they jointly agree that, should the said Convention be put into force, the above-mentioned provisions shall be substituted for those laid down in previous treaties, conventions and acts or arrangements so far as they may differ from such treaties, conventions, acts or arrangements.

Done at Geneva,

¹ Not reproduced here.

² See *League of Nations, Official Journal*, February 1930, p. 192.

| | |
|---|--------------|
| Austria. | Greece. |
| Belgium. | Hungary. |
| Bulgaria. | Italy. |
| Czechoslovakia. | Roumania. |
| France. | Yugoslavia." |
| Germany. | |
| The United Kingdom of Great Britain and Northern Ireland. | |

When the question came before it, the Council of the League of Nations, on January 16th, 1930, (7th meeting of 58th Session) adopted the following resolution¹, which was accepted by the representative of the Roumanian Government who was present at the Council table for the purposes of this question :

"The Council

Has noted the information furnished in the letter from the Chairman of the Advisory and Technical Committee for Communications and Transit dated December 20th, 1929, and in the memorandum addressed to the Council by the Secretary-General on January 15th, 1930, at the request of the Chairman of the Advisory and Technical Committee, on the result of the negotiations carried on by the delegates of France, the United Kingdom of Great Britain and Northern Ireland, Italy and Roumania, under the auspices and with the assistance of the Advisory and Technical Committee, with a view to the settlement of the difficulties which had arisen regarding the competence of the European Commission of the Danube ;

It notes the Resolution adopted by the Advisory and Technical Committee on March 22nd, 1929, and

Expresses its great satisfaction at the successful issue of the negotiations undertaken ;

The Council

Considers it highly desirable that the agreement reached should be put into force as rapidly as possible with the co-operation of all the countries called upon to give their assent to the changes proposed in the legal régime of the maritime Danube ;

It therefore instructs the Secretary-General of the League, as soon as the Chairman of the Advisory and Technical Committee has finally communicated to him the text of the draft convention which the Powers represented on the European Commission of the Danube propose to

¹ See *League of Nations, Official Journal*, February 1930, p. 110.

conclude, to communicate to the Powers parties to the Convention instituting the Definitive Statute of the Danube the present Resolution, together with the letter from the Chairman of the Advisory and Technical Committee, dated December 20th, 1929, the draft convention mentioned above and the draft declaration annexed to the said letter ;

The Council

Requests these Powers to appoint representatives to sign, at the seat of the League of Nations, the declaration recording their common consent, the text of which is annexed to the letter from the Chairman of the Advisory and Technical Committee. The date for these signatures shall be fixed by the President of the Council after consulting the Chairman of the Advisory and Technical Committee ;

It further requests the Powers represented on the European Commission of the Danube, immediately after the signature of this declaration by all the Powers parties to the Convention instituting the Definitive Statute of the Danube, to sign the Convention mentioned above at the seat of the League of Nations."

The declaration submitted as a draft in the above-mentioned report of the President of the Advisory and Technical Committee for Communications and Transit to the Council of the League of Nations, was signed at Geneva on December 5th, 1930. Several of the signatures were affixed subject to ratification.

ADVISORY OPINION No. 17 OF JULY 31st, 1930.

QUESTION OF THE GRECO-BULGARIAN COMMUNITIES.

Interpretation of the Convention between Greece and Bulgaria respecting Reciprocal Emigration, dated November 27th, 1919: the communities, their rights, their dissolution; the powers of the Mixed Commission.

Following upon the entry into force of the Greco-Bulgarian Convention respecting Reciprocal Emigration on August 9th, 1920, and in pursuance of a Resolution of the Council of the League of Nations, dated September 20th, 1920, the Mixed Emigration Commission, which was provided for in Articles 8 and 9 of the Convention, assembled at Geneva on December 18th, 1920. One of its very first tasks was to study the interpretation of the Emigration Convention, and it was not until it had adopted, on March 4th, 1922, at its ninety-sixth meeting, a set of "Rules", which were officially communicated to the governments concerned, that it was able to take in hand the work relating to the practical application of the Convention.

During the preliminary stages and in the first few years of its work, the Commission was led to adopt, more or less incidentally, a number of decisions affecting the interpretation of the Convention with respect to the position of the "communities". The Commission further put questions to the representatives of the governments concerned on various points affecting the interpretation of certain articles of the Convention. The Legal Section of the Secretariat of the League of Nations was asked to give its opinion, and negotiations were engaged: but it was impossible to reach a solution acceptable to both Parties. At this point, the President of the Mixed Commission suggested referring the matter to the Court. A long series of discussions in the Mixed Commission followed; finally, at the beginning of December 1929, they culminated in the sending

by the two Governments to the President of written declarations whereby they mutually consented, in principle, to a procedure consisting in obtaining an advisory opinion from the Court; this consent, however, was given on both sides subject to an express reservation with regard to the final wording of the questions to be submitted to the Court. In pursuance of a formal decision of the Commission, its President prepared and submitted to his colleagues a draft list of questions. As this text was not accepted by the representatives of the two Governments concerned, it was agreed that the latter might send to the Commission any additions which they wished to make to it. Thus, the questionnaire of the Mixed Commission came to be successively supplemented by the Bulgarian Government's questionnaire and by that of the Greek Government.

Request for
an advisory
opinion.

On December 19th, 1929, the President of the Mixed Commission requested the Secretary-General of the League of Nations to address to the Council a Request for the obtaining of an advisory opinion. The Request for the opinion was made in virtue of a Resolution of the Council, dated January 16th, 1930, to which were appended the three questionnaires, the origin of which has just been described.

Notifications,
written
statements,
and hearings.

According to the customary procedure, the Request for an advisory opinion was notified to the Members of the League and to the States entitled to appear before the Court. Furthermore, the Registrar sent to the Bulgarian and Greek Governments, which were considered as likely, in accordance with Article 73, No. 1, second paragraph, of the Rules of Court, to be able to furnish information on the question, a special and direct communication to the effect that the Court was prepared to receive from them written statements and, if necessary, to hear oral statements made on their behalf.

Written statements were filed by the Governments in question within the time-limits, which had been fixed and subsequently extended by the President, and the question was placed on the agenda of the Eighteenth (ordinary) Session of the Court, which began on June 16th and terminated on August 26th, 1930. Hearings took place on June 19th, 20th, 21st, 23rd, 24th, 26th, 27th and 30th to receive information furnished verbally on behalf of the two Governments. At the close of the hearings the Court further accepted, in virtue of

a special decision, short written declarations addressed to it by the Agents of the two Governments. Finally, on June 30th, 1930, the Court requested the said Agents and the President of the Mixed Commission to reply to certain questions; these replies were furnished at a hearing held for that purpose on July 1st.

For this case, the following judges composed the Court: Composition of the Court.

MM. ANZILOTTI, *President*; HUBER, *Vice-President*; LODER, NYHOLM, DE BUSTAMANTE, ALTAMIRA, ODA, PESSÔA, FROMAGEOT, Sir CECIL HURST, *Judges*; M. YOVANOVITCH, *Deputy-Judge*.

MM. CALOYANNI and PAPAZOFF, appointed as judges *ad hoc* by the Greek and Bulgarian Governments respectively, also sat on the Court in this case.

* * *

The opinion of the Court, unanimously adopted, was delivered on July 31st, 1930. The Court's opinion (analysis).

After an introductory section giving the history of the question and reproducing the submissions of the interested Governments as an authoritative summary of the opposing contentions, the Court recalls the general object of the Emigration Convention and states the principles which, in the opinion of the Court, should govern its interpretation.

In this connection, the Court observes that the Convention is related to the general body of measures designed to secure peace by means of the protection of minorities, the particular aim of the Convention being to eliminate or reduce the centres of irredentist agitation by the reciprocal and voluntary emigration of the minorities in the two countries. With the same idea and in order to facilitate or stabilize emigration, the Convention seeks to save the interested parties from the material losses normally involved by their emigration whether in the future or in the past. The benefit of the clauses designed to protect private property is only extended to individuals and not to associations of persons. Nevertheless, bearing in mind the advantages which individuals in the East derive from uniting in "communities", the Convention allows them, when emigrating, to take away with them their movable

property and to receive the value of the immovable property of communities dissolved as a result of their emigration.

The Court next passes to the question submitted to it on behalf of the Governments concerned, or on behalf of the Mixed Commission, examines them and replies to each of them in turn.

I.—*Questions drawn up by the Mixed Commission.*

- (1) *What is the criterion to be applied to determine what is a community within the meaning of the Convention, inter alia, under Article 6, paragraph 2?*

The criterion for determining what is a community within the meaning of the articles of the Convention, *inter alia*, of Article 6, paragraph 2, is the existence of a group of persons living in a given country or locality having a race, religion, language and traditions of their own, and united by this identity of race, religion, language and traditions in a sentiment of solidarity with a view to preserving their traditions, maintaining their form of worship, ensuring the instruction and up-bringing of their children in accordance with the spirit and traditions of their race and mutually assisting each other.

From the standpoint of the Convention the question whether, according to local law, a community is or is not recognized as a juridical person does not require consideration; in point of fact, communities can possess property; churches, convents, schools, hospitals or foundations, existing as separate entities, are assimilated to communities on the emigration of the persons who are members or beneficiaries thereof.

These replies are based upon the following reason: in the absence of special provisions to the contrary—and in this case no such provisions exist—the conception of community held in view in the Convention can only be the conception which is traditional in the East. Furthermore, and in conformity with this opinion, the existence of communities, as also that of property belonging to them, are questions of fact not dependent of any regulation resulting from the local law.

- (2) *What conditions must be satisfied in order to cause the Mixed Commission provided for in the Convention to dissolve a community such as is meant by the Convention ?*

The Mixed Commission provided for in the Convention is not called upon itself to dissolve communities. Within the meaning of the Convention, the dissolution of a community is a fact which must be verified by the Commission. It must result from the exercise of the right of emigration by the members of such community, and this emigration must involve the disappearance of the community or render it unable to carry out its mission or to fulfil its object.

The powers conferred by the Convention upon the Mixed Commission only relate to the measures to be adopted after the dissolution of a community has taken place. The Commission merely has to verify the occurrence of this dissolution in order then to carry out the measures prescribed in this event by the Convention. This verification consists in satisfying itself with regard to a number of questions of pure fact.

- (3) *What is to be understood by such dissolution ? What relations are to be dissolved ? What is the period by reference to which the existence of such relations is to be established ?*

By the dissolution of a community is to be understood the breaking up of the community and the cessation of its existence in all respects.

The "relations" dissolved are those which united the members of the community. Dissolution terminates the mutual relations of individuals as members of the community as well as their relations with the community itself, and the relations between the community and third parties. The existence of these relations should in principle be determined by reference to the moment of time immediately preceding the dissolution of the community.

- (4) *What attitude is to be observed by the Mixed Commission in cases where it does not succeed in discovering the ayants droit (persons entitled) referred to in Article 10, paragraph 2, of the Convention ?*

The idea of the Convention is not to admit the dissolution of a community and the liquidation of its property except where individuals, members of such community, express their desire to profit by the terms of the Convention; it is therefore difficult to see how the *ayants droit* (persons entitled) will not be known at the time of liquidation.

Should there be some who subsequently cannot be traced, notwithstanding the efforts of the Commission, the latter must inform the Governments concerned, with whom it will rest to take the necessary steps, in accordance with their respective laws, to ensure that the proceeds of liquidation are duly paid to the persons entitled to them under the Convention.

The Mixed Commission must not intervene to satisfy itself that a community is dissolved except on the application of individuals, made personally or on their behalf, establishing their right to avail themselves of the Convention; and when the property of a dissolved community is liquidated, the only *ayants droit* (persons entitled) are the emigrant members of that community who claim liquidation on the ground of dissolution.

II.—*Questions drawn up by the Bulgarian Government.*

- (1) *Seeing that the Convention deals with voluntary emigration and that a community, being a legal fiction, only exists in virtue of the law of the country in question, whose frontiers it cannot transcend, can it be admitted that a community may emigrate in virtue of the Convention, or does it not logically follow that, where the Convention speaks of the property of communities, this must be understood to mean any private property rights which emigrants may eventually possess in respect of such property?*

Private patrimonial rights which emigrants may have in respect of the property of the community form part of the

“pecuniary rights” of emigrants, and these rights are expressly mentioned and protected by Article 2, paragraph 2, of the Convention; they are not to be confused with the property belonging to the community and dealt with in Article 6, paragraph 2, and in Article 7.

The various statements upon which this question is based are incorrect and irrelevant.

- (2) *The Mixed Commission being an executive body entrusted with the duty of facilitating emigration and liquidating existing rights of emigrants, and not with the creation of fresh rights, what body would be competent to order the eventual dissolution of a community, and what laws would such body be required to observe in such a case?*

As the dissolution of a community is a fact, it has not to be pronounced by any competent body and, from the point of view of the Convention, there is no need to ascertain what particular law is applicable.

The assumption that the Mixed Commission is an executive organ entrusted with the duty of liquidating existing rights is not entirely correct.

- (3) *Whichever views be adopted, i.e., whether the case is considered to be one of liquidation merely of emigrants' property rights over the property of the communities or one of liquidation in general of the property of the communities, must it not on either hypothesis be recognized that the liquidation must extend to the private property of the moral person which is constituted by a commune, a commune being the typical example of a community?*

The liquidation by the Mixed Commission of the property of a community within the meaning of Article 6, paragraph 2, and of Article 7, does not extend to the private property of the commune. Indeed, the conception of community, within the meaning of the Convention, is foreign to the unit of the internal organization of the country represented by the administrative commune, which is a territorial district.

III.—*Questions drawn up by the Greek Government.*

- (1) *What is, in view of their origin and development, the nature of the communities referred to in Article 6, paragraph 2, and Article 7 of the Convention of Neuilly? Do they enjoy, in law or in fact, a personality which confers upon them some of the attributes of a moral person and in particular the right to possess a patrimony separate from that of their members?*

The reply to this question has been given in paragraphs 1 and 2 of the reply to the first question of the Mixed Commission.

- (2) *Do the communities possess the characteristic of being connected as minorities and racial groups with the country in which the majority of the population is of the same race? What are eventually the consequences, as regards the allocation of their property, where their members, as contemplated by Article 10 of the Convention, are dispersed or absent (in the legal sense of the term)?*

The communities, within the meaning of the Convention, are of a character exclusively minority and racial. The State to which they are racially akin does not from this circumstance derive any right to the movable property or to the proceeds of the liquidation of the immovable property of a dissolved community whose members are dispersed or absent.

Whatever reasons may be advanced in support of the allocation, under the conditions contemplated by the question, to the State to which a community is racially akin, of the value of the property of a dissolved community, these reasons are foreign to the aim of the Convention.

- (3) *On what conditions should the dissolution of the communities be made to depend?*

The reply has been given in connection with the second question drawn up by the Mixed Commission.

- (4) *Does the Convention of Neuilly deal with communities dissolved before its entry into force? Should the same rules be applied as regards the dissolution of these communities and the allocation of the proceeds of the liquidation of their property as apply in the case of the communities referred to in Article 7 of the Convention?*

The Convention only applies to communities dissolved before its entry into force on the ground of emigration from the point of view of liquidation of their property. A dissolved community cannot get the benefit of Article 12, because it cannot satisfy the conditions of that article. Former emigrants are given the possibility of participating in the division of the proceeds of the liquidation of the property belonging to the community of which they were members before its dissolution.

The object of Article 12 is, indeed, to allow certain persons to have the benefit of the Convention to whom Articles 1 and 11 are not applicable. While it would be contrary to all sound rules of interpretation to change the system of these articles by extending their application to persons not contemplated by them, it seems, on the other hand, to be in harmony with the aim and spirit of this article to give to persons who have already emigrated in respect of "property left by them" the same economic advantages as are secured by the Convention to future emigrants.

- (5) *If the application of the Convention of Neuilly is at variance with a provision of internal law in force in the territory of one of the two signatory Powers, which of the conflicting provisions should be preferred—that of the law or that of the Convention?*

If the proper application of the Convention should be in conflict with some local law, the latter would not prevail as against the Convention.

The generally accepted principle of international law, according to which, in the relations between the Powers who are contracting Parties to a treaty, the provisions of municipal law cannot prevail over those of the treaty, would prevent the

adoption of any other view. The same applies to certain special provisions of the Emigration Convention.

* * *

Effects of
the advisory
opinion.

At the first meeting of its Sixtieth Session (Sept. 8th, 1930), the Council of the League of Nations took note of the opinion drawn up by the Court and instructed the Secretary-General to communicate it officially to the President of the Mixed Greco-Bulgarian Emigration Commission.

ADVISORY OPINION No. 18 OF AUGUST 26th, 1930.

THE FREE CITY OF DANZIG
AND THE INTERNATIONAL LABOUR ORGANIZATION.

Interpretation of the question raised.—Compatibility of the special legal situation of the Free City with membership of the International Labour Organization: conduct by Poland of the foreign affairs of the Free City, nature of the Organization's activities.—Admissibility of the Free City of Danzig in virtue of an agreement between Poland and the Free City approved by the League of Nations.

In the year 1929, the Senate of the Free City of Danzig would seem to have taken steps with a view to the Free City's admission as a Member of the International Labour Organization. In January 1930, the Polish member of the Governing Body of the International Labour Office asked the Director of the Office to place a request from the Free City in this sense on the agenda for the forty-seventh session of the Governing Body. In a document dated March 15th, 1930, which was forwarded by the Polish member to the Director of the Office, the Senate of the Free City explained the legal considerations on which the request was based. In communicating these requests, the Polish member, however, reserved the right to submit to the Governing Body a detailed statement of the question at issue or to give his opinion on the contentions set forth by the Free City. Outline of the case.

The request of Danzig was duly placed on the agenda for the forty-seventh session of the Governing Body, and the matter came up for discussion there on February 3rd, 1930. On that occasion it was understood that the International Labour Office would submit a legal memorandum on the question to its Governing Body for consideration at its forty-eighth session. The memorandum, which was communicated to the Court together with a letter from the German member of the Governing Body, concluded in favour of referring to the Court—

which was alone capable of solving the intricate legal problem involved—the question whether the Free City possessed the capacity to become a member of the International Labour Organization. It added that the adoption of this course would be entirely justifiable in view of the very wide terms of Article 423 of the Treaty of Versailles, and it proposed that the question should be formulated in the following terms :

“Is the special legal status of the Free City of Danzig such as to enable the Free City to become a Member of the International Labour Organization ?”

The matter again came before the Governing Body of the International Labour Office at its forty-eighth session, and it decided on April 26th, 1930, to cause the question set forth in the Labour Office memorandum to be submitted to the Court for an advisory opinion.

Request for
an advisory
opinion.

The Director of the International Labour Office accordingly wrote to the Secretary-General in this sense. The Council of the League was then duly seized of the question, and on May 15th, 1930, it adopted a resolution requesting the Court to give an advisory opinion on the question, which it formulated in the same terms as had been proposed in the above-quoted report of the International Labour Office.

Notifications,
written state-
ments, and
hearings.

In accordance with the customary procedure, notice of the Request for an advisory opinion was given to Members of the League of Nations and to the States entitled to appear before the Court. Furthermore, the Registrar sent to the Senate of Danzig, the Polish Government and the International Labour Office, considered as likely, in accordance with Article 73, No. 1, second paragraph, of the Rules of Court, to be able to furnish information on the question, a special and direct communication to the effect that the Court was prepared to receive from them written statements and if necessary to hear oral statements made on their behalf.

Lastly, the Registrar wrote to all the States or Members of the League indicated by the Director of the International Labour Office, as being Members of the International Labour Organization, drawing their attention to the rights conferred

on them by Article 73, No. 1, third paragraph, of the Rules of Court ¹.

Within the time-limits fixed and subsequently extended by the President, written statements were duly filed on behalf of the Senate of the Free City, the Polish Government, and the International Labour Office; the question was placed in the list for the Eighteenth (ordinary) Session of the Court, which began on June 16th and terminated on August 26th, 1930. Public sittings were held on August 4th, 5th, 6th and 7th for the purpose of receiving verbal information from the representatives of the Senate of the Free City, the Polish Government and the International Labour Office.

The Court was composed as follows for the consideration of the question : Composition
of the Court.

MM. ANZILOTTI, *President* ; HUBER, *Vice-President* ; LODER, NYHOLM, DE BUSTAMANTE, ALTAMIRA, ODA, FROMAGEOT, Sir CECIL HURST, *Judges* ; M. YOVANOVITCH, *Deputy-Judge*.

* * *

The opinion of the Court was given on August 26th, 1930.

The Court first draws attention to two points in connection with the wording of the question submitted to it. In the first place, it is on the special legal status of the Free City of Danzig that stress is laid. It is the effect which that special legal status may have upon the admissibility of the Free City to the International Labour Organization which is the subject of the question. The Court is therefore only asked to take into consideration difficulties arising from circumstances which are peculiar to the status of the Free City. The Court's
opinion
(analysis).

Secondly, the question is so worded as to ask only whether the Free City can *become* a Member of the International Labour Organization. The Court, however, considers that the intention is not thereby to limit the question to that of the admissibility of the Free City to the International Labour Organization, but to include the question whether the Free

¹ "Should any State or Member referred to in the first paragraph have failed to receive the communication specified above, such State or Member may express a desire to submit a written statement, or to be heard; and the Court will decide."

City, if admitted, could participate in the activities of the International Labour Organization and fulfil the duties incumbent upon its Members.

It is not impossible that the intention of the Parties to the Treaty of Versailles—Part XIII of which created the International Labour Organization—was that no State or community should be a Member of the International Labour Organization unless it was also a Member of the League. This question, however, is not one which is connected with the special legal status of Danzig. It has not been dealt with in the written statements nor in the oral arguments addressed to the Court, and therefore the Court has not taken it into consideration. The case has been considered solely from the point of view of whether the special legal status of the Free City is compatible with membership of the International Labour Organization; but the fact that the Court has given its answer to the question upon this basis must not be taken as prejudicing in any way its opinion upon the larger question, if at any time that question should be put to it.

In order to ascertain the meaning of the expression "special legal status" of the Free City, the Court then analyses the relevant texts—namely Articles 102 to 104 of the Treaty of Versailles and certain provisions of the Convention concluded on November 9th, 1920, between Poland and the Free City, under the above-mentioned Article 104 of the Treaty of Versailles. It comes to the conclusion that this status comprises two elements: the special relation of the Free City of Danzig to the League of Nations, under whose protection the Free City is placed and which guarantees Danzig's constitution; and the special relation of the Free City to Poland, whose Government is entrusted with the conduct of Danzig's foreign relations.

Neither the protection of the Free City nor the guarantee of its constitution by the League of Nations would prevent Danzig from becoming a Member of the International Labour Organization.

As regards the right for Poland to conduct the foreign relations of Danzig—a right which, so far as it imposes a restriction upon the independence of the Free City, constitutes an essential feature of her political structure—the situation is as follows. It is now admitted that this right cannot be considered

as absolute: Danzig is entitled to care for her own interests and to see that nothing is done which is prejudicial to them; but Poland, for her part, is entitled to refuse to take any action which would be prejudicial to her own interests. On the other hand, certain of the activities of the International Labour Organization—e.g. the ratification of a draft convention or the filing of a complaint against another Member State for failure to observe the provisions of a convention—belong to the field of foreign relations; therefore, in all such cases, no steps could be taken by the Free City without the consent of Poland, and such consent could be refused.

Now the Court has not found any provision which absolves a Member of the International Labour Organization from participating in the normal activities of the Organization if it cannot first obtain the consent of some Member of the Organization. Consequently, the Free City of Danzig could not participate in the work of the International Labour Organization without having made some arrangement with Poland ensuring that no objection could be made by the Polish Government to any action which the Free City might undertake as a Member of the Organization. If an agreement of this kind involved any modification of the special legal status of the Free City, it might nevertheless be subject to a veto on the part of the authorities of the League of Nations, under the right of protection which is vested in them; and therefore it might be desirable that it should not be concluded without the concurrence of the Council of the League.

No such agreement exists at the present moment, and the Court feels bound to answer the question upon which it is asked to give an advisory opinion on the basis of the existing situation, i.e. to answer it in the negative.

* * *

The advisory opinion was adopted by six votes to four. Dissenting opinions. MM. Anzilotti, President, and Huber, Vice-President, declaring themselves unable to concur in the Court's opinion, delivered separate opinions. M. Loder, former President, attached to the opinion a statement of his dissent.

* * *

Effects of
the advisory
opinion.

The Council of the League of Nations formally took cognizance of the Court's opinion at the second meeting of their Sixtieth Session (Sept. 9th, 1930), and instructed the Secretary-General to transmit it officially to the Director of the International Labour Office for communication to the Governing Body of that Office. The Governing Body took cognizance of the Court's opinion at their fiftieth session, which was held at Brussels, October 7th to 12th, 1930 ; they instructed the Director of the International Labour Office to transmit it to the Free City of Danzig, through the intermediary of the Polish Government, and they expressed a hope that further endeavours to find a solution would prove successful.

ADVISORY OPINION OF MAY 15th, 1931.

ACCESS TO GERMAN MINORITY SCHOOLS
IN POLISH UPPER SILESIA.

German minorities in Polish Upper Silesia.—The educational system, admission to Minority schools, declaration concerning the language of children.—The Geneva Convention of May 15th, 1922, between Germany and Poland, Articles 69, 74, 131, 132 and 149.—Resolutions of the Council of the League of Nations of March 12th and December 8th, 1927, institution by way of exception of language tests.—Judgment of the Permanent Court of International Justice of April 26th, 1928, the German Government v. the Polish Government, interpretation of the Convention, retroactive operation.—Purpose and effect of the language tests instituted in 1927 by the Council.—Conclusive character of the language declarations.

Under Article 69 of the Convention of May 15th, 1922, between Germany and Poland, concerning Upper Silesia, the German minority in Polish Upper Silesia is granted adequate facilities for ensuring that in the primary schools instruction shall be given in their own language to children belonging to the minority. Under Article 74 of the same Convention, the question whether a person does or does not belong to a minority may not be verified or disputed by the authorities. Article 131 adds that in order to determine the language of a child, account shall only be taken of the verbal or written declaration of the person legally responsible for such child's education. This declaration may not be verified or disputed by the authorities. History of the question.

In 1926, difficulties arose between the *Deutscher Volksbund* representing the German minority, and the Polish authorities following upon a rush of applications for the admission of children to the German schools for the school year 1926-1927,

and as the result of an administrative enquiry held by the Polish authorities into the regularity of these applications and the rejection of a large number of them by those authorities on the ground that they were irregular or that the children did not belong to the German minority.

On February 12th, 1927, the *Deutscher Volksbund* appealed to the Council of the League of Nations on the subject, and the latter, by a Resolution of March 12th, 1927, whilst reserving the question of law—i.e., the question of the interpretation of Articles 74 and 131 of the Convention—instituted for the school year in question a language test designed to ascertain whether the children could usefully receive instruction imparted in German. As a result of further difficulties and a fresh appeal, a similar decision was given by the Council on December 8th, 1927, for the school year 1927-1928.

On April 26th, 1928, the Court, before which proceedings were instituted by an application from the German Government, gave a judgment determining the interpretation of the provisions of the Geneva Convention governing admission to Minority schools. According to this judgment, the declarations mentioned in Article 131 of the Convention must be in accordance with the facts, but they may not be subjected to any form of verification, dispute, pressure or hindrance on the part of the authorities, this prohibition also applying to declarations regarding membership of the minority.

In May, 1928, requests for admission to the German Minority schools were submitted on behalf of 172 children who, at the time when entries for the minority schools were being made for the year 1928-1929, had undergone the language test provided for by the Council's resolutions and had been found not to possess an adequate knowledge of German. These applications, like the preceding ones, were rejected by the Polish authorities. Once more, in November-December 1929, this time with reference to the school year 1929-1930, the same questions were raised in regard to sixty children who had been excluded as a result of the language tests of 1927-1928. In consequence of these events, the *Deutscher Volksbund* once more appealed to the Council of the League of Nations which, by a Resolution taken on January 24th, 1931, decided to submit to the Court for an advisory opinion the following question:

“Can the children who were excluded from the German Minority schools on the basis of the language tests provided for in the Council’s Resolution of March 12th, 1927, be now, by reason of this circumstance, refused access to these schools?” The request for an opinion.

In accordance with the usual procedure, the request for an advisory opinion was communicated to Members of the League of Nations and to States entitled to appear before the Court. Furthermore, the Registrar, by means of a special and direct communication, informed the German and Polish Governments, which were regarded as likely, in accordance with the terms of Article 73, No. 1, paragraph 2, of the Rules, to be able to furnish information on the question, that the Court was prepared to receive from them written statements and, if they so desired, to hear oral statements made on their behalf. Both of these Governments availed themselves of this authorization and filed a written statement within a time-limit fixed by the President. A second time-limit was fixed for the optional filing of a second written statement, but only the German Government took advantage of it. Notifications, statements and hearings.

Public sittings were held on April 15th, 16th, 17th, 18th, 20th and 22nd, 1931, at which were heard the oral arguments submitted on behalf of the two Governments and also the replies given by them to questions put by the Court.

The Court for this case was composed as follows:

Composition
of the Court.

MM. ADATCI, *President*; GUERRERO, *Vice-President*; KELLOGG, Baron ROLIN-JAEQUEMYS, Count ROSTWOROWSKI, MM. FROMAGEOT, ALTAMIRA, ANZILOTTI, Sir CECIL HURST, MM. SCHÜCKING, NEGULESCO, Jonkheer VAN EYSINGA, *Judges*.

* * *

The Court’s opinion was delivered on May 15th, 1931. After indicating the facts leading up to the Council’s request for an opinion, the Court first of all determined the character, force and scope of the arrangement adopted on March 12th, 1927, by the unanimous vote of the Members of the Council. It is not disputed that this arrangement, as accepted, was valid and binding for both countries. But the Council declared in its Resolution that it did not intend to modify the Geneva The Court’s opinion (analysis).

Convention. The system of language tests instituted by the Resolution of March 12th, 1927, was expressly described, with the acquiescence of the two Governments concerned, as an "exceptional" measure, solely intended to meet a temporary situation, namely the existence of a large number of children whose admission to the German school had been applied for but had been refused. The system of tests was restricted (1) to children in respect of whom applications for admission to the German schools for the school year 1926-1927 had been made and who had been excluded by the Polish authorities on the ground of failure on the part of the parents to appear at the administrative enquiry or that they did not belong to the German minority, and (2) to children whose parents had not yet submitted an application and whose cases seemed doubtful. By the Council's Resolution of December 8th, 1927, the system of tests was, within similar limits, also sanctioned for children in respect of whom applications for admission had been made for the school year 1927-1928. The only object of the language tests and its only consequence was to ascertain whether children could usefully attend schools in which literary German was the language of instruction. The Council did not intend to replace the system of declarations provided for by the Convention by another system. Moreover, it cannot be argued that the tests did in fact take the place of the declarations, since the purpose of the declarations was different from that of the tests. The Court holds, therefore, that the Council did not create a special and permanent situation for the children in question; it simply adopted a measure intended to disappear when the interpretation of the Convention was determined by the solution of the questions of law left open: and the solution of these questions formed the subject of the application made to the Court in 1928 and of the judgment given by it on April 26th of that year. To admit that the result of the tests held in 1927 could subsequently be invoked to invalidate a declaration made—say—in 1931 under the Convention, would be to admit the possibility of adducing evidence against such a declaration; but this is prohibited by the Convention. To attach such an effect to the language tests would be tantamount to modifying both

the Convention and the Council Resolution itself which expressly disavowed any idea of doing this.

Moreover, in a district where the language which children commonly use to express their thoughts is usually a local dialect, it may happen that some children do not know their "own language" (in the sense of the minority treaties) well enough usefully to receive instruction imparted in that language. But while the language tests were simply intended to ascertain whether a child could profit by instruction imparted in German, the declarations provided for by the Convention have a different purpose, namely to determine both whether a child belongs to the minority and what its "own language" is. These declarations are conclusive and, as a matter of fact, there is nothing to prevent a child who was unable in 1927 to profit by instruction imparted in the language of his minority, from being able to do so some years later.

Though in accordance with the rules of law, the interpretation given by the Court to the terms of the Convention has retrospective effect—in the sense that the terms of the Convention must be held to have always borne the meaning placed upon them by this interpretation—it does not follow that the results of the purely practical measures to which the Council legitimately had recourse in order temporarily to obviate the difficulties resulting from the uncertainty prevailing as to the meaning of the rules to be applied, are necessarily null and void.

These results were operative for the period during which the provisional measures of a practical nature existed; all the more so because those measures were, after all, independent of the interpretation of the Convention. But from the moment when these measures ceased to be applicable—i.e. from the end of the school years 1926-1927 and 1927-1928, and practically speaking from the time when the legal interpretation of the Convention had been determined by the judgment given on April 26th, 1928—they could not be invoked in order to deduce from them consequences incompatible with the provisions of the Convention as duly interpreted.

For these reasons, the Court answers in the negative the question submitted to it for advisory opinion.

* * *

The Court's opinion was adopted by eleven votes to one. Count Rostworowski, judge, declared himself unable to concur in the Court's opinion and attached thereto a statement of his separate opinion.

Action taken
upon the
opinion.

On May 23rd, 1931, (6th meeting of its Sixty-Third Session) the Council of the League of Nations had before it the opinion given by the Court on the question. It decided to adjourn the question until its September session at the request of the Polish representative, as the Polish Government had not yet had sufficient time to study the grounds of the Court's opinion.

ANNEX TO CHAPTERS IV AND V.

ANALYTICAL INDEX TO JUDGMENTS
AND OPINIONS¹ OF THE PERMANENT COURT
OF INTERNATIONAL JUSTICE.

Note.

This addendum is a continuation of the analytical index contained in the preceding Report (Series E., No. 6, pp. 225-279), which it completes for the period June 15th, 1930, to January 1st, 1931. Henceforward, in accordance with the Court's decision of January 20th, 1931², the annual volumes which are to contain the Court's judgments, orders and opinions, will include an analytical index to these judgments, orders and opinions; accordingly, the opinion concerning access to German Minority schools in Polish Upper Silesia (May 15th, 1931; fasc. No. 40) will be dealt with in the index of the volume which will be published at the end of 1931.

The analytical index is in no sense to be regarded as interpretative of the decisions of the Permanent Court of International Justice: it is a mere reference index of the Court's judgments and opinions, and its sole object is to facilitate the researches.

It is prepared exclusively from the Court's Publications Series A. and B., to which it contains references, and it comprises nothing but quotations from these volumes.

Explanation of abbreviations:

A 1, A 2, etc., means: No. 1, 2, etc., of Series A.
B 1, B 2, etc., means: No. 1, 2, etc., of Series B.

¹ For the complete list of volumes which have been published in Series A. and B. (which, as from January 1st, 1931, have been grouped in a single series A./B.), see Chapter VII, pp. 340-343.

² See Chapter VII, pp. 339-340.

ANALYTICAL INDEX
OF THE COURT'S JUDGMENTS AND OPINIONS
(ADDENDUM).

A.

ALTAMIRA (M.—), Judge of the Court (1921-): B 17, p. 4.—
B 18, p. 4.

ANZILOTTI (M.—), Judge of the Court (1921-) and President
(1928-1930): B 17, pp. 4, 36.—B 18, pp. 4, 17, 18 (dissenting
opinion).

B.

BULGARIA (*Government of—*):

Directly interested in the question of the "communities":
B 17, p. 17 *et passim*.

BUSTAMANTE (M. de—), Judge of the Court (1921-): B 17,
p. 4.—B 18, p. 4.

C.

CALYOANNI (M.—), Judge *ad hoc* in the so-called question of the
Greco-Bulgarian "communities": B 17, p. 4.

COMMUNITIES *in the meaning of the Convention of Neuilly of Novem-
ber 27th, 1919*:

The conception of "communities": B 17, pp. 21-23, 30-31, 33, 35.
The existence of communities is a question of fact: B 17,
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Dissolution of a community and liquidation of its property:
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B 18, pp. 4-5.

D.DANZIG (*Free City of*—) :

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and the International Labour Organization : B 18, p. 4 *et*
passim.

External relations of the Free City : B 18, pp. 12-13.

Special legal status of the Free City : B 18, pp. 9, 11.

DANZIG (*Free City of—and the International Labour Organization*) :

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Danzig.

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governments : B 17, p. 10.

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E.

EMIGRATION *in the meaning of the Convention of Neuilly of Novem-*
ber 27th, 1919 : see *Neuilly* (Convention of—), and *Communities*.

F.

FROMAGEOT (M.—), Judge of the Court (1929-) : B 17, p. 4.—
B 18, p. 4.

G.

GOVERNING BODY OF INTERNATIONAL LABOUR OFFICE : see under
Labour Office, International.

GOVERNMENTS *heard by the Court or having furnished information in writing in advisory proceedings*: B 17, p. 10.—B 18, p. 6.

GREECE (*Government of*):

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H.

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„ „ March 2nd, 1921: B 18, p. 12.

„ „ December 17th, 1921: B 18, p. 13.

HUBER (M.—), Judge of the Court (1921-1930), President (1925-1928), and Vice-President (1928-1930): B 17, p. 4.—B 18, pp. 4, 17, 28 (dissenting opinion).

HURST (Sir Cecil—), Judge of the Court (1929-): B 17, p. 4.—B 18, p. 4.

I.

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L.

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N.

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NEUILLY (*Convention of—concerning reciprocal emigration, November 27th, 1919*):

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B 17, pp. 31-32, 35.

The Convention of Neuilly and municipal law: B 17, pp. 32, 33, 35.

Article 1: B 17, p. 20.

„ 2: B 17, pp. 20, 28, 29, 32, 34.

„ 3: B 17, p. 20.

„ 4: B 17, „ 20.

„ 5: B 17, „ 5.

„ 6: B 17, pp. 5, 6, 12, 16, 20, 21, 23, 24, 28, 30, 34, 35.

„ 7: B 17, „ 7, 12, 18, 19, 20, 21, 28, 30, 34, 35.

„ 8: B 17, p. 11.

„ 9: B 17, pp. 11, 24.

„ 10: B 17, „ 5, 26, 28, 30.

„ 11: B 17, p. 32.

„ 15: B 17, „ 32.

NEUILLY (*Treaty of—, November 27th, 1919*):

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NYHOLM (M.—), Judge of the Court (1921-1930): B 17, p. 4.—
B 18, p. 4.

O.

ODA (M.—), Judge of the Court (1921-1930): B 17, p. 4.—B 18,
p. 4.

P.

PAPAZOFF (M.—), Judge *ad hoc* in the so-called question of the
Greco-Bulgarian “communities”: B 17, p. 4.

PARIS (*Convention of—, of November 9th, 1920, respecting the
Free City of Danzig*): B 18, pp. 6, 11.

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PESSÔA (M.—), Judge of the Court (1921-1930): B 17, p. 4.

POLAND (*Government of—*):

Heard by the Court in the question concerning the Free
City of Danzig and the International Labour Organization:

B 18, p. 6.

See also B 18, pp. 7-9, 15-16.

PROCEDURE, ADVISORY: see *Questionnaires*.

PROCEDURE, ORAL: see *Declarations*, and *Questions put*.

Q.

QUESTIONNAIRES *submitted by interested governments and organizations and transmitted to the Court as they stand by the Council of the League of Nations*: B 17, pp. 5-7.

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R.

RULES OF COURT:

Article 71: B 17, pp. 9, 14.

„ 73: B 17, p. 10.—B 18, pp. 5, 6.

S.

SECRETARY-GENERAL OF THE LEAGUE OF NATIONS: B 17, pp. 5, 7, 8.—B 18, pp. 4, 5, 8.

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Article 31: B 17, p. 10.

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V.

VERSAILLES (Treaty of—):

Article 102: B 18, pp. 10, 11, 12.

„ 103: B 18, „ 10, 12.

„ 104: B 18, „ 10, 11, 12.

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Article 387: B 18, p. 10.

„ 423: B 18, „ 9.

Y.

YOVANOVITCH (M.—), Deputy-Judge (1921-1930): B 17, p. 4.—
B 18, p. 4.

CHAPTER VI.

FOURTH ADDENDUM TO DIGEST
OF DECISIONS TAKEN BY THE COURT
IN APPLICATION OF
THE STATUTE AND RULES.

(See ¹ E 3, p. 173; E 4, p. 269; E 5, p. 243; E 6, p. 281.)

This Chapter consists in a fourth addendum to the *Digest of Decisions of the Court*, contained in Chapter VI of the Third Annual Report (Publications of the Court, Series E, No. 3); the same chapter in the Fourth, Fifth and Sixth Annual Reports (Volumes Nos. 4, 5 and 6 of the same Series) constitutes the first, second and third addenda. The fourth addendum, like those preceding it, contains, grouped under the relevant articles of the Statute, (1) new matter, and (2) matter already given in the *Digest* (and in the first three addenda) where it has been found desirable to supplement or amend the statements contained in those volumes. As in the period covered by the Seventh Annual Report a "new election of the whole Court"—to use the terms of Articles 9 and 14 of the Rules—has taken place, it has been thought desirable clearly to distinguish between decisions taken since January 15th, 1931—the date of the first meeting of the Court in its new composition—and those previous to that date. Accordingly, under each article of the Statute a marginal note and a horizontal line indicate the point at which begin the decisions taken by the Court as newly composed.

Furthermore, a complete analytical index embodying the original Digest of the Third Annual Report and the successive addenda, and consequently superseding the index in the Sixth Annual Report, is appended to the present Chapter.

¹ E 3: Third Annual Report.
E 4: Fourth " " .
E 5: Fifth " " .
E 6: Sixth " " .

SECTION I.—STATUTE.

ARTICLE 3.

On September 25th, 1930, the Assembly of the League of Nations adopted the following resolution concerning the composition of the Court:

“The Assembly,

Having regard to the proposal formulated by the Council on September 12th, 1930, in conformity with Article 3 of the Statute of the Permanent Court of International Justice,

Decides as follows:

The number of judges for which provision is made in Article 3 of the Statute of the Permanent Court of International Justice is increased from eleven to fifteen.”

ARTICLES 4-6.

Nomination
of candidates
for election.

For procedure followed in 1930 for nominations to fill a vacancy for the unexpired portion of a period of appointment, the termination of which coincided with the end of the year 1930, and also for procedure for nominations in view of the new election of the whole Court for the new period of nine years beginning on January 1st, 1931, see League of Nations documents: M. L. 3. 1930. V.; C. L. 31. 1930. V., and A. 14. 1930. V.

ARTICLE 7.

Preparation
of list of
candidates.

For procedure in 1930, see League of Nations documents: C. 416. M. 186. 1930. V., and A. 31. 1930. V.

ARTICLES 8-11.

Election.

For the election held in 1930 to fill a vacancy for the unexpired portion of a period of appointment, see Records of Eleventh Assembly (1930), Plenary meetings, p. 128; for the new election of the whole Court at the same Assembly, see *op. cit.*, pp. 134-140 and 188.

ARTICLE 13.

(See E 3, p. 175; E 5, p. 245.)

Composition
of Court for
further stage
of case al-
ready heard.

At the 18th (ordinary) Session, the question of the composition of the Court for the second stage of the case of the free zones was discussed, first, with reference to an incidental question—the decision on which was ultimately postponed—and secondly with reference to the further proceedings in the case. At the first meeting on June 16th, 1930, it was held with regard to

the first point that a quorum of the judges who had previously sat in the case was required in order to be able to take a decision on a matter of procedure. It was observed that a decision given by the Court in 1927 (Chorzów case), in the absence of the judges *ad hoc* appointed for the case in question, was based on a special provision (Art. 57 of Rules—see Fourth Annual Report, "Statute", Art. 41, p. 278). With regard to the question of the composition of the Court for the hearing of the second stage of the case, it was agreed on August 25th, 1930, that the principles of Article 13 of the Statute should be applied, i.e., that a quorum of the judges who had already sat in the case should be assembled unless circumstances arose to prevent it. Should this however be the case, the Court would have to be reconstituted in accordance with Article 25 of the Statute. In such circumstances the Parties would be entitled to ask for the case to be heard over again from the beginning.

At the 19th (extraordinary) Session, it having proved impossible to assemble for the second phase of the case of the free zones a quorum of the judges who had previously sat, the Court decided at its first meeting, on October 22nd, 1930, that it could continue to deal with the case, as newly constituted, in accordance with Article 25 of the Statute, provided that the Parties' Agents had no objection. The President therefore was invited to ascertain their opinion in the matter.

In view of the fact that the terms on which the respective Agents accepted the continuation of the proceedings before the Court as newly constituted displayed a difference of opinion, the Court decided that the Agents' declarations in regard to this matter should be repeated at the first public sitting of the session and that it would consider subsequently what consequences it should deduce therefrom.

(In the Order given by the Court on Dec. 6th, 1930, the terms of these declarations were simply recalled.)

At the same session, the Court, on November 22nd, 1930, agreed that, in the event of there being a further phase in the case then before the Court (free zones), the Court should continue to deal with the case in the same composition (i.e. including judges whose term of office would have expired), so long as the possibility of obtaining a quorum of the members composing the Court for the phase taken at the 19th Session remained.

Judges whose term of office has expired to continue to sit for further stage of case begun by them.

On December 4th, 1930, at the same session, the Court agreed that in any subsequent phase of the case then under consideration (free zones), the duties of President should continue to be exercised by the judge who had held the office of President during the previous phases of the same case and whose term of office as President expired on December 31st,

In further stage of case already begun, duties of President to be exercised by judge who

was President during previous stage. 1930. The precedent afforded by the case of the Treaty of Neuilly before the Chamber of Summary Procedure was referred to. (See Third Annual Report, p. 175.)

RULES, ARTICLES 2 AND 13.

Question of seniority of re-elected judges after new election of whole Court. At the same session—the last of the Court as composed for the period ending in 1930—the question arose of the interpretation of Articles 2 and 13 of the Rules, as regards whether judges re-elected retained their seniority in relation to newly elected members after the new election of the whole Court. It was held by the President and other members of the Court that the new election of the whole Court abolished the seniority of judges who had already been members of the previous Court. It was understood that this interpretation should be provisionally followed by the Registrar, subject to any contrary decision by the new Court. (See hereinafter Art. 21 of Statute and Art. 13 of Rules, p. 279.)

ARTICLE 15.

(See E 3, p. 176.)

RULES, ARTICLE 2.

Practice and decisions since January 1st, 1931. At the 20th (ordinary) Session, the Court deleted from the Rules of Court the last paragraph of Article 2—an amendment adopted in 1925 and confirmed in 1926—concerning special precedence for the retiring President.

Deputy-judges not to be summoned to take part in revision of Rules of Court. At the 21st (extraordinary) Session, on May 12th, 1931, the Court again agreed (cf. Third Annual Report, p. 176) that deputy-judges should not be called on to take part in the examination of the Rules of Court with a view to revision.

ARTICLES 16-17.

(See E 3, pp. 177-178; E 4, p. 270; E 5, p. 246; E 6, p. 282.)

Decorations. On June 16th, 1930, the Court by secret ballot authorized a member to accept two decorations conferred on him.

On December 6th, 1930, at the 19th (extraordinary) Session, the Court authorized another member to accept a decoration conferred on him by the government of a foreign country for services rendered unconnected with his duties as a judge of the Court.

Membership of conciliation commissions. At the 19th (extraordinary) Session, one judge, having been invited to become a member of a conciliation commission between two States, raised the general question whether a member of the Court could form part of such a commission. The Court maintained the opinion already expressed by the

President of the Court in 1926 and subsequently acted on, namely, that its members should abstain from serving on a conciliation commission if the convention establishing the commission provided for recourse from it to the Court. The judge in question accordingly refused the invitation referred to.

In connection with two questions submitted for advisory opinion, the Court, at the 20th (ordinary) Session, had to consider the application of Article 17 of the Statute.

Certain members of the Court had sat as members of the Council of the League of Nations when, for instance, a report on a point connected with one of the questions later submitted to the Court had been adopted (without discussion), or had taken part in work undertaken at the instance of the Council in connection with a general question of which the point referred to the Court was a particular aspect. The members concerned explained the situation to the Court, asking for a decision under Article 17. The Court decided, on February 11th and on February 16th, 1931, that these activities did not prevent these members from taking part in the examination of the questions submitted to the Court. (See also under Art. 24: Art. 17 and 24 compared.)

This question was the subject of special study at the 20th (ordinary) Session. The Court had before it a suggestion that a resolution should be adopted to the effect that members of the Court would not take part in conciliation commissions. It was however pointed out that membership of a conciliation commission had never been held, under the Statute, to be incompatible in law with membership of the Court; the President had merely expressed the view (see Third Annual Report, pp. 177-178) that in cases where the treaty establishing the commission provided for recourse to the Court there was an incompatibility in fact. It was now observed that there was no sufficient justification for this distinction, and further that it might be difficult for governments to constitute their conciliation commissions if a general rule was made prohibiting members of the Court to belong to such commissions, as the choice of members was limited.

Eventually, on February 20th, 1931, the Court adopted the following resolution:

“Henceforward there is nothing to prevent certain members from accepting, should they see fit, membership of commissions of conciliation or enquiry subject, when necessary, to the application of the provisions of the Statute.”

At the 21st (extraordinary) Session, on May 1st, 1931, a member of the Court brought up the question whether the

Practice and decisions since January 1st, 1931.

Application of Article 17 of Statute.

Right of members of the Court to become members of conciliations commissions.

Decision on the question

whether a judge might accept appointment as delegate for his government at International Labour Conferences.

position of delegate for his national government to the International Labour Conference was incompatible with his position as judge of the Court. On the same occasion he raised the question whether it was permissible for a judge to make an official pronouncement at a banquet regarding his government's international policy in a certain limited respect. The view taken—which received the support of the majority of the members of the Court—was that both the position as delegate and the undertaking of an official statement of policy on behalf of his government constituted “political” functions within the meaning of Article 16 of the Statute: any function which compelled a person to follow the instructions of his government, regardless of his personal views, was “political”. It was also observed that, even apart from Article 16, care must be exercised having regard to the fact that the Court might be asked to pass on questions discussed by the Labour Conference.

The sense of the Court being clear, it was not considered necessary to take a vote. It was understood that the question of law remained unaffected and that the decision only related to the case in point.

Decorations.

A proposal to modify the Court's practice in regard to the acceptance of decorations by judges and the Registrar was submitted at the 20th (ordinary) Session, with the object of prohibiting or strictly limiting such acceptance. The question was discussed at some length, and various suggestions for a resolution were put forward; eventually, however, the proposal was withdrawn, and the Court recorded that the existing practice based on the resolution of 1926 (see Third Annual Report, p. 178) continued to apply.

ARTICLE 20.

(See E 3, p. 179.)

RULES, ARTICLE 5.

Practice and decisions since January 1st, 1931. Solemn declaration.

At the 20th (ordinary) Session, in 1931, a special public sitting was held at which the official communications announcing the names of the judges elected in 1930 and their acceptance of the election were read out and at which the judges present made successively the solemn declaration.

ARTICLE 21, paragraph 1.

(See E 3, p. 179; E 4, p. 271; E 5, p. 246.)

Practice and decisions since January 1st, 1931.

RULES, ARTICLE 9 (modified February 21st, 1931).

The time of the election of the President and the Vice-President has been modified in consequence of the change in the

date of the opening of the annual ordinary session (Feb. 1st), which might now end relatively early in the year. The Court held that it was superfluous to refer in Article 9 of the Rules to the convocation, if necessary, of an extraordinary session for this purpose, as the provision in Article 27 as modified at the same time covered this contingency.

Time for
election of
President and
Vice-
President.

RULES, ARTICLE 11 (modified February 21st, 1931).

The duties of the Vice-President were originally laid down in a memorandum prepared by the President then in office and approved by the Court on February 7th, 1922 (see Third Annual Report, p. 180).

Duties of
Vice-
President.

The provisions of this memorandum were, save in so far as they related to the duties of the Vice-President as an ordinary member of the Court, embodied in the Rules of Court as modified (Art. 11 and last paragraph of Art. 14).

RULES, ARTICLE 12 (modified February 21st, 1931).

The text of Article 12 of the Rules has been completely modified in order to embody all provisions regarding the discharge of the duties of President.

Revision of
Article 12 of
Rules.

The provision regarding the residence and vacation of the President appearing in the original text has been deleted as superfluous.

The new first paragraph provides in principle for the continuous presence of either the President or Vice-President at the seat of the Court.

The second and third are taken from the old Article 13 and only slightly amended. The final words of the third paragraph: "the oldest judge", settle—in the negative—the question raised at the beginning of the 20th Session as to whether judges having belonged to the Court before a new general election derived any special seniority from that circumstance.

(Cf. provisional interpretation adopted at 19th (extraordinary) Session under Statute, Art. 13, and Art. 2 and 13 of the Rules; and provisional confirmation of this interpretation under Statute, Art. 21 (1), and Art. 13 of the Rules before modification.)

RULES, ARTICLE 13 (before modification on February 21st, 1931).

At the opening meeting of the 20th (ordinary) Session, the question of the application of Rule 13, paragraph 1, arose. At the previous session (the last of the Court as constituted in 1921,) it had been provisionally agreed (subject to the decision of the Court as composed in 1931) that the judge taking precedence under this Rule was the eldest of the judges elected in 1930, judges who had belonged to the Court prior to the new election in 1930 not deriving any seniority from that circumstance. This view was provisionally confirmed by

Revision of
Article 13 of
Rules.

the "new" Court at its first meeting, it being agreed that the eldest judge should direct the work of the Court until the election of the new President. The point was finally settled in the same sense by the adoption of the modified text of Article 12 of the Rules (last paragraph).

After new election of whole Court, President to be elected before members of Court make solemn declaration.

Deputy-judges not to be summoned for election of President.

At the first meeting of the "new" Court it was also recognized that, having regard to Article 5 of its Rules and the precedent established in 1922, the Court might proceed to elect the President before its members had made the solemn declaration provided for in the said Article 5. It was likewise agreed that the situation, not being the same as in 1922 at the preliminary session, the deputy-judges should not be summoned to take part in the election of the President.

ARTICLE 21, paragraph 2.

(See E 3, p. 180 ; E 5, pp. 246-247 ; E 6, pp. 283-284.)

RULES, ARTICLE 17.

Resignation of Deputy-Registrar. Appointment of successor left to new Court.

At the 19th (extraordinary) Session (October—December 1930), the Deputy-Registrar sent in his resignation. The question then arose whether the Court should proceed to appoint a successor during the session then in progress or leave this to the newly elected Court, which would meet before the Deputy-Registrar actually left his post. It was decided that the election of the Deputy-Registrar's successor should be left to the Court as newly constituted; that there was nothing to prevent also members of the "old" Court from putting forward candidates to facilitate the decision of the "new" Court; and that the Deputy-Registrar should inform members of the "new" Court of his resignation, so that they also might be able to submit candidates.

RULES, ARTICLES 24 AND 42.

Publication of cases, counter-cases, etc., and of records of speeches made at hearings before delivery of judgment.

After the completion of the first phase of the case of the free zones of Upper Savoy and the District of Gex, the question was raised by one Party whether the cases, counter-cases, etc., and records of speeches made at the hearing should still continue to be treated as confidential, or whether the Order made by the Court, concluding the first phase of the case, modified the situation in any way. It was replied that, as the case could not be regarded as finally decided until an agreement had been concluded or until judgment had been given by the Court, the conclusion was that an understanding between the Parties was necessary before the cases, counter-cases, etc., could be communicated to private persons or to public libraries. As regarded the speeches made at the hearing, there was no objection to these being regarded as of a public character. Subsequently, an agreement was reached

between the Parties for the immediate publication of the said documents by the Registrar.

After the termination of the second phase of the same case, one of the Agents desired to be able to make public use of certain documents submitted by the Parties and accordingly enquired when the Court's volumes of the C. Series containing them would appear. The Registrar indicated the date in question but added that he would, subject to certain reservations, be prepared to communicate the original volumes filed by the Parties to, for instance, the League of Nations Library at once, and that this would enable the documents in question to be referred to publicly. In point of fact, however, the date of publication of the Series C. volumes was satisfactory to the Agent. This publication of documents of the second phase took place by virtue of the consent given by the Parties to the publication of the documents of the first phase before the termination of the case.

However, the Registrar asked for and obtained the specific authorization of the Parties to include a memorandum and minutes relating to certain meetings between the President of the Court and the Parties' Agents which had taken place in connection with certain points of procedure.

RULES, ARTICLE 17 (revised February 21st, 1931).

At the 20th (ordinary) Session, the Court, under a decision taken at the previous session, had to elect a new Deputy-Registrar; this decision provided for the submission of nominations by members of both the "old" and "new" Court, but stated no time-limit for the filing of candidatures and did not refer to the qualifications required. Some nominations were already before the Court when it met in January 1931, and further nominations were submitted in the course of the session. In this connection, it was decided to fix a definite date during the session for this election so that it would not have to be postponed from day to day by reason of the submission of further nominations.

Practice and decisions since January 1st, 1931. Election of Deputy-Registrar.

After the election of the new Deputy-Registrar, it was decided to inform him that his first contract would be for seven years (beginning on the following 1st January), and that he should avoid entering into any arrangements with his national civil service which would prevent him from remaining in the Court's service for the whole of that period.

The new text of Article 17 of the Rules is designed to guard against the repetition of the difficulties and inconveniences encountered on the occasion referred to above.

Revision of Article 17 of Rules.

The provision regarding the casting vote of the President in the event of equality of votes was deleted on the ground that it was incompatible with a secret ballot. On the other hand the required majority is now an "absolute" majority.

RULES, ARTICLE 20.

New category
of official.

It was decided on January 3rd, 1931, at the 20th (ordinary) Session and on the proposal of the Registrar, to promote the senior of the Court's higher officials in accordance with the terms of a ruling adopted¹ by the Assembly of the League of Nations in 1930 on the proposals of the Committee appointed to enquire into the organization of the Secretariat of the League of Nations and the other autonomous organizations. The title assigned to the new category was Principal Editing Secretary.

On February 14th, 1931, the Court considered the question of the filling of a post as Press Official which had been provided for in the budget for 1931. After a debate, the President recorded that the discussion had shown that the Court did not desire the post in question to be filled.

On April 22nd, 1931, at the 21st (extraordinary) Session, the Court decided to include in its budget estimates for 1932 provisions for a new post (on a temporary basis) in the Registry as "Personal Assistant to the Registrar".

RULES, ARTICLE 21.

Amendments
to Staff
Regulations.

On February 20th, 1931, the Court approved certain amendments to the Regulations for the Staff of the Registry (see p. 76 of this volume), which amendments had been already adopted by the President.

RULES, ARTICLE 24.

Interpreta-
tion of Article
24 of Rules.

In connection with the discussion of this article at the 20th Session, it was stated that the object of the reference to Article 42 of the Rules was to enable the Registrar to refuse to communicate to governments documents belonging to the written procedure in a case except, for instance, in the case contemplated by Article 63 of the Statute. The same reference could *a fortiori* be construed to justify him in refusing to reply to requests for such documents from private sources.

With regard to the first paragraph of Article 24 of the Rules, it was stated that its object was to ensure that all correspondence passed through the hands of the Registrar, so that it might be duly registered and filed in the Archives². It did not mean that no communications were signed by or addressed to the President. Article 3 of the "Instructions for the Registry"³ showed how paragraph 1 of Article 24 of the Rules was interpreted and applied.

¹ See p. 73 of this volume.

² „ Series D., No. 2, Addendum, p. 238.

³ „ „ E., „ 5, p. 59.

RULES, ARTICLE 42 (revised February 21st, 1931).

The new third paragraph of this article was adopted, first, in order that there should be a definite Rule precluding the unauthorized publication of the documents in a case or of parts thereof before the final decision of the case (see Sixth Annual Report, Art. 24 and 42 of the Rules, p. 284); and secondly, in order to provide a definite Rule on which the Registrar could rely in refusing if necessary information to the Press or to private persons.

Addition to
Article 42 of
Rules.

RULES, ARTICLES 24 AND 42.

On April 14th, 1931, (1st meeting of 21st [extraordinary] Session) the Court sanctioned the communication by the Registrar of information concerning the Court and its work to certain Press representatives, and it was agreed that this decision was to be regarded as a decision of principle.

At the same meeting, it was decided to confirm the negative reply given by the Registrar, with the approval of the President, to an offer from the Geneva Secretariat Information Section to detach an official for Press duties with the Registry during the hearing of the case before the Court. The Registrar was however instructed to inform the Director of the Information Section that this decision in no way implied that the Court desired to prevent the Secretariat from having the proceedings before the Court followed by one of its officials on its own account and under its own responsibility.

ARTICLE 22.

RULES, ARTICLE 19 (revised February 21st, 1931).

The provision in this Rule regarding the residence of the Registrar and Deputy-Registrar was deleted, having regard to the terms of the Statute, according to which the Registrar was obliged to reside at the seat of the Court. The question of the residence of the Deputy-Registrar was a matter of internal organization, which could be dealt with in his contract.

Practice and
decisions
since Janu-
ary 1st, 1931.
Revision of
Article 19 of
Rules.

The provision relating to the Registrar's holidays was amended in order to bring out that he had an absolute right to two months' holiday in each year.

ARTICLE 23.

(See E 3, p. 184; E 4, p. 272; E 5, p. 248; E 6, p. 284.)

RULES, ARTICLE 28.

At the first meeting of the 18th (ordinary) Session, the question of the interpretation of Article 28 of the Rules again arose (see Fifth Annual Report, p. 248) in connection

Interpreta-
tion of Article
28 of Rules.

with the inclusion in the list for the session of a case for advisory opinion in which the written procedure was scheduled to be complete in the course of the session. It was decided that the question of the inclusion of the case in the list should only be laid before the Court once the written proceedings had been actually concluded. Ultimately, the question was duly entered in the list for the session.

RULES, ARTICLE 27 (revised February 21st, 1931).

Practice and decisions since January 1st, 1931. Revision of Article 27 of Rules.

For the reasons underlying the amendments made in Articles 27 and 28, see the resolutions adopted by the Assembly of the League of Nations in 1930 as summarized in this volume on pp. 96-99.

No. 1.

No. 1 of the revised Article 27 was adopted in order to make the beginning of the Court's work coincide with the beginning of the year and thus to emphasize the principle of permanence.

In connection with the revision of this article, the question of the interpretation of Article 23, paragraph 2, of the Statute was discussed, and it was agreed that the words "unless otherwise provided...." only referred to the date of the ordinary session; also that by the "list" was meant only the list of cases ready for hearing, and not the list of all cases pending.

It was held that the idea of a permanent session lasting throughout the year (with periodical adjournments) was not compatible with Article 23 of the Statute.

No. 2.

The word "agenda" used in the second sentence of the new No. 2 of Article 27 is meant to cover, in addition to cases for hearing, all other matters scheduled to be dealt with during a session, including "administrative" questions.

It was held that No. 2 of Article 27 rendered unnecessary special references to the convocation of extraordinary sessions elsewhere in the Rules. (Cf. the 1926 version of Art. 9 and 14 of the Rules.)

No. 3.

The final part of No. 3 is intended to cover the possible holding of sessions for administrative business, for instance, the approval of the Court's budget, the election of the President and Vice-President, etc.

No. 4.

It was agreed that the expression "are bound to be present" meant presence throughout a whole session and not merely at some meetings.

No. 5 adopts a suggestion which was contained in the above-mentioned report of the Committee of Jurists, approved by the Council on September 12th, 1930¹, and which was intended as a remedy for the disadvantages resulting from the possible presence on the Bench of so large a number of judges as fifteen and, more particularly,—having regard to the nearer approach to the system of permanent sessions resulting from the Rules as modified—as a compensation for the inconvenience caused to members of Court from distant countries (cf., p. 96 of this volume, M. Pilotti's report to the Assembly).

RULES, ARTICLE 27, No. 4 (revised February 21st, 1931).

At the first meeting of the 21st (extraordinary) Session, the question was raised whether a judge who had given up his seat on the Court for a particular case under the terms of Article 24 of the Statute was not entitled and even bound to be present for the discussion of questions not connected with that case. The President stated that, according to correspondence exchanged between himself and the judge in question, the latter held himself at the Court's disposal for the purposes of any administrative or other questions which the Court might take at this session other than the case for which he had given up his seat. Subsequently, the judge in question was summoned and attended the latter part of the session.

At the same meeting the cases of two other judges who were absent from the session were considered. The absence of one was based on the orders of his doctor; the other was unable to attend the session by reason of important functions in his own country, which he had not been able to relinquish in sufficient time. The Court decided to postpone discussion of this judge's case until a session at which he himself could be present.

RULES, ARTICLE 27, No. 5 (revised February 21st, 1931).

At the 21st (extraordinary) Session, on May 13th, 1931, the Court approved a provisional leave roster covering a period of three years under the terms of No. 5 of Article 27 of the Rules. It was agreed that the intention underlying Article 27 was that the privilege of this leave was to be reserved to judges from overseas who left their homes to reside permanently in Europe for the duration of their period of office.

On January 30th, 1931, at the 20th Session, the Court adopted a resolution to the effect that:

“The Court considers it desirable that it should not be convened between July 1st and October 1st except for urgent cases.”

Resolution
regarding
judicial vaca-
tions.

¹ See pp. 91-95 of this volume.

This resolution was to be inserted in the Annual Report and attached to the modified text of Article 27 of the Rules when published; it was, accordingly, reproduced in the letter with which the text of the modified Rules was transmitted to governments on February 21st, 1931.

The said resolution was a substitute for a proposal that judicial vacations should be specified in the Rules but which was not adopted because it was held not to be compatible with the system of semi-permanence adopted as a result of the 1930 resolutions, and under which a session was bound to continue until the cases on the list were finished.

RULES, ARTICLE 28 (revised February 21st, 1931).

Revision of
Article 28 of
Rules.

This article, before revision, laid down different rules for contentious cases and for questions for advisory opinion. This was because, originally, no written proceedings had been contemplated in the case of advisory opinions. Subsequently, the Court decided to treat both categories of cases in the same way and consequently, in practice, there had lately been only one method in application. Both categories are now treated in the same way in the modified Article 28, all cases being automatically entered on the session list as soon as they are ready for hearing.

General list
and session
list.

The revised Rule distinguishes between a general list of cases and a session list. It was decided that the former, which is an innovation, should be prepared retrospectively so as to include all cases already dealt with by the Court; the special "extracts" from the session list showing cases for the Chambers and the separate list of cases for revision being abolished.

It was moreover decided that if technically possible, the general list might, by way of experiment, be published in the Annual Report for 1931¹.

The list contains the following headings:

- I. *Number in list.*
- II. *Short title.*
- III. *Date of registration.*
- IV. *Registration number.*
- V. *File number in the Archives.*
- VI. *Nature of case.*
- VII. *Parties.*
- VIII. *Interventions.*
- IX. *Method of submission.*
- X. *Date of document instituting proceedings.*
- XI. *Time-limits for filing of documents in written proceedings.*
- XII. *Prolongation of time-limits, if any.*
- XIII. *Date of termination of written proceedings (date of entry in session list).*
- XIV. *Postponements.*

¹ See pp. 199-231 of this volume.

- XV. *Date of the beginning of the hearing (date of the first public sitting).*
 XVI. *Observations.*
 XVII. *References to earlier or subsequent cases.*
 XVIII. *Solution (nature and date).*
 XIX. *Removal from the list (nature and date).*
 XX. *References to publications of the Court relating to the case.*
Notes.

ARTICLE 24.

(See E 3, p. 186.)

At the 20th (ordinary) Session, in connection with the submission of a question for advisory opinion, a member of the Court, in view of the terms of Article 24, informed the President that, having acted as rapporteur to the Council in regard to a kindred question some years previously and having had subsequently to take certain steps in the same capacity, he considered himself prevented from taking part in the examination of the case. The President informed the Court that he had felt obliged to agree with the member of the Court in question.

Practice and decisions since January 1st, 1931. Withdrawal of judge from particular case.

The Court, on February 10th, 1931, noted that the President and the member in question were of the same opinion and placed on record that the latter would not sit in the case referred to.

In another case for advisory opinion, two members of the Court, on the ground that they had sat on a Committee of Jurists appointed by an organization of the League of Nations to report on the question submitted to the Court, informed the President that, having regard to Article 24, they considered they should not sit in the case. After examining the documents bearing upon the situation of these two judges—one of whom relied also on the provisions of Article 17—the President agreed. The Court, duly informed, noted that it was, accordingly, not possible for them to sit.

In the course of the discussion relating to the question whether certain judges could sit in the cases for advisory opinion referred to above, the question was raised whether Article 24 of the Statute made it possible for a judge to withdraw from the Court when the proceedings were already actually in progress, in consequence of scruples only becoming apparent as the case developed. It was observed that the intention of the Statute was that such withdrawals should take place before and not during the proceedings; more particularly, they should not take place after the beginning of the hearings, as they might jeopardize the quorum. The composition of the Court should not be changed save for quite exceptional reasons.

Interpretation of Article 24.

Article 24 and
Article 17
compared.

It was on the same occasion observed that previously the doctrine of the Court had been that Articles 17 and 24 dealt with entirely different situations and that the latter article was only to be invoked when a judge felt that he should not sit for personal reasons unconnected with the objectively ascertainable facts referred to in Article 17. A previous decision of the Court to this effect was mentioned (see Third Annual Report, p. 186).

ARTICLE 25.

(See E 3, pp. 186-188; E 4, pp. 273-274; E 5, pp. 249-252.)

Absence of
judge from
hearings.

At the 18th (ordinary) Session, one of the judges having fallen ill before the commencement of the hearing regarding a question for advisory opinion, the Agents of the interested governments were asked if they would have any objection to his continuing to sit notwithstanding his absence from the hearings. As the Agents made no objection, the Court decided that the judge in question might sit in the case although absent from the hearings. (Subsequently, however, the judge's health became worse and he was obliged to leave The Hague.)

Continuance
of hearing in
temporary
absence of
judge.

During the hearing of a case at the 19th (extraordinary) Session, a judge fell ill and was unable to attend. In accordance with the precedents established in previous cases, the Parties' Agents were asked whether they would consent to this judge's continuing to sit in the case notwithstanding his absence from a part of the hearing; this consent having been obtained, the hearing was continued in his absence.

RULES, ARTICLE 3.

(Addendum to list of attendances of deputy-judges, Fifth Annual Report, p. 251.)

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|----------------------------------|---|
| 18. 17th (ordinary) Session | 2 (1 who was also present at 16th (extraordinary) Session and 1 who arrived on July 8th, the date on which the first meeting of 17th (ordinary) Session was held owing to continuance of 16th (extraordinary) Session. The 17th Session ended on September 10th, 1929.) |
| 19. 18th (ordinary) Session | 1 (June 15th—Aug. 26th, 1930). |
| 20. 19th (extraordinary) Session | 3 (Oct. 22nd—Dec. 6th, 1930). |
| 21. 20th (ordinary) Session | None (Jan. 15th—Feb. 21st, 1931). |
| 22. 21st (extraordinary) Session | None (April 14th—May 15th, 1931). |

(See Article 13 under the same heading.)

RULES, ARTICLES 29 AND 30.

On February 12th, 1931, at the 20th (ordinary) Session, it was decided in accordance with precedent that the Court might validly continue its deliberation notwithstanding the temporary absence of a judge, as the number of judges present exceeded the quorum laid down by the Statute.

Composition of Court for further stage of case already heard.

Practice and decisions since January 1st, 1931. Temporary absence of a judge. Confirmation of practice.

In connection with the revision of the Rules at the 20th (ordinary) Session, an amendment was proposed at the second reading of an article which took place after the departure of a judge who had been present at the first reading. It was agreed on February 13th, 1931, that the President should write to the judge in question to make sure that he did not object to the proposed amendment and that the article should not be adopted in third reading until an answer had been received. The answer, when received, was favourable.

Amendment after departure of a judge of a decision taken when he was present.

At the first meeting of the 20th (ordinary) Session, the question was raised whether the Court was duly constituted under Article 25 of the Statute, i.e. whether that article was to be read literally when it laid down that the full Court sat with eleven judges or whether it was to be construed as meaning that a number of judges equal to the number of ordinary judges elected in 1930—fifteen instead of eleven—was to be assembled, thus necessitating the summons of three deputies, as three judges were unable to attend.

Constitution of Court.

It was observed that, though this question was dealt with and the former interpretation adopted in a report submitted to and adopted by the Assembly of the League of Nations, it was for the Court and not the Assembly to construe the Statute.

In regard to the settlement of the question of interpretation, it was agreed that this was a matter for the Court to decide after it had been definitively constituted (i.e. after the election of the President and Vice-President and the making of the solemn declaration by the judges newly elected or re-elected). With this reservation however, it was held that the Court might at once and in its existing composition take the steps necessary for its definitive constitution. But that, should it subsequently come to the conclusion that the three deputies required to make up the number to fifteen should be summoned, it might be necessary to hold the election of the President over again.

The decision provisionally taken at the first meeting was subsequently confirmed at one of the later meetings of the session.

ARTICLE 30.

(See E 3, p. 192.)

Practice and
decisions
since Janu-
ary 1st, 1931.
Revision of
Rules of
Court.

At the 20th (ordinary) Session, 1931, the Court undertook a partial examination of the Rules of Court with the primary object of introducing amendments giving effect to a Resolution adopted by the Assembly of the League of Nations on September 25th, 1930 (see under Statute, Art. 23, para. 1; Rules, Art. 27). These amendments affect mainly Article 27, Article 28, and Article 57 of the Rules, but certain other amendments which were regarded as urgent were also made. These amendments were finally adopted on February 21st, 1931, and the Court decided that they should come into force forthwith. It was agreed that this was possible without consulting judges absent from the session. (Cf. Art. 25.) The text of the articles modified at the 20th Session, accompanied by an explanatory letter, was sent to the governments of all States or Members of the League of Nations admitted to appear before the Court.

On February 3rd, 1931, the Court decided that it would undertake a detailed study of the Rules as a whole, with a view to a systematic revision, at a subsequent session.

The Court likewise decided that, in accordance with precedent, the minutes of the discussions upon the modification of certain articles effected at the 20th Session should be published, but not necessarily until the systematic revision contemplated had been carried out, when both sets of minutes might be published at the same time. In the meantime, the relevant minutes of the 20th Session were to be printed for the internal use of the Court.

On May 15th, 1931, at the 21st (extraordinary) Session, the Court decided to publish the relevant minutes of the 20th Session as from June 1st, 1931.

On May 12th, 1931, at the 21st (extraordinary) Session, the Court decided that the Rules of Court should be examined with a view to revision, and that for this purpose the following method should be adopted: the appointment within the Court of four committees each taking a particular part of the Rules; the results arrived at by each of these committees would be coordinated by a central committee consisting of the rapporteurs of the four committees and the President of the Court, and this central committee would report to the Court itself. It was also decided that the Court's practice, in so far as not regulated by the Rules, should be considered at the same time. It was likewise agreed that this examination of the Rules should be undertaken by the Court in its normal composition and that the deputy-judges should not be called on to take part in it.

At the first meeting of the 20th (ordinary) Session, the question whether the deputy-judges should be summoned for the purpose of a possible revision of the Rules was raised. It was agreed that though this had been done in 1922 (at the preliminary session when the Rules had first been drawn up), the situation was not the same in 1931.

Question of presence of deputy-judges for revision of Rules.

ARTICLE 31.

(See E 3, pp. 192-193; E 4, pp. 274-275; E 5, p. 252; E 6, p. 285.)

At the 19th (extraordinary) Session, in connection with the question by whom the duties of President were to be exercised for any subsequent phase of the case of the free zones after the expiration of the then President's term of office (see under Art. 13), it was agreed that for the purposes of this decision the presence of the French judge *ad hoc* was not necessary, reference being made to a precedent afforded in the case of the Serbian loans (see Fifth Annual Report, p. 252).

Presence of judges *ad hoc* not necessary for decisions as to composition of Court.

ARTICLE 32.

(See E 3, pp. 193-195; E. 6, p. 286.)

See p. 97 of this volume for resolutions adopted by the Assembly in September 1930, amending the previous method of remuneration of judges as from January 1st, 1931.

Assembly resolutions affecting remuneration and pensions of judges and Registrar.

ARTICLE 33.

(See E 3, p. 195; E 4, p. 275; E 5, p. 253; E 6, pp. 286-287.)

At its 18th (ordinary) Session, additional estimates for insertion in the League's supplementary budget were submitted to the Court by the Registrar. The preparation of these estimates had been made necessary as a result of the proposals of the Committee of Thirteen (instructed to examine the organization of the Geneva Secretariat, the International Labour Office, and the Registry of the Court) and in connection with certain consequences of the installation of the Court in the Peace Palace. On July 23rd, 1930, the Court signified its approval of the estimates prepared by the Registrar as "competent official".

Approval of supplementary estimate.

At the 18th (ordinary) Session, the Court, on August 25th, 1930, adjourned the question of the delegation to the President of power to approve the Budget for 1932, because the Court was scheduled to meet again in sufficient time to deal with the question. For the same reason, the appointment of the Court's representative before the Supervisory Commission was also adjourned. At the 19th (extraordinary) Session, the Court,

Question of delegation to President of power to approve Budget estimates.

on November 13th, 1930, appointed the Registrar, or his substitute, to represent it before the Supervisory Commission, in the event of that body meeting before January 15th, 1931, the date of the assembly of the Court as newly constituted.

Practice and
decisions
since Janu-
ary 1st, 1931.
Approval of
Budget esti-
mates.

On January 20th, 1931, at the 20th (ordinary) Session, the Court, in accordance with precedent, delegated to the President the necessary powers for the approval of the Budget estimates of 1932, in the event of the Court's not being in session at the proper moment (last week of March). It was agreed that should the Court subsequently desire to make any minor alterations in the Budget estimates when it met in April 1931, these should be brought to the notice of the Supervisory Commission by the Registrar, in the form of amendments to the draft Budget as originally submitted, at the May (Budget) session of the Commission.

On the same date, and also in accordance with precedent (first established in January 1923, when the Court decided that the preparation and submission of the Budget estimates to the Supervisory Commission should be left to the Registrar and that the Registrar should be appointed to represent the Court before the Supervisory Commission), the Court appointed the Registrar (or his substitute) to represent it before the Supervisory Commission for the year 1931.

The revised text of Article 27, No. 3, provides for the possible convocation of the Court also for administrative matters, and these—as appears from the Minutes of the discussions in the revision of the Rules—cover *inter alia* the approval of the Budget estimates.

On April 22nd 1931, at the 21st (extraordinary) Session, the Court approved the Budget estimates for 1932, as already transmitted (approved by the President in virtue of powers delegated to him) to the Supervisory Commission, subject to one amendment regarding the creation, on a temporary basis, of a new post in the Registry. A resolution giving effect to this amendment was adopted upon which the Registrar could rely when presenting the Budget to the Supervisory Commission.

On May 13th, 1931, at the 21st (extraordinary) Session, the Court decided to empower the President to appoint the Court's representative at the Twelfth Assembly in case the Court should not meet in sufficient time before the next session of the Assembly.

ARTICLES 36-38.

(See E 3, pp. 199-200; E 5, pp. 253-254; E 6, pp. 287-288.)

At the 19th (extraordinary) Session, a question arose as to whether a clause of the special agreement submitting the case dealt with at that Session was compatible with the Court's Statute in that it seemed to imply that the Court's decision on certain points was to be dependent on the subsequent consent of the Parties (see under Statute, Art. 60). The Court, before deciding as to the interpretation and effect of this clause, gave the Parties an opportunity of stating their views at a public hearing held for the purpose.

Compatibility of terms of special agreement with Statute.

ARTICLE 41.

(See E 3, p. 204; E 4, p. 278; E 6, p. 290.)

RULES, ARTICLE 57 (revised February 21st, 1931).

In discussing the revision of this article at the 20th Session the Court decided (1) that the decision on applications for the indication of measures of protection should always be taken by the Court and not by the President (on whom the previous Rule laid too great a responsibility); (2) that the Court might act on its own initiative in indicating such measures but only after hearing the Parties; (3) that the decision on such applications was to be regarded as urgent and that the Court, if not in session, should be convened without delay for that purpose; (4) that such applications should have priority over all other cases—a reference to this priority was also made in Article 28, paragraph 2, with regard to entry in the sessions list.

Practice and decisions since January 1st, 1931. Revision of Article 57 of Rules.

It was held that, if the word "prescribe" was used (instead of "indicate"), they would be going beyond the terms of the Statute.

The addition to the article of a new paragraph concerning the course to be taken if the Parties did not conform to the Court's indications was proposed. It was held inexpedient, however, to make this addition: the Court's rôle was simply to indicate measures of protection and to notify its decision to the Council of the League.

ARTICLE 42.

(See E 3, p. 204; E 4, p. 279; E 5, p. 255.)

RULES, ARTICLE 35.

In the case of a question for advisory opinion taken at the 18th (ordinary) Session, there was some delay and misunderstanding with regard to the selection, at the seat of the Court, by one of the interested States of an address under the terms

Object of Rule regarding selection of address at seat of Court.

of Article 35 of the Rules. In this connection, it was explained to the Agent of the country in question that the object of the rule regarding selection of an address was to ensure (1) that all documents or notifications emanating from the Court should be certain simultaneously to reach all Parties or interested governments, and (2) that information emanating from the Court should be concentrated in the hands of a single person. It was also pointed out that a person retained as Counsel would not in that capacity have the powers necessary to take decisions regarding questions of procedure, etc., binding upon the government retaining him.

ARTICLE 43, paragraph 2.

(See E 3, p. 205; E 4, pp. 279-281; E 5, p. 256.)

RULES, ARTICLES 33-34.

To be appended to list of cases in which arrangements have been made regarding the printing by the Registry of documents of the written proceedings:

| <i>Contentious or advisory cases.</i> | <i>Documents printed by Court.</i> |
|--|---|
| Free zones of Upper Savoy and the District of Gex (second phase). | Reply of Swiss Government to the Documents, Proposal and Observations submitted on behalf of the French Government. |
| Interpretation of Greco-Bulgarian Convention of 1919 concerning reciprocal emigration. | Observations of Greek Government, and Observations of Bulgarian Government. |
| Access to German Minority schools in Upper Silesia. | Observations of Polish Government. |
| Railway Traffic between Lithuania and Poland. | Counter-Memorial of Lithuanian and of Polish Government. |

In the case of the free zones (first phase), a certain collection of documents was printed under arrangements made by the Registry with a view to reference being made to them by the Agent for one Party in the course of the hearing. Subsequently, the Agent for the other Party objected to the production of these documents as evidence, alleging that they were submitted at too late a stage of the proceedings; the Court upheld the objection. In these circumstances, the printing of the documents in question for the purposes of the Court's publications became unnecessary and, accordingly—the question having been raised by the Registrar—the Party concerned agreed to bear the whole expense involved by the printing of these documents.

In the subsequent phase of the case, the Party resubmitted the collection in question as an annex to one of its memorials.

ARTICLE 43, paragraphs 3 and 4.

(See E 3, pp. 205-207 ; E 4, pp. 281-285 ; E 5, pp. 256-257 ; E 6, pp. 292-293.)

RULES, ARTICLE 33.

In the question concerning the Free City of Danzig and the International Labour Organization (18th ordinary Session), the decision of the Court authorizing the Free City to submit a written statement was considerably delayed *en route*, and accordingly the President of the Senate of the Free City asked for an extension of the time-limit fixed by ten days. This request was granted.

Channel of communication with Danzig—delay in receipt of communication from the Court.

RULES, ARTICLE 33.

At the 20th (ordinary) Session, the Court considered the question whether it was not bound to respect time-limits agreed upon by the Parties, at all events if such agreement were embodied in the special agreement submitting a case, and whether, if the Court desired to modify a time-limit, it should not be obliged to obtain the consent of the Parties.

Practice and decisions since January 1st, 1931. Question of modification of time-limits fixed in special agreement.

Subsequently, it was submitted that the terms of Article 43 of the Statute conclusively established that the existing Article 33 of the present Rules was sound and that the Statute gave the Court the right to modify time-limits fixed in a special agreement.

It was recognized in the same connection that it would be contrary to Article 48 of the Statute if the Parties indicated in a special agreement for instance the date for the beginning of the hearing or for the delivery of judgment.

ARTICLE 43, paragraph 5.

(See E 3, pp. 207-208 ; E 4, p. 285 ; E 6, pp. 293-294.)

RULES, ARTICLE 54.

In a case heard at the 19th (extraordinary) Session, certain substantial changes were suggested by Counsel for one side in the record of his speech. The President drew the attention of the Agent of that State to the nature of the suggested modifications, and the latter decided to leave the text of the record as it stood. In regard to this matter, the Court decided on November 1st, 1930, to delegate to the President the powers of discretion which the Court possessed, under Article 54, paragraph 3, of the Rules, as regards directing the correction and revision of speeches by Agents.

Correction of record of speeches by Counsel.

(See under Section II, "Advisory Procedure": Practice and decisions in connection with Art. 73 of the Rules.)

Procedure for putting questions in a case for advisory procedure.

RULES, ARTICLE 41 (revised February 21st, 1931.)

Practice and decisions since January 1st, 1931.

This article was modified in order to bring it into harmony with the spirit of the revised Rules which made the Court quasi permanent. The old version resulted from the idea that the Court would as a rule not be sitting at the required time.

ARTICLE 43, paragraph 5.

Questioning of Counsel by judges during hearing.

In the case for advisory opinion heard at the 21st Session, the President gave permission to certain judges to put questions to the Agents; at the same time, however, he reminded the Agents that they were not bound to reply immediately. A number of questions and requests for the production of further documents approved by the Court were communicated to the Agents in writing but were not embodied in an order as had been done on previous occasions.

ARTICLE 46.

(See E 3, p. 209; E 4, p. 286; E 6, p. 294.)

RULES, ARTICLE 65 (revised February 21st, 1931).

Practice and decisions since January 1st, 1931. Publications.

The Court decided on January 20th, 1931, that its decisions should be combined in a single series (A./B.) entitled "Collection of Judgments, Orders and Advisory Opinions", and that each number of the series should, by way of experiment, be preceded by an introduction summarizing the main arguments of the Parties. On May 13th, 1931, (21st Session) the Court decided that until the form of this introduction had been determined, judgments, orders and opinions shall be preceded by a summary similar to those heading the brief accounts of judgments, etc., contained in Chapters IV and V of the Annual Reports. At the end of each year, the numbers of the Series A./B. were to be combined in a single volume.

Article 65 of the Rules was revised and the last paragraph of Article 74 of the Rules was also deleted, in accordance with this decision.

Appointment of a Committee to advise on questions concerning publications.

On February 20th, 1931, the Court decided that the Library Committee appointed by it (see p. 87 of this volume) should, with the addition of the President, also consider, in an advisory capacity, questions concerning publications.

As regards the publication of the minutes of meetings of the Court devoted to the revision of the Rules, see under Statute, Article 30.

ARTICLE 48.

(See E 3, pp. 210-211; E 4, pp. 287-289; E 5, pp. 257-258;
E 6, pp. 294-297.)

At the 19th (extraordinary) Session, in the second phase of the case of the free zones of Upper Savoy and the District of Gex, the Court, on November 25th, 1930, agreed that the decision to be rendered by it at that stage should be in the form of an order. It was likewise agreed that, on the analogy of the Order of August 19th, 1929, dissenting opinions might, exceptionally, be appended to the new order which was to be given.

In the case of the free zones of Upper Savoy and the District of Gex (second phase) heard at the 19th (extraordinary) Session, the Court made an Order, on December 6th, 1930, analogous in form to the Order of August 19th, 1929.

Order in case of the free zones (second phase).

RULES, ARTICLE 33.

At the 21st (extraordinary) Session, on April 20th, 1931, (ninth meeting) the Court considered a request, made by one of the Agents in the case before it, for time to prepare a reply and to produce new evidence for which he had been asked by the Court. It was agreed that, in accordance with precedent, when the representative of a Party or interested government filed fresh documents or based an argument on fresh evidence after the last oral statement of the other side, the latter should be at liberty to comment on such documents or evidence, but his observations must not develop into a fresh pleading.

Practice and decisions since January 1st, 1931.

ARTICLE 54.

(See E 3, pp. 214-216; E 4, pp. 289-290; E 5, p. 259;
E 6, pp. 298-299.)

RULES, ARTICLE 31.

At the 20th (ordinary) Session, the Court, on February 20th, 1931, decided experimentally to make certain modifications in its existing judicial practice. On the same date, the Court decided that the resolution embodying these modifications would be published in the Seventh Annual Report and that in the meantime its contents would not be regarded as confidential. Subsequently, however, at the 21st (extraordinary) Session, on May 12th, 1931, the Court decided that, as it had not yet had sufficient experience to decide definitely as to the merits of the modifications experimentally adopted, the said resolution would not be published in the Seventh Annual

Practice and decisions since January 1st, 1931. Consideration of judgment. Practice with regard to deliberations.

Report and that its practice would be further considered at the next session.

Analytical minutes kept of meetings devoted to modification of Rules of Court.

At the 20th (ordinary) Session—Jan.-Feb. 1931—and in accordance with precedent (Preliminary Session, 1922 [preparation of the Rules] and ordinary Session 1926 [revision of the Rules]), analytical minutes were kept of meetings devoted to the modification of the Rules of Court with a view to publication (see under Statute, Art. 30).

Minutes of private meetings.

On February 3rd, 1931, at the 20th Session, it was agreed that members of the Court should themselves correct their own statements upon a copy of the minutes sent them for the purpose and should return this corrected copy to the Registrar before the meeting at which the minutes in question were to be approved. Forty-eight hours would be allowed between the distribution of minutes to judges and their adoption by the Court. (This is in conformity with previous practice.)

ARTICLE 55, paragraph 2.

(See E 3, p. 216; E 4, p. 291; E 6, p. 299.)

President's casting vote.

In the course of the deliberation on a question for advisory opinion at the 18th (ordinary) Session, the President was called upon to exercise his casting vote in regard to a number of points in the discussion. He postponed his decision; finally, he gave his casting vote in the same sense as his original vote.

In the course of the discussion of the case heard at the 19th (extraordinary) Session, the President was called upon more than once to exercise his casting vote. This he did on each occasion in the same sense as his original vote, though in some cases he postponed his decision.

ARTICLE 57.

(See under Art. 48 regarding attachment of dissenting opinions to an order.)

ARTICLE 58.

(See E 3, p. 217; E 4, p. 292; E 6, p. 299.)

RULES, ARTICLE 63.

Supply of copies of judgment to Parties.

The practice of the Court is to supply Parties with not more than twenty-five copies of judgments and orders. Any additional copies required are charged to the Party desiring them.

ARTICLE 59.

With regard to the binding force attaching to a judgment of the Court under Article 59, see Order of December 6th, 1930, in the case of the free zones of Upper Savoy and the District of Gex—second phase (*Publications of the Court*, Series A., No. 24); also summary in this volume, pp. 233-240.

ARTICLE 60.

(See E 3, pp. 218-219; E 4, pp. 293-295; E 5, p. 260.)

At the 19th (extraordinary) Session, the Court decided, on November 19th, 1930, in connection with a case before it, that it must abstain from settling points in regard to which the subsequent consent of the Parties was necessary. (See also under Art. 36-38.)

ARTICLE 63.

(See E 3, pp. 220-221.)

In the case of the free zones of Upper Savoy and the District of Gex (first phase, 17th [ordinary] Session, 1929), the Registrar wrote to all States which were Parties to the treaty provisions the construction of which was in question, informing them that, after an examination of the arbitration agreement, he had come to the conclusion that Article 63 of the Statute did not apply in that case, and that accordingly the transmission of the text of the arbitration agreement should not be regarded as a notification under the terms of Article 63. He added, however, that should any government place a different construction upon the article in question of the Statute or upon the arbitration agreement, it would no doubt be open to such government to inform the Court of its desire to intervene under Article 63 of the Statute, and the Court would have to take a decision on the point.

Interpreta-
tion of Article
63 of Statute.

One government questioned this point of view¹, contending (1) that any State which was a Party to a convention to be construed by the Court acquired a right to intervene by virtue of its participation to that convention; (2) that the right to intervene involved the right to receive the notice provided for by Article 63 of the Statute, which notice could not be regarded as a supplementary condition upon which the right to intervene was dependent; (3) that the terms of the instrument submitting to the Court the interpretation

¹ For a full account, see *Publications of the Court*, Series C., No. 17—I, Vol. IV., Part IV, No. 50, pp. 2423-2427, and No. 54, pp. 2429-2433.

of a convention to which several States were Parties could not affect the question of the right to intervene: in short, that when (a) the dispute concerned the interpretation of a convention, and (b) the State wishing to intervene was a Party to this convention, the question whether intervention took place or not rested solely with the State concerned.

This interpretation of Article 63 was entirely confirmed by the Registrar who, however, pointed out that in each particular case the sole question to be decided was whether the conditions of Article 63 were fulfilled. If the situation was clear, the Registrar would issue notifications; if it were doubtful, the Registrar must abstain from doing so in order not to prejudge the opinion of the Court. In the latter case, the Registrar would simply inform States which might be interested that it would be open to them to submit a declaration of a desire to intervene, upon which the Court would decide. On the other hand, the terms of the special agreement or application constituted the only criterion for deciding whether the conditions laid down by Article 63 were or were not fulfilled.

Application
by analogy
of Article 63
of the Statute.

(See under Section II, "Advisory Procedure", p. 301.)

Binding force
of a judgment
under Article
63 of the
Statute.

With regard to the binding force of a judgment under Article 63 of the Statute, see Order made on December 6th, 1930, in the case of the free zones of Upper Savoy and the District of Gex, second phase (*Publications of the Court*, Series A., No. 24; also summary of the Order in this volume, pp. 233-240).

SECTION II.—ADVISORY PROCEDURE.

RULES, ARTICLES 71-74.

(See E 3, pp. 222 *et seq.*; E 4, pp. 296-297; E 5, p. 262; E 6, pp. 301-302.)

At the 18th (ordinary) Session, in a question submitted for advisory opinion, the Court granted a request made by the Agent for one of the interested governments for permission to submit a short statement either orally or in writing after the conclusion of the oral rejoinder. This statement was to be submitted in writing within twenty-four hours; it was to be communicated to the Agent for the other interested government, who might also submit a similar statement on the same point within the same limit of time. The request was granted as an exceptional measure and in view of the fact that the Agent for the other side had in reality only developed a certain important point of his argument in his oral rejoinder.

Practice and decisions in connection with Article 73 of Rules.

On receipt of these notes, the Court considered that the Agent for one of the interested governments seemed to ask the Court to re-open the hearings in order to enable him to state his case in regard to certain arguments and documents submitted in his rejoinder by the Agent for the other interested government. Accordingly, the Court decided to afford the former Agent the opportunity he desired by re-opening the oral proceedings and to make an order to this effect. Before however this order was issued, the Court reversed its decision on receipt of a letter from the Agent in question indicating that he did not desire the re-opening of the oral proceedings.

At the 18th (ordinary) Session, the Court for the first time had occasion to put questions to the Agents of the interested governments in advisory proceedings (question of the Greek and Bulgarian Communities, Advisory Opinion No. 17). In this case, the question was argued between the Agents of the two interested governments, the representative of the organization concerned (the acting President of the Greco-Bulgarian Mixed Emigration Commission) merely holding himself at the Court's disposal to supply information on the Court's request.

Procedure for putting questions in a case for advisory opinion.

It was agreed (1) that the questions should be put in the name of the Court; (2) that the questions should be communicated unofficially beforehand to the Agents of the interested States and to the representative of the interested organization; (3) that the questions should be embodied in an order.

It was also decided that in this case the Court should confine itself to putting questions to the representative of the interested organization and to the Agents of the interested governments, and to permitting the latter to submit observations on the replies given by the former.

In the course of the Court's discussion upon the procedure to be followed, the question was raised whether the right to put questions to the representative of the Mixed Commission should be extended to the Agents of the interested governments; it was agreed that it was not for the Court to take the initiative in this matter.

Governments interested in question for advisory opinion given option of submitting second written statement.

In a question for advisory opinion heard at the 18th (ordinary) Session, the Court, whilst not inviting the interested governments to submit further written statements in reply to the first statements filed on each side, expressed itself willing to receive such further statements before a fixed date, should the interested governments, or one of them, desire to submit them. Both governments availed themselves of the opportunity thus afforded.

Application by analogy of Article 63 of Statute.

In the case of Advisory Opinion No. 18 (relating to the Free City of Danzig and the International Labour Organization), heard at the 18th (ordinary) Session, the Registrar, by means of a special and direct communication, drew the special attention of Members of the Labour Organization to Article 73, No. 1, paragraph 3, of the Rules of Court, observing that, though the special and direct communications provided for in the second paragraph of Article 73, No. 1, of the Rules of Court, had only been sent to the Senate of the Free City of Danzig, to the Polish Government and to the Director of the International Labour Office, the despatch of such communications might also have been envisaged—applying by analogy Article 63, paragraph 1, of the Statute—to all Parties to the Convention constituting Part XIII of the Treaty of Versailles (or the corresponding parts of the other peace treaties).

Channel of communication with Danzig.

In the case of Advisory Opinion No. 18, the same procedure for communication with the Free City of Danzig was followed as in the case of the Polish Postal Service in Danzig (Advisory Opinion No. 11), and the same reservation was made (see Sixth Annual Report, p. 302). In this connection, certain official publications of the Free City of Danzig were allowed to be filed with the Registry without passing through the Polish Legation at The Hague on the ground that, being available in the open market, they might be regarded as having been procured by the Registry as a result of the reference to them in the Danzig Memorial.

RULES, ARTICLE 71, paragraph 2.

At the 20th (ordinary) Session, in connection with the question whether a certain State interested in a case for advisory opinion should be invited to appoint a judge *ad hoc* (i.e., whether the case concerned an existing dispute), it was recorded that hitherto the first relevant factor taken into account in deciding questions of the same kind had been whether the States concerned, when the dispute had been examined by the Council, had been invited to sit as members *ad hoc* of that body within the meaning of Article 4 of the Covenant. In cases which had so far occurred, the Court had invited States which had sat in the Council to appoint a judge *ad hoc*. If this criterion were absent, the Court would presumably have to decide each particular case on its merits.

Practice and decisions since January 1st, 1931. Criterion for decision whether a question for advisory opinion is to be regarded as relating to an existing dispute.

After further consideration, the Court decided to regard the State in question, which had been invited to sit on the Council when the question was considered, as a State to which Article 71, paragraph 2, of the Rules, was applicable.

RULES, ARTICLE 73.

The Registrar, for special reasons and with the authorization of the Court, wrote to the governments of all the States interested in certain cases submitted for advisory opinion during the 20th (ordinary) Session, asking them to make proposals with regard to the fixing of time-limits. The question was raised whether, in these circumstances, the time-limits could be fixed without awaiting the replies of these States. The answer given was in the affirmative; but it was observed that it might be inopportune not to wait.

Practice with regard to fixing of time-limits in written proceedings in cases for advisory opinion (Art. 73, No. 1, para. 2).

In regard to one of the cases, it was decided beforehand that the governments concerned were to file both memorials and counter-memorials; in regard to the other case, it was decided that the filing of a second written document was to be left to the option of the governments concerned; a date for the filing of such second documents, if any, should however be fixed. In both cases the actual fixing of the time-limits was left to the President.

In the case of a request for advisory opinion received by the Court at the 20th (ordinary) Session, it appeared that the question submitted might interest all States which were Parties to a number of treaties and conventions, including the Covenant of the League of Nations. Accordingly, the same course was adopted as in the case of Advisory Opinion No. 18

Application by analogy of Statute, Article 53.

(see above, p. 302), special and direct communications being sent only to the two States directly concerned, and letters addressed to all States parties to any treaties or conventions, the construction of which might be affected, drawing their special attention to Article 73, No. 1, paragraph 3, of the Rules.

In a case submitted to the Court for advisory opinion by a Resolution of the Council of the League of Nations dated May 19th, 1931, the President, the Court not being in session, decided that all States parties to one or more of the instruments referred to in the above-mentioned Resolution (Treaty of Peace of Saint-Germain ; Protocol No. I relating to the restoration of Austria of October 4th, 1922 ; Austro-German Protocol of March 19th, 1931) should receive the special and direct communication provided for by Article 73, No. 1, paragraph 2, of the Rules of Court. A copy of the President's Order fixing the time-limit in the case was also sent to all such States.

Shortly before the expiration of this time-limit, States which had not replied to the above communication were informed that if no reply was received before the expiration of the time-limit, it would be assumed that they did not desire to avail themselves of the opportunity afforded them.

In another case submitted to the Court for advisory opinion on May 22nd, 1931, special and direct communications under Article 73, No. 1, paragraph 2, of the Rules were sent only to the States directly interested, but the special attention of all Parties to the Treaty of Versailles (the interpretation of which was involved) was drawn to Article 73, No. 1, paragraph 3, of the Rules of Court.

SECTION III.—OTHER ACTIVITIES.

Under certain clauses of the agreements (Agreement No. II, Article IX) concluded at Paris on April 28th, 1930, between Hungary and the Creditor Powers, the Court is entrusted with the selection of the additional members for the three Mixed Arbitral Tribunals instituted between Hungary on the one hand and Roumania, Czechoslovakia and Yugoslavia on the other, these members to be nationals of countries which were neutral in the last war.

Appointment of additional neutral members to certain mixed arbitral tribunals.

The Court was asked in July 1930 by the Hungarian Government to proceed to make these appointments, but the other governments concerned requested the Court to wait until the agreements in question had been ratified by all Parties. This the Court decided to do.

Subsequently, at the 20th (ordinary) Session, a letter was received from the French Minister at The Hague asking the Court to make the appointments in question before the end of that session, so that the tribunals could enter on their duties as soon as France had ratified—the other Parties having already done so.

It was however decided, in view of the absence of ratification by France, to postpone any decision until the next session.

On May 9th, 1931, at the 21st (extraordinary) Session, the Court decided—all ratifications having in the meantime been deposited—to accept the mission provided for as mentioned above, and, on May 15th, made the appointments in question.

Practice and decisions since January 1st, 1931.

ANALYTICAL INDEX OF SUBJECTS
TO CHAPTER VI.

ABBREVIATIONS:

I. L. O. International Labour Office.
L. N. League of Nations.

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¹ 3 = Third Annual Report.

4 = Fourth " " .

5 = Fifth " " .

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CHAPTER VII.

PUBLICATIONS OF THE COURT.

(See Sixth Annual Report, p. 327.)

Questions of
printing.

* * *

A new edition of the catalogue (No. 8) was issued in January 1931. Like preceding editions, it has been widely circulated by the Publishers of the Court's publications and by Agents for their sale, as also by the Publications Service of the League of Nations. Furthermore, it has been inserted in various European and American legal reviews.

* * *

Up till January 1st, 1931, the Court's publications were issued in the six following series:

- Series* A.: Collection of Judgments.
 „ B.: Collection of Advisory Opinions.
 „ C.: Acts and Documents relating to Judgments and Advisory Opinions given by the Court.
 „ D.: Acts and Documents concerning the organization of the Court.
 „ E.: The Court's Annual Reports.
 „ F.: General Indexes.

On February 21st, 1931, the Permanent Court of International Justice adopted a new draft of Article 65 of its Rules providing for the combination in a **single** series (A./B.)

The Series
A. and B. and
the new Series
A./B.

of the judgments, orders, and advisory opinions delivered by it which hitherto had been divided into Series A. (Judgments) and Series B. (Opinions).

The fascicules of the new Series A./B. are to be collected into annual volumes; to facilitate reference to these volumes, fascicules will bear two page numbers, one (at the bottom of the page) referring to the fascicule, and the other (at the top) referring to the volume. Each annual volume will contain an analytical index—designed to facilitate reference to the text of judgments and opinions—similar to that appended to Chapters IV and V of the Annual Reports.

Furthermore, the Court has decided that the text of each judgment or advisory opinion shall henceforward be preceded by a summary similar to that heading the short accounts of judgments, etc., given in the same chapters.

These decisions were applied for the first time in connection with the advisory opinion given by the Court on May 15th, 1931, in the case concerning access to German Minority schools in Upper Silesia. The table given below of judgments, orders, and advisory opinions published since the establishment of the Court up till June 15th, 1931, indicates firstly the numbering employed for the fascicules of Series A. and B. before the creation of the new Series A./B., and secondly, opposite this, the numbers which these fascicules would bear according to the new system of grouping. This table thus explains how it is that the first fascicule of the new Series A./B. is numbered 40.

SERIES A./B.—*Judgments, Orders, and Advisory Opinions.*

| <i>New numbering.</i> | <i>Old numbering</i> ¹ . | <i>Short title of Cases.</i> |
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| 1 | B 1 | DESIGNATION OF THE WORKERS' DELEGATE FOR THE NETHERLANDS at the Third Session of the International Labour Conference. |
| 2 | B 2 and 3 | COMPETENCE OF THE INTERNATIONAL LABOUR ORGANIZATION in regard to international regulation of the conditions of labour of persons employed in |

¹ A: Judgment or Order (Series A.).
B: Advisory Opinion (Series B.).

| <i>New numbering.</i> | <i>Old numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|---|
| | | agriculture, and examination of proposals for the organization and development of the methods of agricultural production and other questions of a like character. |
| 3 | B 4 | NATIONALITY DECREES ISSUED IN TUNIS AND MOROCCO (French zone) on November 8th, 1921. |
| 4 | B 5 | STATUTE OF EASTERN CARELIA. |
| 5 | A 1 | THE S.S. "WIMBLEDON". |
| 6 | B 6 | QUESTIONS RELATING TO SETTLERS OF GERMAN ORIGIN IN THE TERRITORY CEDED BY GERMANY TO POLAND. |
| 7 | B 7 | QUESTION CONCERNING THE ACQUISITION OF POLISH NATIONALITY. |
| 8 | B 8 | DELIMITATION OF THE POLISH-CZECHOSLOVAKIAN FRONTIER (question of Jaworzina). |
| 9 | A 2 | THE MAVROMMATIS PALESTINE CONCESSIONS. |
| 10 | B 9 | THE MONASTERY OF SAINT-NAOUM (Albanian frontier). |
| 11 | A 3 | TREATY OF NEUILLY, ARTICLE 179, ANNEX, PARAGRAPH 4 (interpretation). |
| 12 | B 10 | EXCHANGE OF GREEK AND TURKISH POPULATIONS. |
| 13 | A 4 | INTERPRETATION OF JUDGMENT No. 3. |
| 14 | A 5 | THE MAVROMMATIS JERUSALEM CONCESSIONS. |
| 15 | B 11 | POLISH POSTAL SERVICE IN DANZIG. |
| 16 | A 6 | CASE CONCERNING CERTAIN GERMAN INTERESTS IN POLISH UPPER SILESIA (<i>question of jurisdiction</i>). |
| 17 | B 12 | INTERPRETATION OF ARTICLE 3, PARAGRAPH 2, OF THE TREATY OF LAUSANNE (frontier between Turkey and Iraq). |
| 18 | A 7 | CASE CONCERNING CERTAIN GERMAN INTERESTS IN POLISH UPPER SILESIA (<i>merits</i>). |

| <i>New numbering.</i> | <i>Old numbering.</i> | <i>Short title of Cases.</i> |
|-----------------------|----------------------------|---|
| 19 | B 13 | COMPETENCE OF THE INTERNATIONAL LABOUR ORGANIZATION to regulate, incidentally, the personal work of the employer. |
| 20 | A 8 | DENUNCIATION OF THE TREATY OF NOVEMBER 2nd, 1865, BETWEEN CHINA AND BELGIUM.—Orders of January 8th, February 15th and June 18th, 1927. (Indication of measures of interim protection.—Revocation of this indication.) |
| 21 | A 9 (Judgment No. 8.) | CASE CONCERNING THE FACTORY AT CHORZÓW (claim for indemnity— <i>jurisdiction</i>). |
| 22 | A 10 (Judgment No. 9.) | THE "LOTUS" CASE. |
| 23 | A 11 (Judgment No. 10.) | CASE OF THE READAPTATION OF THE MAVROMMATIS JERUSALEM CONCESSIONS (<i>jurisdiction</i>). |
| 24 | A 12 | CASE CONCERNING THE FACTORY AT CHORZÓW (indemnities).—Order of November 21st, 1927, concerning the request made by the German Government for the indication of a measure of interim protection. |
| 25 | B 14 | JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE BETWEEN GALATZ AND BRAILA. |
| 26 | A 13 (Judgment No. 11.) | INTERPRETATION OF JUDGMENTS Nos. 7 AND 8 (Factory at Chorzów). |
| 27 | A 14 | DENUNCIATION OF THE TREATY OF NOVEMBER 2nd, 1865, BETWEEN CHINA AND BELGIUM.—Order of February 21st, 1928. |
| 28 | B 15 | JURISDICTION OF THE COURTS OF DANZIG (pecuniary claims of Danzig railway officials who have passed into the Polish service, against the Polish Railways Administration). |
| 29 | A 15 (Judgment No. 12.) | RIGHTS OF MINORITIES IN UPPER SILESIA (MINORITY SCHOOLS). |

| <i>New numbering.</i> | <i>Old numbering.</i> | <i>Short title of Cases.</i> |
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| 30 | A 16 | DENUNCIATION OF THE TREATY OF NOVEMBER 2nd, 1865, BETWEEN CHINA AND BELGIUM.—Order of August 13th, 1928. |
| 31 | B 16 | INTERPRETATION OF THE GRECO-TURKISH AGREEMENT OF DECEMBER 1st, 1926 (FINAL PROTOCOL, ARTICLE IV). |
| 32 (Judgment No. 13.) | A 17 | THE FACTORY AT CHORZÓW (claim for indemnity— <i>merits</i>). |
| 33 | A 18/19 | DENUNCIATION OF THE TREATY OF NOVEMBER 2nd, 1865, BETWEEN CHINA AND BELGIUM.—CASE CONCERNING THE FACTORY AT CHORZÓW (indemnities).—Orders of May 25th, 1929. |
| 34 (Judgments Nos. 14 and 15.) | A 20/21 | CASE CONCERNING THE PAYMENT OF VARIOUS SERBIAN LOANS ISSUED IN FRANCE.—CASE CONCERNING THE PAYMENT IN GOLD OF THE BRAZILIAN FEDERAL LOANS ISSUED IN FRANCE. |
| 35 | A 22 | CASE OF THE FREE ZONES OF UPPER SAVOY AND THE DISTRICT OF GEX.—Order of August 19th, 1929. |
| 36 (Judgment No. 16.) | A 23 | CASE RELATING TO THE TERRITORIAL JURISDICTION OF THE INTERNATIONAL COMMISSION OF THE RIVER ODER. |
| 37 | B 17 | THE GRECO-BULGARIAN "COMMUNITIES". |
| 38 | B 18 | FREE CITY OF DANZIG AND INTERNATIONAL LABOUR ORGANIZATION. |
| 39 | A 24 | CASE OF THE FREE ZONES OF UPPER SAVOY AND THE DISTRICT OF GEX (<i>second phase</i>).—Order of December 6th, 1930. |
| 40 | — | ACCESS TO GERMAN MINORITY SCHOOLS IN UPPER SILESIA.—Advisory Opinion of May 15th, 1931. |

The Court has decided that the volumes or parts composing the collection of publications of Series C. shall henceforward be numbered consecutively. This decision will be applied for the first time in respect of the volume (in the

press on June 15th, 1931) containing the documents relating to the Advisory Opinion of May 15th, 1931, (Access to German Minority schools in Upper Silesia) which will accordingly be numbered 52. The following table of volumes of Series C. published since the establishment of the Court up till June 15th, 1931, indicates both the old and new numbering.

SERIES C.—*Speeches, oral statements and documents.*

| <i>New Numbering.</i> | <i>Old Numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|---|
| 1 | 1 | First Session (June—August, 1922). Documents relating to Advisory Opinions Nos. 1, 2 and 3. |
| 2 | 2 | Second Session (January—February, 1923). Documents relating to Advisory Opinion No. 4. |
| 3 | „ | Supplementary volume : NATIONALITY DECREES IN TUNIS AND MOROCCO. Documents of the written proceedings. |
| 4 | 3 | Third Session (June—September, 1923). Vol. I. Documents (minutes and speeches) relating to Advisory Opinions Nos. 5, 6 and 7 and Judgment No. 1. |
| 5 | „ | Vol. II. Documents (other than minutes and speeches) relating to Advisory Opinion No. 5 and Judgment No. 1. |
| 6 | „ | Vol. III ^I . Documents (other than minutes and speeches) relating to Advisory Opinions Nos. 6 and 7. |
| 7 | „ | Vol. III ^{II} . Documents (other than minutes and speeches) relating to Advisory Opinions Nos. 6 and 7. |
| 8 | „ | Supplementary volume : CASE OF THE S.S. "WIMBLEDON". Documents of the written proceedings. |
| 9 | 4 | Fourth Session (November—December, 1923). Documents relating to Advisory Opinion No. 8 (JAWORZINA). |

| <i>New Numbering.</i> | <i>Old Numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|--|
| 10 | 5 | Fifth Session (June—September, 1924). Vol. I. Documents relating to Judgment No. 2 (CASE OF THE MAVROMMATIS PALESTINE CONCESSIONS). |
| 11 | „ | Vol. II. Documents relating to Advisory Opinion No. 9 (QUESTION OF THE MONASTERY OF SAINT-NAOUM— ALBANIAN FRONTIER). |
| 12 | 6 | Chamber for Summary Procedure. Documents relating to Judgment No. 3 (TREATY OF NEUILLY, PART IX, SECTION IV, ANNEX, PARAGRAPH 4—INTERPRETATION). |
| 13 | „ | Supplementary volume : INTERPRETATION OF JUDGMENT NO. 3. |
| 14 | 7 | Sixth Session (January—March, 1925). Vol. I. Documents relating to Advisory Opinion No. 10 (EXCHANGE OF GREEK AND TURKISH POPULA- TIONS). |
| 15 | „ | Vol. II. Documents relating to Judgment No. 5 (CASE OF THE MAVROMMATIS JERUSALEM CONCESSIONS). |
| 16 | 8 | Seventh Session (April—May, 1925). Documents relating to Advisory Opinion No. 11 (POLISH POSTAL SERVICE AT DANZIG). |
| 17 | 9—I | Eighth Session (June—August, 1925). Documents relating to Judgment No. 6 (CASE CONCERNING CERTAIN GERMAN INT- ERESTS IN POLISH UPPER SILESIA). |
| 18 | 9—II | Eighth Session (June—August, 1925). EXPULSION OF THE ŒCUMENICAL PATRI- ARCH (request eventually withdrawn). |
| 19 | 10 | Ninth Session (October—November, 1925). Documents relating to Advisory Opinion No. 12 (TREATY OF LAUSANNE, ARTICLE 3, PARAGRAPH 2. FRONTIER BETWEEN TUR- KEY AND IRAQ). |
| 20 | 11 | Tenth Session (February—May, 1926). Documents relating to Judgment No. 7 (CASE CONCERNING CERTAIN GERMAN INT- ERESTS IN POLISH UPPER SILESIA— <i>merits</i>). —3 Volumes. Vol. I. Minutes.—Speeches.—German Case. |

| <i>New Numbering.</i> | <i>Old Numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|--|
| 21 | II | Vol. II. Polish Counter-Case.—German Reply.—Polish Rejoinder. |
| 22 | „ | Vol. III. Other Documents.—Correspondence.—Indexes. |
| 23 | 12 | Eleventh Session (June—July, 1926). Documents relating to Advisory Opinion No. 13 (COMPETENCE OF THE INTERNATIONAL LABOUR ORGANIZATION TO REGULATE, INCIDENTALLY, THE PERSONAL WORK OF THE EMPLOYER). |
| 24 | 13—I | Twelfth Session (June—December, 1927). Documents relating to Judgment No. 8 (FACTORY AT CHORZÓW—CLAIM FOR INDEMNITY— <i>jurisdiction</i>). |
| 25 | 13—II | Twelfth Session (June—December, 1927). Documents relating to Judgment No. 9 (THE “LOTUS” CASE). |
| 26 | 13—III | Twelfth Session (June—December, 1927). Documents relating to Judgment No. 10 (CASE OF THE READAPTATION OF THE MAVROMMATIS JERUSALEM CONCESSIONS— <i>JURISDICTION</i>). |
| 27 | 13—IV | Twelfth Session (June—December, 1927). Documents relating to Advisory Opinion No. 14 (<i>JURISDICTION OF THE EUROPEAN COMMISSION OF THE DANUBE BETWEEN GALATZ AND BRAILA</i>).—4 Volumes of 2250 pp. altogether. Vol. I. Minutes.—Speeches. |
| 28 | „ | Vol. II. Documents forwarded by the League of Nations.—Extracts from treaties, acts and regulations (1814-1883). |
| 29 | „ | Vol. III. Extracts from treaties, acts and regulations (1911).—Extracts from the preliminary discussions.—Diplomatic correspondence (1882-1921).—Protocols of the E. C. D., etc. |
| 30 | „ | Vol. IV. Memorials, Counter-Memorials, Notes, etc., with annexes and maps.—Opinions of Jurists.—Correspondence.—Indexes. |

| <i>New Numbering.</i> | <i>Old Numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|--|
| 31 | 13—V | Twelfth Session (June—December, 1927). Documents relating to Judgment No. 11 (INTERPRETATION OF JUDGMENTS NOS. 7 AND 8—FACTORY AT CHORZÓW). |
| 32 | 14—I | Thirteenth Session (February—April, 1928). Documents relating to Advisory Opinion No. 15 (JURISDICTION OF THE DANZIG COURTS—ACTIONS BY CERTAIN RAILWAY OFFICIALS AGAINST THE POLISH ADMINISTRATION). |
| 33 | 14—II | Thirteenth Session (February—April, 1928). Documents relating to Judgment No. 12 (RIGHTS OF MINORITIES IN UPPER SILESIA—MINORITY SCHOOLS). |
| 34 | 15—I | Fourteenth Session (June—September, 1928). Documents relating to Advisory Opinion No. 16 (INTERPRETATION OF THE GRECO-TURKISH AGREEMENT OF DECEMBER 1ST, 1926—FINAL PROTOCOL, ARTICLE IV). |
| 35 | 15—II | Fourteenth Session (June—September, 1928). Documents relating to Judgment No. 13 (FACTORY AT CHORZÓW—CLAIM FOR INDEMNITY— <i>merits</i>). |
| 36 | 16—I | Sixteenth Session (May—June, 1929). CASE CONCERNING THE DENUNCIATION OF THE TREATY OF NOVEMBER 2ND, 1865, BETWEEN CHINA AND BELGIUM (request eventually withdrawn). |
| 37 | 16—II | Sixteenth Session (May—June, 1929). Documents relating to the Orders of September 13th, 1928, October 16th, 1928, November 14th, 1928, and May 25th, 1929 (FACTORY AT CHORZÓW—INDEMNITIES— <i>merits</i>) (termination of proceedings). |
| 38 | 16—III | Sixteenth Session (May—June, 1929). Documents relating to Judgment No. 14 (CASE CONCERNING THE PAYMENT OF VARIOUS SERBIAN LOANS ISSUED IN FRANCE). |

| <i>New Numbering.</i> | <i>Old Numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|---|
| 39 | 16—IV | Sixteenth Session (May—June, 1929). Documents relating to Judgment No. 15 (CASE CONCERNING THE PAYMENT IN GOLD OF THE BRAZILIAN FEDERAL LOANS ISSUED IN FRANCE). |
| 40 | 17—I | Seventeenth Session (June—September, 1929). Documents relating to the Order of August 19th, 1929 (FREE ZONES OF UPPER SAVOY AND THE DISTRICT OF GEX).— 4 Volumes of 2520 pp. altogether. Vol. I. Minutes.—Speeches by M ^e Paul- Boncour and M. Basdevant (France); by M. Logoz (Swit- zerland). |
| 41 | „ | Vol. II. Special Agreement; Cases, with annexes. |
| 42 | „ | Vol. III. Counter-Cases, with annexes and maps. |
| 43 | „ | Vol. IV. Replies, with annexes and map. —Correspondence.—Indexes. |
| 44 | 17—II | Seventeenth Session (June—September, 1929). Documents relating to Judgment No. 16 (TERRITORIAL JURISDICTION OF THE INTER- NATIONAL COMMISSION OF THE RIVER ODER). |
| 45 | 18—I | Eighteenth Session (June—August, 1930). Documents relating to Advisory Opinion No. 17 (THE GRECO-BULGARIAN “COMMU- NITIES”). |
| 46 | 18—II | Eighteenth Session (June—August, 1930). Documents relating to Advisory Opinion No. 18 (FREE CITY OF DANZIG AND INTER- NATIONAL LABOUR ORGANIZATION). |
| 47 | 19 | Nineteenth Session (October—December, 1930). Documents relating to the Order of Decem- ber 6th, 1930 (FREE ZONES OF UPPER SAVOY AND THE DISTRICT OF GEX— <i>second phase</i>). Vol. I. Minutes.—Speeches by M ^e Paul- Boncour and M. Basdevant (France); by M. Logoz (Swit- zerland). |

| <i>New Numbering.</i> | <i>Old Numbering.</i> | <i>Short title of Cases.</i> |
|---------------------------|---------------------------|--|
| 48 | 19 | Vol. II. Documents, Proposal and Observations of the French Government. |
| 49 | „ | Vol. III. Documents, Proposal and Observations of the Swiss Government.—Publications of the Swiss Committees, and maps. |
| 50 | „ | Vol. IV. Replies, with annexes. |
| 51 | „ | Vol. V. Documents filed and documents forwarded.—Correspondence.—Indexes. |
| 52 | — | Twenty-First Session (April—May, 1931). Documents relating to Advisory Opinion of May 15th, 1931 (ACCESS TO GERMAN MINORITY SCHOOLS IN UPPER SILESIA) ¹ . [In the Press on June 15th, 1931.] |

SERIES D.—*Acts and Documents concerning the organization of the Court.* Series D.

No. 1. Statute of the Court.—Rules of Court (as amended on July 31st, 1926).

No. 1 (second edition). Statute and Rules of Court, and other constitutional documents, rules or regulations (with the modifications effected therein up to February 21st, 1931).

No. 2. Preparation of the Rules of Court.—Minutes of meetings during the preliminary session of the Court, with annexes.

Addendum to No. 2:

Revision of the Rules of Court (Minutes of meetings of the Court; report by the President; notes, observations and suggestions by members of the Court; report by the Registrar).

Second addendum to No. 2:

Modification of the Rules, 1931 (Minutes of meetings of the Court; resolutions of the 11th Assembly

¹ In consequence of the modification made since January 1st, 1931, the internal arrangement of the publications of this Series is now as follows:

Part I: Instruments instituting proceedings (applications, special agreements, etc.); documents transmitted by the Secretary-General of the League of Nations; documents of the written proceedings (memorials and annexes, etc.).

Part II: Minutes of public sittings, with speeches annexed thereto.

Part III: Documents collected by the Registry or filed in the course of the hearings.

Part IV: Correspondence in regard to the case.

Parts V and VI: Table of contents and alphabetical index.

- of the L. N., 1930, etc.; proposals of members of the Court and of the Registrar).
- No. 3. Collection of Texts governing the jurisdiction of the Court.
- No. 4. Collection of Texts governing the jurisdiction of the Court.
Second edition (June 1st, 1924).
- No. 5. Collection of Texts governing the jurisdiction of the Court.
Third edition (brought up to date, October 1st, 1926).

Series F. SERIES E.—*Annual Reports.*

- No. 1. Annual Report (January 1st, 1922—June 15th, 1925).
- No. 2. Second Annual Report (June 15th, 1925—June 15th, 1926).
- No. 3. Third Annual Report (June 15th, 1926—June 15th, 1927).
- No. 4. Fourth Annual Report (June 15th, 1927—June 15th, 1928).
- No. 5. Fifth Annual Report (June 15th, 1928—June 15th, 1929).
- No. 6. Sixth Annual Report (June 15th, 1929—June 15th, 1930).
- No. 7. Seventh Annual Report (June 15th, 1930—June 15th, 1931).

Series F. SERIES F.—*General Indexes.*

- No. 1. First General Index to the Publications of the Court (Series A., B. and C.).—First—eleventh Sessions (1922-1926). English and French in one volume.

Volume No. 1 of Series F. appeared in November 1927; Volume No. 2 will appear at the end of 1931.

* * *

The table given below (p. 352) indicates the number of volumes published each year in the various series of publications, excluding the seven volumes of the Court's decisions which have been published *in a German edition* up to June 15th, 1931 (see below).

* * *

(See Sixth Annual Report, p. 336.)

German
edition.

The following volumes of the German edition of the Court's publications had appeared up to June 15th, 1931:

| | |
|-----|---|
| I | (Judgments and Advisory Opinions 1922-1923) |
| II | (" " " " 1924) |
| III | (" " " " 1925) |
| IV | (" " " " 1926) |
| V | (" " " " 1927) |
| VI | (" " " " 1928) |
| VII | (" " " " 1929-1930). |

At the end of 1931, a digest in two volumes of the first six Annual Reports of the Court (Series E., Nos. 1 to 6) will be published.

As indicated in preceding Annual Reports, the German edition of the Court's publications is issued by the *Institut für Internationales Recht* at Kiel; it is published with the authorization of the Registrar and subject to his control.

PUBLICATIONS
OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

| Published in | Series A. | Series B. | Series C. | Series D. | Series E. | Series F. | TOTAL |
|----------------------------|-------------------|-------------------|-------------------|------------------|-------------------|-----------------|--------------------|
| 1922 | | 2 volumes | | 1 volume | | | 3 volumes |
| 1923 | 1 volume | 5 | 6 volumes | 2 volumes | | | 14 .. |
| 1924 | 2 volumes | 1 volume | 6 .. | 1 volume | | | 10 .. |
| 1925 | 3 .. | 3 volumes | 4 .. | | 2 volumes | | 12 .. |
| 1926 | 1 volume | 1 volume | 7 .. | 3 volumes | 2 .. | | 14 .. |
| 1927 | 6 volumes | 1 .. | 2 .. | | 2 .. | | 11 .. |
| 1928 | 4 .. | 2 volumes | 9 .. | | 2 .. | 1 volume | 18 .. |
| 1929 | 6 .. | | 6 .. | | 2 .. | | 14 .. |
| 1930 | 1 volume | 2 .. | 6 .. | | 2 .. | | 11 .. |
| 1931 (first six months) | | | 5 .. | 2 .. | 2 .. | | 9 .. |
| | 24 volumes | 17 volumes | 51 volumes | 9 volumes | 14 volumes | 1 volume | 116 volumes |

CHAPTER VIII.

THE COURT'S FINANCES.

1.

RULES FOR FINANCIAL ADMINISTRATION.

A.—BASIS AND HISTORICAL SKETCH.

(See First Annual Report, p. 279.)

B.—THE FINANCIAL REGULATIONS.

(See Sixth Annual Report, pp. 339-342.)

Since the Sixth Annual Report, the League of Nations Financial Regulations have not undergone any modifications directly affecting the Court's financial administration.

C.—OTHER REGULATIONS.

(I) MEMBERS OF THE COURT.

(See First Annual Report, p. 289, Fifth Annual Report, p. 295, and Sixth Annual Report, p. 342.)

On September 25th, 1930, (15th plenary meeting of the Eleventh Session) the Assembly adopted a Resolution fixing the salaries and allowances of members of the Court as from January 1st, 1931, until such time as the Resolution adopted by the Assembly on September 14th, 1929, in connection with the revision of the Court's Statute, should become applicable. See the present volume, Chapter II, page 97, for the text of the Resolution of September 25th, 1930, and pages 93 *et seq.* for an account of the circumstances which led the Assembly to adopt this Resolution.

On the same date the Assembly also adopted another Resolution modifying the 1924 Regulations concerning the pensions to be accorded to members of the Court and to the Registrar; this Resolution is reproduced on pages 97-99 of this volume.

(2) THE REGISTRAR.

(See First Annual Report, p. 292.)

On May 21st, 1931, the Council of the League of Nations adopted a Resolution regarding the Registrar's salary. This Resolution is reproduced in this volume, page 73, note 1.

(3) OFFICIALS OF THE REGISTRY.

(See Second Annual Report, p. 201, Fourth Annual Report, p. 327, and Fifth Annual Report, p. 76.)

2.ANNUAL ACCOUNTS ¹.

1930.

1.—BUDGET ESTIMATES.

(See Sixth Annual Report, p. 351.)

¹ For the details of budgets and accounts, see :
(a) for the 1930 budget: *League of Nations, Official Journal*, Xth year, No. 10 (October 1929), p. 1396 ;
(b) for the 1930 accounts: *League of Nations Document A. 3. 1931. X*, p. 61 ;
(c) for the 1931 budget: *League of Nations, Official Journal*, XIth year, No. 10 (October 1930), p. 1243 ;
(d) for the draft budget for 1932: *League of Nations Document A. 4 (b). 1931. X*.

2.—ACCOUNTS 1930.

| | Credits. | Expenditure. |
|---|----------------|--------------|
| | Dutch florins. | |
| SECTION I. | | |
| Ordinary Expenditure. | | |
| <i>Chapter I.</i> | | |
| Sessions of the Court | 579,000.— | 300,211.— |
| <i>Chapter II.</i> | | |
| General services of the Court . | 498,729.81 | 486,312.57 |
| <i>Chapter III.</i> | | |
| Cost of administration of the Court's Funds | 75.— | 3,070.35 |
| <i>Chapter IV.</i> | | |
| Contribution towards the con- stitution of a fund to defray the expenses resulting from the Pensions Regulations for the personnel of the Court . | 10,000.— | 10,000.— |
| SECTION 2. | | |
| <i>Chapter V.</i> | | |
| Capital Account | 5,500.— | 5,026.04 |
| | 1,093,304.81 | 804,619.96 |
| Receipts to be deducted: | | |
| Bank interest | 4,500.— | 4,799.27 |
| | 1,088,804.81 | 799,820.69 |
| Gold francs | 2,267,981.— | 1,665,126.40 |

3.—SUMMARY OF ASSETS AND LIABILITIES ON DECEMBER 31st, 1930¹.

| <i>Liabilities.</i> | | | <i>Assets.</i> | | |
|--------------------------------------|----------------|--------------|---|-------------------------|--------------|
| | Dutch florins. | Gold francs. | | Dutch florins. | Gold francs. |
| Depreciation Account | 92,210.43½ | 191,227.25 | Furniture, typewriters, etc. | 89,563.41 | 185,740.64 |
| Surplus of assets over liabilities . | 784,947.17 | 1,631,406.02 | Library | 2,647.02½ | 5,486.61 |
| | | | Contributions to be received in accordance with the details given below. | 600,080.80 | 1,245,489.27 |
| | | | Contributions to be received for the fifth financial period : Gold francs 157,946.49 | Dutch fls. 78,355.08 | |
| | | | Contributions to be received for the sixth financial period : Gold francs 165,107.27 | 79,175.86 | |
| | | | Contributions to be received for the seventh financial period : Gold francs 133,677.03 | 63,885.10 | |
| | | | Contributions to be received for the eighth financial period : Gold francs 112,924.95 | 54,213.23 | |
| | | | Contributions to be received for the ninth financial period : Gold francs 111,766.95 | 53,656.93 | |
| | | | Contributions to be received for the tenth financial period : Gold francs 108,654.42 | 52,162.34 | |
| | | | Contributions to be received for the eleventh financial period : Gold francs 152,039.63 | 72,990.42 | |
| | | | Contributions to be received for the twelfth financial period : Gold francs 303,372.53 | 145,641.84 | |
| | | | Cash in hand and at bank | 184,866.37 | 385,976.75 |
| | 877,157.60½ | 1,822,693.27 | | 877,157.60½ | 1,822,693.27 |

THE COURT'S FINANCES

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¹ In order to follow out a recommendation of the Supervisory Commission, the value of the various items of the Court's Balance Sheet, until 1929 only expressed in terms of Dutch florins, has also been given in Gold francs. (Report of the Supervisory Commission to the Fourth Committee of the Tenth Assembly, dated September 24th, 1929.)

1931.

I.—BUDGET ESTIMATES¹.

SECTION I.—ORDINARY EXPENDITURE.

| <i>Chapter I.</i> | Dutch florins. |
|---|----------------|
| Sessions of the Court | 325,100.— |
| <i>Chapter II.</i> | |
| General services of the Court | 933,088.50 |
| <i>Chapter III.</i> | |
| Cost of administration of the Court's Funds . . | 100.— |
| <i>Chapter IV.</i> | |
| Contribution towards the constitution of a fund to defray the expenses resulting from the "Regu- lations for the grant of pensions to the members and to the Registrar of the Court" | 30,000.— |

SECTION 2.—CAPITAL ACCOUNT.

| <i>Chapter V.</i> | |
|---------------------------------------|--------------|
| Permanent installations, etc. | 20,000.— |
| | 1,308,288.50 |
| Receipts to be deducted : | |
| Interest at Bank | 6,000.— |
| | 1,302,288.50 |

¹ In the Sixth Annual Report (p. 352, note 1) it was stated that two alternative sets of budget estimates were submitted to the Assembly at its Eleventh Session on behalf of the Permanent Court of International Justice and the reason for this course was also indicated, namely the uncertainty whether the Statute as revised in September 1929 would come into force or not.

On September 25th, 1930, in view of the fact that the revised Statute had not come into force, the Assembly adopted certain resolutions regarding the organization of the Court which made necessary the preparation of new budget estimates based on the principles established by these resolutions; it was these new budget estimates which were approved by the Assembly. On the present page are set out these estimates, with the addition of certain supplementary credits subsequently voted by the Assembly. (See Sixth Annual Report, pp. 339-342, for a description of the procedure with regard to applications for supplementary credits.)

1932.

I.—BUDGET ESTIMATES.

SECTION I.—ORDINARY EXPENDITURE.

| <i>Chapter I.</i> | Dutch florins. |
|--|----------------|
| Sessions of the Court | 345,500.— |
| <i>Chapter II.</i> | |
| General services of the Court | 929,381.— |
| <i>Chapter III.</i> | |
| Cost of administration of the Court's Funds . . | 100.— |
| <i>Chapter IV.</i> | |
| Contribution towards the constitution of a fund to defray the expenses resulting from the "Regulations for the grant of pensions to the members and to the Registrar of the Perm- nent Court of International Justice" | 30,000.— |

SECTION 2.—CAPITAL ACCOUNT.

| <i>Chapter V.</i> | |
|---------------------------------------|-------------|
| Permanent installations, etc. | 20,000.— |
| | 1,324,981.— |
| Receipts to be deducted: | |
| Interest at Bank | 3,000.— |
| | 1,321,981.— |

CHAPTER IX.

No. 7.

BIBLIOGRAPHICAL LIST OF OFFICIAL AND UNOFFICIAL
PUBLICATIONS CONCERNING THE PERMANENT COURT
OF INTERNATIONAL JUSTICE¹.

The present list is a continuation of the bibliographical lists which appeared in the Second, Third, Fourth, Fifth and Sixth Annual Reports (Series E., Nos. 2, 3, 4, 5 and 6, ch. IX²). It supplements and refers to them, the system of grouping being the same.

The bibliographical references are uniform only as concerns titles prepared by the Registry; the others have been reproduced as they appear in national bibliographies or in the letters of casual correspondents: this explains the slight differences which will be observed in the system followed for these references or as regards the typographical composition of the Bibliography.

¹ This list, like those in the six preceding Annual Reports of the Court, has been prepared by M. J. Douma, formerly Assistant Librarian of the Carnegie Library in the Peace Palace. As from January 1st, 1931, M. Douma has become a member of the Registry of the Court in the capacity of Head of the Documents Department (see p. 63).

² Explanation of abbreviations used for references:

E 2 : Second Annual Report.
E 3 : Third " " ."
E 4 : Fourth " " ."
E 5 : Fifth " " ."
E 6 : Sixth " " ".

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INTRODUCTION.

BIBLIOGRAPHIES CONCERNING THE COURT.

(See E 5, pp. 308-310; E 6, pp. 358-359.)

3136. *Recent publications on the Permanent Court of International Justice. May 21, 1931.*
[Carnegie Endowment for International Peace, Library. Mimeographed. 4 pages.]
3137. *Liste bibliographique des publications officielles et non officielles relatives à la Cour permanente de Justice internationale. Supplément 1930, contenant les numéros 2662-3135 et deux index incorporés à ceux des listes précédentes. Dressée pour le Sixième Rapport annuel de la Cour par J. DOUMA.* Extrait du Sixième Rapport annuel de la Cour. Distribué avec l'autorisation du Greffier de la Cour par la Bibliothèque Carnegie du Palais de la Paix. La Haye, 1930. In-8°.
3138. *List (Bibliographical—) of official and unofficial publications concerning the Permanent Court of International Justice. Supplément 1930, containing numbers 2662-3135, with combined index to the preceding lists. Prepared for the Sixth Annual Report of the Court by J. DOUMA.* Reprinted from the Court's Sixth Annual Report and distributed with the permission of the Registrar of the Court by the Carnegie Library of the Palace of Peace. The Hague, 1930. In-8°.

A.—OFFICIAL AND PRIVATE DRAFT PLANS.

I. FROM THE SECOND HAGUE PEACE CONFERENCE (1907)
TO THE WORLD WAR.

(See E 2, pp. 213-216; also p. 213: footnote; E 4, p. 339; E 5, p. 310.)

3139. BEALES (A. C. F.). *The history of Peace.* A short account of the organised movements for International peace. London, G. Bell & Sons, 1931. In-8°, VIII+355 pages.

2. DURING THE WORLD WAR.

(See E 2, pp. 216-219; E 4, pp. 339-340; E 6, p. 359.)

3. THE PEACE CONFERENCE OF VERSAILLES. PLANS OF THE
NEUTRAL POWERS. ADVISORY COMMITTEE OF JURISTS.

(See E 2, pp. 219-226; E 4, pp. 340-342; E 5, p. 311; E 6, p. 359.)

B.—THE PERMANENT COURT OF INTERNATIONAL JUSTICE.
(ITS CONSTITUTION.—ITS ORGANIZATION.—ITS PROCEDURE.—ITS JURISDICTION.)

I. PREPARATION OF THE STATUTE BY THE COUNCIL AND BY
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A.—*Official Documents.*

(See E 2, pp. 226-227.)

B.—*Unofficial Publications.*

(See E 2, pp. 227-232 ; E 3, pp. 259-260 ; E 4, pp. 342-343.)

3140. RODRÍGUEZ Y VON SOBOTKER (HERMINIO), *La organización del Tribunal Permanente de Justicia Internacional.* (Sociedad Cubana de Derecho Internacional, Anuario de 1922, pp. 249-261.)

I bis. REVISION OF THE STATUTE OF THE COURT IN PURSUANCE
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OF THE LEAGUE OF NATIONS¹.

A.—*Official Documents.*

(See E 5, p. 312 ; E 6, pp. 360-361.)

3141. *Société des Nations. Organisation de la Cour permanente de Justice internationale. Rapport adopté par le Conseil le 12 septembre 1930.* Genève, le 12 sept. 1930. N° officiel : A. 45. 1930. V. Série de Publications de la S. d. N. V. Questions juridiques. 1930. V. 22. In-f°, 5 pages.

3142. *League of Nations. Organisation of the Permanent Court of International Justice. Report adopted by the Council on September 12th, 1930.* Geneva, Sept. 12th, 1930. Official No. : A. 45. 1930. V. Series of L. of N. Publications. V. Legal. 1930. V. 22. In-f°, 5 pages.

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3144. *League of Nations. Organisation of the Permanent Court of International Justice. Report of the First Committee.* Geneva, Sept. 20th, 1930. Official No. : A. 57. 1930. V. Series of L. of N. Publications. V. Legal. 1930. V. 23. In-f°, 3 pages.

¹ See also Nos. 3160-3220 and 3478 of this list.

3145. *Société des Nations. Organisation de la Cour permanente de Justice internationale. Rapport de la quatrième Commission à l'Assemblée.* Genève, le 23 sept. 1930.— *League of Nations. Organisation of the Permanent Court of International Justice. Report of the Fourth Committee to the Assembly.* N° officiel: A. 61. 1930. X. In-f°, 1 page.

B.—*Unofficial Publications.*

(See E 5, p. 313; E 6, pp. 361-362.)

3146. *Annuaire de l'Institut international de Droit public.* 1930. Paris, Les Presses universitaires de France, 1930. In-8°, 1485 pages. [Revision du Statut de la Cour permanente de Justice internationale, pp. 1450-1461.]
3147. BLANCK Y MENCAL (GUILLERMO DE), *La reforma del Estatuto del Tribunal Permanente de Justicia Internacional y la adhección de los Estados Unidos al Protocolo de firma del Estatuto.* (Revista de Derecho Internacional, Año IX, Tomo XVIII, Número 36, 1930, 31 Dic., pp. 293-334.)
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3149. DEAN (VERA MICHELES), *Revising the World Court.* (News Bulletin, published weekly by the Foreign Policy Association, Vol. IX, No. 48, 1930, Oct. 3, p. 1.)
3150. *General Conventions prepared at Geneva in 1929. League of Nations. I. Protocol relating to the accession of the United States of America to the Protocol of Signature of the Statute of the Permanent Court of International Justice. II. Protocol concerning the revision of the Statute of the Permanent Court of International Justice.* (British Year Book of International Law, 1930, XIth year of issue, pp. 197-199.)
3151. HARDER (HANS), *Die Revision des Statuts des Weltgerichtshofs.* (Die Friedens-Warte, XXX. Jahrgang, Heft 12, 1930, Dez., pp. 364-366.)
3152. HUDSON (MANLEY O.), *The Revision of the Statute of the World Court.* (Foreign Affairs, An American quarterly Review, Vol. 9, No. 2, 1931, Jan., pp. 341-345.)
3153. HUDSON (MANLEY O.), *The World Court. Explanation of the various protocols under discussion by the League of Nations.* (New York Times, 1930, Sept. 24, p. 22.)
3154. LAUTERPACHT (H.), *Dissenting opinions of National Judges and the revision of the Statute of the Court.* (The British Year Book of International Law, 1930, XIth year of issue, pp. 182-186.)

3155. *The Work of the Eleventh Assembly relating to the Permanent Court of International Justice.* [Editorial.] (The British Year Book of International Law, XIIth Year of issue, 1931, pp. 107-131.)

2. TEXTS OF THE PROTOCOL OF SIGNATURE AND OF THE STATUTE.

A.—Official Texts¹.

(See E 2, p. 232; E 3, p. 260; E 4, p. 343; E 6, pp. 362-363.)

3156. *Statut, Règlement et autres textes constitutionnels ou réglementaires (avec les modifications y apportées jusqu'au 21 févr. 1931). Deuxième édition. — Statute and Rules of Court and other constitutional documents, rules or regulations (with the modifications effected therein up to Feb. 21st, 1931). Second édition.* (Publications de la Cour permanente de Justice internationale. Série D. Actes et Documents relatifs à l'organisation de la Cour. N° 1. — Publications of the Permanent Court of International Justice. Series D. Acts and Documents concerning the organization of the Court. No. 1.)

3157. *Rahvasteliidu põhikirja artikkel 14 da poolt ettenähtud Alalise Rahvusvahelise kohtu põhikiri. — Statut de la Cour permanente de Justice internationale Statute for the Permanent Court of International Justice....* [Textes estonien, français et anglais du Statut.] (Eesti Lepingud Välisriikidega, II, 1922, pp. 118-134.)

3158. *Alalise rahvusvahelise kohtu põhikirja revideerimise protokoll ja selle lisa kinnitamise seadus.* [Amendements au Statut de la Cour. Textes estonien, français et anglais du Protocole du 14 sept. 1929 et de l'annexe.] (Eesti Lepingud Välisriikidega, IX, 1929-1930, pp. 165-181.)

3159. *Alalise rahvusvahelise kohtu põhikirja allakirjutamise protokolliga Ameerika Ühisriikide liitumise protokoll kinnitamise seadus.* [Adhésion des États-Unis d'Amérique au Protocole de signature du Statut de la Cour. Textes estonien, français et anglais du Protocole.] (Eesti Lepingud Välisriikidega, IX, 1929-1930, pp. 183-190.)

B.—Unofficial Publications.

(See E 2, pp. 233-234; E 3, p. 261; E 4, p. 343; E 6, p. 363.)

3. LEGISLATIVE INSTRUMENTS OF VARIOUS COUNTRIES.—PARLIAMENTARY DOCUMENTS AND DEBATES.—LAWS AND DECREES OF APPROVAL AND PUBLICATION.

(See E 2, pp. 235-260; E 3, pp. 261-270; E 4, pp. 344-348;
E 5, pp. 313-315; E 6, pp. 363-376.)

¹ See also Nos. 3160, 3163, 3165, 3197 and 3202 of this list.

ALLEMAGNE. — GERMANY.

3160. *Entwurf eines Gesetzes über die Änderung der Satzung des Ständigen Internationalen Gerichtshofs und den Beitritt der Vereinigten Staaten von Amerika zu dem Gerichtshof.* [I.] *Revision du Statut Revision of the Statute Änderung der Satzung Protocole Protocol Protokoll (Übersetzung) Adhésion des États-Unis d'Amérique* [II.] *Accession of the United States of America Beitritt der Vereinigten Staaten von Amerika Protocole Protocol Protokoll (Übersetzung)* [III.] *Denkschrift....* Reichstag, IV. Wahlperiode, 1928. Druks. Nr. 2216. Ausgegeben am 28. Juni 1930. 27 pages.
3161. *Erste und Zweite Beratung des Entwurfs eines Gesetzes über die Änderung der Satzung des Ständigen Internationalen Gerichtshofs und den Beitritt der Vereinigten Staaten von Amerika zu dem Gerichtshof.* (Nr. 2216 der Drucksachen.)
Das Wort wird nicht verlangt.
(Stenographische Berichte des Reichstags, 1930, 189. Sitzung, 2. Juli 1930, p. 1081.)
3162. *Dritte Beratung des Gesetzentwurfs über die Änderung der Satzung des Ständigen Internationalen Gerichtshofs und den Beitritt der Vereinigten Staaten von Amerika.*
.... das Gesetz ist angenommen. (Stenographische Berichte des Reichstags, 1930, 190. Sitzung, 3. Juli 1930, p. 6140.)
3163. *Gesetz über die Änderung der Satzung des Ständigen Internationalen Gerichtshofs und den Beitritt der Vereinigten Staaten von Amerika zu dem Gerichtshof.* Vom 15. Juli 1930. (Reichsgesetzblatt, 1930, Teil II, Nr. 28, Ausgegeben den 23. Juli 1930, pp. 961-980.)

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3164. *Decreto número 1,277. — Ordena el cumplimiento del Protocolo, relativo al Estatuto de la Corte Permanente de Justicia Internacional, firmado en Ginebra, el 16 de Dic. de 1920.* (Diario Oficial de la República de Chile, Año LII, Núm. 15,480, 1929, 24 de Sept., p. 5193.)

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3165. *Poder Legislativo. Ley 38 de 1930 (Nov. 7). "Por la cual se aprueban varias convenciones internacionales sobre constitución de la Corte permanente de Justicia internacional, creada por la Sociedad de las Naciones".* [I.] *Estatuto de la Corte Permanente de Justicia Internacional, votado por la Asamblea de la Sociedad de las Naciones, de conformidad con el artículo 14 del Pacto.* [II.] *El Protocolo suscrito en Ginebra el 14 de Sept. de 1929 sobre*

reformas al Estatuto antes mencionado, el cual Protocolo dice a la letra. [III.] El anexo a que se refiere el Protocolo "Modificaciones al Estatuto de la Corte permanente de Justicia internacional. [Spanish texts.] (Diario Oficial. República de Colombia. Año LXVI, Número 21550, 24 de Nov. de 1930, pp. 489-498.)

ESPAGNE. — SPAIN.

3166. *Ministerio de Estado. Cancilleria. [I.] Protocolo de revisión del Estatuto del Tribunal permanente de Justicia internacional. [II.] Anexo al Protocolo de 14 de Sept. de 1929. Enmiendas al Estatuto del Tribunal permanente de Justicia Internacional. [III.] Protocolo de adhesión de los Estados Unidos de América al Protocolo de firma del Estatuto del Tribunal permanente de Justicia internacional. [Spanish texts.] (Gaceta de Madrid, Año CCLXIX, Tomo III, Núm. 218, 1930, 6 Agosto, pp. 858-862.)*

ESTONIE. — ESTHONIA.

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3168. III Riigikogu protokollide lisad. VI istungjärk. 26. aprillist 1928. a. — 25. maini 1928. a. Lisa nr. 53. *Väliskomisjoni Selvituskirja alalise rahvusvahelise kohtu sundusliku jurisdiktsiooni tunnustamise deklaratsiooni maksvuse pikendamise seadusele. „colonne” 185.*
3169. III Riigikogu protokollide lisad I. Vabariigi Valitsuse ettepanekud II. Riigikogu komisjonide ettepanekud: 1) Tempelmaksu seadus 2) Kriminaalseadustik IV-VIII istungjärk 1927-1929. Lisa nr. 45. Rk. Kantselei nr. 319. Vabariigi Valitsuse ettepanek Riigikogule 27. IV 1928 a. (prot. nr. 42 p. IV). *Alalise rahvusvahelise kohtu sundusliku jurisdiktsiooni tunnustamise deklaratsiooni maksvuse pikendamise seadus. „colonnes” 355-358.*
3170. Riigi Teataja. Nr. 46. 9. juunil 1928. a. Riigikogu poolt 25. mail 1928. a. vastuvõetud. Art. 271. *Alalise rahvusvahelise kohtu sundusliku jurisdiktsiooni tunnustamise deklaratsiooni maksvuse pikendamise seadus. P. 516.*
3171. Riigi Teataja. Nr. 62. 31 juulil 1928 a. Art. 387. *Teadaanne alalise rahvusvahelise kohtu sundusliku jurisdiktsiooni tunnustamise deklaratsiooni maksvuse pikendamisest. P. 777.*

3172. Riigikogu. IV koosseis. III istungjärgk. 53., 54., 55. koosolek. 12. aprillil 1930. 11. *Alalise rahvusvahelise kohtu põhikirja allakirjutamise protokolliga Ameerika Ühisriikide liitumise protokoll, sõlmitud Genfis, 14. septembril 1929. a., kinnitamise seadus* — I lugemisel. p. 962. „*Idem*”, II lugemisel. „*Ibidem*”, p. 966. „*Idem*”, III lugemisel. p. 967.
3173. Riigikogu IV koosseis vabariigi valitsuse ettepanekud. I-III Istungjärgk. 1929/30. Lisa nr. 53. Rk. kantselei nr. 72. Vabariigi Valitsuse ettepanek Riigikogule 29. I. 1930 a. (prot. nr. 7, p. V-2). *Alalise rahvusvahelise kohtu põhikirja allakirjutamise protokolliga Ameerika Ühendriikide liitumise protokoll, sõlmitud Genfis, 14. septembril 1929. a., kinnitamise seadus*. „colonnes” 295-300.
3174. Riigikogu IV koosseis Täielikud Protokollid. III istungjärgk. 23. koosolekust 21. Jaanuaril-55. koosolekuni 12. Aprillil 1930. 48. Üldkomisjoni. *Seletuskiri alalise rahvusvahelise kohtu põhikirja allakirjutamise protokolliga Ameerika Ühisriikide liitumise protokoll, sõlmitud Genfis, 14. septembril 1929. a., kinnitamise seadusele*. p. 67.
3175. Riigi Teataja. Nr. 35. 6. mail 1930. Riigikogu poolt 12. aprillil 1930 vastuvõetud. Art. 216. *Alalise rahvusvahelise kohtu põhikirja allakirjutamise protokolliga Ameerika Ühisriikide liitumise protokoll kinnitamise seadus*. [Estonian, French and English texts of the Protocol, pp. 404-411.]
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3176. Riigikogu IV koosseis. III istungjärgk. 53., 54., 55. koosolek. 12. aprillil 1930. 12. *Alalise rahvusvahelise kohtu põhikirja revideermise protokoll, sõlmitud Genfis, 14. septembril 1929. a., kinnitamise seadus* — I lugemisel. „page” 962. „*Idem*”, II lugemisel. „*Ibidem*”, p. 966. „*Idem*”, III lugemisel. „*Ibidem*”, p. 967.
3177. Riigikogu IV koosseis vabariigi valitsuse ettepanekud. I—III istungjärgk. 1929/30. Lisa nr. 54. Rk. kantselei nr. 73. Vabariigi Valitsuse ettepanek Riigikogule 29. I. 1930 (prot. nr. 7, p. V-1). *Alalise rahvusvahelise kohtu põhikirja revideermise protokoll, sõlmitud Genfis, 14. septembril 1929. A., kinnitamise seadus*. „colonnes” 303-308.
3178. Riigikogu IV koosseis Täielikud Protokollid. III Istungjärgk. 23. koosolekust 21. Jaanuaril-55. koosolekuni 12. Aprillil 1930. 49. Üldkomisjoni. *Seletuskiri alalise rahvusvahelise kohtu põhikirja revideermise protokoll, sõlmitud Genfis, 14. septembril 1929. a., kinnitamise seadusele*. p. 67.
3179. Riigi Teataja. Nr. 35. 6. mail 1930. Riigikogu poolt 12. aprillil 1930 vastuvõetud Art. 215. *Alalise rahvusvahelise kohtu põhikirja revideermise protokoll, ja selle lisa kinnitamise seadus*. Estonian, French and English texts of the Protocol, pp. 389-404.]

GRANDE-BRETAGNE. — GREAT BRITAIN¹.

[References to questions and debates in both Houses of Parliament relating to the Permanent Court of International Justice.]

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3180. *Date of debate on Optional Clause.* Mr. MANDER, House of Commons, 22 Jan., 1930. Answer of Prime Minister, Mr. G. RAMSAY MACDONALD. (Parliamentary Debates, Official Report, Vol. 234, pp. 203-204.)
3181. *Date of debate on Optional Clause.* Mr. STANLEY BALDWIN, House of Commons, 23 Jan., 1930. Supplementary questions by Sir AUSTEN CHAMBERLAIN, Mr. MANDER, and Mr. COCKS. Answers of Mr. SNOWDEN and Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 234, pp. 341-343.)
3182. *Deposit of British ratification at Geneva, and ratification by other States.* Mr. MANDER, House of Commons, 5 March, 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 236, pp. 399-400.)
3183. *Ratification by United States of America.* Mr. HAMILTON, House of Commons, 16 April, 1930. Answer of Mr. DALTON. (Parliamentary Debates, Official edition, Vol. 237, p. 2876.)
3184. *Nominations for vacancies.* Mr. MANDER, House of Commons, 7 May, 1930. Answer of Mr. DALTON. (Parliamentary Debates, Official edition, Vol. 238, p. 941.)
3185. *Nomination of candidates.* Mr. MANDER, House of Commons, 21 May, 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 239, p. 374.)
3186. *States which have ratified the Optional Clause.* Mr. MANDER, House of Commons, 18 June, 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 240, pp. 375-376.)
3187. *Arbitration on Dead Sea Salts (Concessions).* Col. HOWARD BURY, House of Commons, 23 June, 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 240, p. 784.)
3188. *Vacancies and nominations.* Mr. MANDER, House of Commons, 9 July, 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 241, p. 448.)
3189. *British nominations.* Mr. MANDER, House of Commons, 31 Oct. 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 244, p. 346.)

¹ See also Nos. 3199-3201 and 3521-3525 of this list.

3190. *Procedure of British nominations*. Mr. MANDER, House of Commons, 7 Nov., 1930. Answer of Mr. ARTHUR HENDERSON. (Parliamentary Debates, Official edition, Vol. 244, pp. 1224-1225.)

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3191. *Motion approving the ratification of the signature of the Optional Clause by H.M.'s Government, moved by the Foreign Secretary, Mr. ARTHUR HENDERSON, House of Commons, 27 Jan., 1930. Amendment to the motion moved by Sir AUSTEN CHAMBERLAIN and followed by a general debate, in which many members of Parliament took part, but rejected on division by 278 to 193, after which the main motion was agreed to without a division.* (Parliamentary Debates, Official edition, Vol. 234, pp. 653-778.)
3192. *In Committee of Supply. Suggestion of a commercial division of the Permanent Court, made by Mr. BUTTER, House of Commons, 4 March, 1930.* (Parliamentary Debates, Official edition, Vol. 236, p. 313.)
3193. *In Committee of Supply. Question of the Optional Clause and Egypt, raised by Sir RENNELL RODD, House of Commons, 29 July, 1930. Reply by Mr. DALTON.* (Parliamentary Debates, Official edition, Vol. 242, pp. 360-362, 410-411.)
3194. *KING'S Speech on prorogation of Parliament. Preference to signature of the Optional Clause, House of Commons, 1 Aug., 1930.* (Parliamentary Debates, Official edition, Vol. 242, p. 1018.)
3195. *HOUSE OF LORDS. QUESTION TO MINISTER. Non-submission of ratification of Optional Clause to House of Lords. Earl of MIDLETON, House of Lords, 29 Jan., 1930. Remarks by Lord CARSON, Viscount BERTIE OF THAME, Lord PARMOOR, Marquess of SALISBURY, and Earl BEAUCHAMP.* (Official Debates, House of Lords, Vol. 76, pp. 349-364.)

HAÏTI.

3196. *Décret par lequel demeure sanctionné le Protocole signé à Genève le 14 sept. 1929 concernant la revision du Statut de la Cour permanente de Justice internationale. Protocole y annexé.* [Décret Protocole Annexe au Protocole Amendements au Statut de la Cour Textes français.] (Le Moniteur. Journal officiel de la République d'Haïti, 85^{me} année, n° 70, 1930, 28 août, pp. 285-288.)
3197. *Protocole de signature concernant le Statut de la Cour permanente de Justice internationale, visé par l'article 14 de la Société des Nations. Disposition facultative Statut de la Cour....* [Textes français.] (Bulletin officiel du Département des Relations extérieures. République d'Haïti, 4^{me} année, numéro XXII, 1930, mai-juin, pp. 75-95.)

3198. *Protocole concernant la Revision du Statut de la Cour permanente de Justice internationale. Annexe au Protocole.... Amendements au Statut de la Cour....* [Textes français.] (Bulletin officiel du Département des Relations extérieures. République d'Haïti, 4^{me} année, numéro XXIV, 1930, sept.-déc., pp. 155-166.)

IRLANDE. — IRELAND ¹.

3199. *Protocol for the Revision of the Statute of the Permanent Court of International Justice.* Geneva, Sept. 14, 1929. Irish Ratification deposited on Aug. 2, 1930. Presented to both Houses of the Oireachtas by the Minister for External Affairs. (Soarstat Eireann, Treaty Series, 1930. No. 3.) Dublin, Stationery Office, 1930. (P. No. 198.) In-8°, 15 pages. [English text.]
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3201. *Declaration in conformity with Article 36 of the Statute of the Permanent Court of International Justice.* Geneva, December 16, 1920. Irish Ratification deposited on July 11, 1930. Presented to both Houses of the Oireachtas by the Minister for External Affairs. (Soarstat Eireann, Treaty Series, 1930, No. 8.) Dublin, Stationery Office, 1930. (P. No. 379.) In-8°, 3 pages. [English text.]

ITALIE. — ITALY.

3202. *Regio Decreto 11 dicembre 1930, n. 1911. Approvazione dei protocolli di Ginevra del 1920 e del 1929 per lo Statuto della Corte permanente di Giustizia internazionale, nonché del Protocollo di Ginevra del 1929 relativo alla adesione degli Stati Uniti allo Statuto della Corte medesima.*
 [1.] Protocole de signature du Statut de la Cour permanente de Justice internationale visé par l'article 14 du Pacte de la Société des Nations avec le texte de ce Statut. [2.] Revision du Statut de la Cour permanente de Justice internationale. Protocole. [3.] Annexe au Protocole du 14 sept. 1929. Amendements au Statut de la Cour permanente de Justice internationale. [4.] Adhésion des États-Unis d'Amérique au Protocole de signature du Statut de la Cour permanente de Justice internationale. [Textes français.] (Gazzetta Ufficiale del Regno d'Italia, Anno 72^o [Anno IX], Numero 50, 1931, 2 marzo, pp. 914-926. Numero di pubblicazione 392.)

¹ See also Nos. 3180-3195 and 3521-3525 of this list.

LETTONIE. — LATVIA.

3203. (Saeima ir pienēmusi un Valsts Prezidents izsludina šādu likumu :)
 250. *Likums par Pastāvīgās Starptautiskās Tiesas obligātoriskās jurisdikcijas atzīšanu.* (V. V. 291. n., 23. dec.) [Latvian and French texts.] (Likumu un Ministru kabineta noteikumu krājums, 1929. gads, p. 369.)
3204. (Saeima ir pienēmusi un Valsts Prezidents izsludina šādu likumu :)
 106. *Likums par protokolu par Amerikas Savienoto Valstu pievienošanas Pastāvīgās Starptautiskās tiesas Statūta parakstīšanas protokolam.* (V. V. 144. n., 2. jūl.) [Protocole relatif à l'adhésion des États-Unis d'Amérique Latvian and French texts.] (Likumu un Ministru kabineta noteikumu krājums, 1930. gads, pp. 132-138.)
3205. (Saeima ir pienēmusi un Valsts Prezidents izsludina šādu likumu :)
 113. *Likums par protokolu par grozījumiem Pastāvīgās Starptautiskās Tiesas Statūtos* (V. V. 153. n., 12 jūl.) [Protocole Annexe au Protocole Amendements au Statut de la Cour.... Latvian and French texts.] (Likumu un Ministru kabineta noteikumu krājums, 1930. gads, pp. 209-222.)

LUXEMBOURG. — LUXEMBURG.

3206. *Loi du 29 juillet 1930 portant ratification du Statut révisé de la Cour permanente de Justice internationale, de la Clause facultative de juridiction obligatoire de ladite Cour, de l'adhésion des États-Unis d'Amérique audit Statut.... Gesetz vom 29. Juli 1930, wodurch das revidierte Statut des Ständigen Internationalen Gerichtshofes, die fakultative Bestimmung betr. die obligatorische Gerichtsbarkeit dieses Gerichtshofes, der Beitritt der Vereinigten Staaten von Amerika zu diesem Statut....*
 [Suit le texte de ces différents actes internationaux.] [En français.] (Mémorial du Grand-Duché de Luxembourg — Memorial des Grossherzogtums Luxemburg, No. 42, 1930, pp. 835-919.)

PAYS-BAS. — NETHERLANDS.

3207. *Wet van den 14^{den} Juni 1930, houdende goedkeuring van het Protocol met bijlage nopens de herziening van het Statuut van het Permanente Hof van Internationale Justitie, aangenomen door de Tiende Vergadering van den Volkenbond op 14 Sept. 1929.* [Protocole Annexe au Protocole Amendements au Statut de la Cour.... French and English texts.] (Staatsblad van het Koninkrijk der Nederlanden, 1930, N° 231.)
3208. *Wet van den 14^{den} Juni 1930, houdende goedkeuring van het Protocol nopens de toetreding van de Vereenigde Staten van Amerika tot het Protocol van onderteekening van het Statuut van het Per-*

manente Hof van Internationale Justitie, aangenomen door de Tiende Vergadering van den Volkenbond op 14 September 1929. [Protocole relatif à l'adhésion des États-Unis d'Amérique.... French and English texts.] (Staatsblad van het Koninkrijk der Nederlanden, 1930, N° 232.)

PORTUGAL.

3209. *Decreto n° 18:254 — Aprova, para serem ratificados pelo Poder Executivo, o Protocolo de Adesão dos Estados Unidos da América ao Protocolo de Assinatura do Estatuto do Tribunal Permanente de Justiça Internacional, concluído em Genebra a 14 de Setembro de 1929, e o Protocolo de Revisão do Estatuto do Tribunal Permanente de Justiça Internacional, da mesma data.* (Diário do Governo, I Série, Número 96, 26 de Abril de 1930, p. 776.)
3210. *Carta de Confirmação e Ratificação declarando que em Genebra foi concluído entre Portugal e diversos países um Protocolo relativo à Adesão dos Estados Unidos da América ao Protocolo de Assinatura do Estatuto do Tribunal Permanente de Justiça Internacional.* [French, English and Portuguese texts.] (Diário do Governo, I Série, Número 165, 18 de Julho de 1930, pp. 1412-1420.)
3211. *Carta de Confirmação e Ratificação virem que, em Genebra foi concluído, entre Portugal e diversos países um Protocolo e Anexo relativos à Revisão do Estatuto do Tribunal Permanente de Justiça Internacional* [French, English and Portuguese texts.] (Diário do Governo, I Série, Número 165, 18 de Julho de 1930, pp. 1420-1435.)

ROUMANIE. — ROUMANIA.

DECRETE REGALE.

3212. [I.] *Lege pentru ratificarea protocolului din 14 septembrie 1929, relativ la adesiunea Statelor unite ale Americii la protocolul de semnare al Statutului Curții permanente de Justiție internațională* [Textes français et roumain du Protocole relatif à l'adhésion des États-Unis d'Amérique....] (Monitorul Oficial, partea I-a, Legi, Decrete, 1930, 19 Iulie, Nr. 159, pp. 5534-5539.)
- [II.] *Lege Protocolul dela Geneva din 14 Septembrie 1929, împreună cu anexa sa, relativ la revizuirea Statutului Curții Permanente de Justiție Internațională de la Haga.* [Textes français et roumain du Protocole de revision du Statut...., de l'annexe au Protocole.... Amendements au Statut de la Cour....] (Monitorul Oficial, partea I-a, Legi, Decrete, 1930, 19 Iulie, Nr. 159, pp. 5540-5549.)

SALVADOR.

3213. *Poder ejecutivo. Secretaría de relaciones exteriores. Acuerdo.* — *Apruébase el Estatuto y Protocolo de la Corte Permanente de Justicia Internacional. Estatuto de la Corte Protocolo de Firma del Estatuto de la Corte Revisión del Estatuto del Tribunal Permanente de Justicia Internacional Acuerdo. Decreto....* [Spanish texts.] (Diario oficial. República de El Salvador, tomo 109, Núm. 161, 1930, 18 de Julio, pp. 1265-1268.)
3214. *Poder legislativo. Decreto.* — *Aprobando el Estatuto y Protocolo de la Corte de Justicia Internacional* (nueva publicación). *Estatuto de la Corte Protocolo de Firma del Estatuto de la Corte Revisión del Estatuto del Tribunal Permanente de Justicia Internacional. Anexo. Adhesión de los Estados Unidos de Norteamérica. Acuerdo. Decreto N° 110.* (Diario Oficial. República de El Salvador, Tomo 109, Núm. 168, 1930, 26 de Julio, pp. 1321-1325.)

URUGUAY.

3215. [I.] *Mensaje. Se somete a la aprobación de la Asamblea General el Protocolo de Revisión del Estatuto de la Corte Permanente de Justicia Internacional. Poder Ejecutivo. Presidencia de la República. Ministerio de Relaciones Exteriores. Montevideo, Mayo 9 de 1930. A la Asamblea General:* [II.] *El Senado y la Cámara de Representantes, reunidos en Asamblea General, Decretan: Artículo 1.º. Autorízase a la Presidencia* (Diario Oficial de la República Oriental del Uruguay, tomo XCIX, Núm. 7157, 1930, 22 de Mayo, pp. 381 A-383 A.)
3216. [I.] *Mensaje. Se somete a la aprobación de la Asamblea General el protocolo relativo a la adhesión de los Estados Unidos de América al protocolo de firma del Estatuto de la Corte de Justicia Internacional. Poder Ejecutivo. Presidencia de la República. Ministerio de Relaciones Exteriores. Montevideo, Agosto 22 de 1930. A la Asamblea General:* [II.] *El Senado y la Cámara de Representantes de la República Oriental del Uruguay reunidos en Asamblea General, Decretan: Artículo 1.º. Apruébase* (Diario Oficial de la República Oriental del Uruguay, tomo C, Núm. 7246, 1930, 11 de Setiembre, pp. 497 A-500 A.)

3 bis. RATIFICATION OF VARIOUS COUNTRIES.

3217. *Société des Nations. Ratification des accords et conventions conclus sous les auspices de la Société des Nations. Neuvième Liste.* (Annexe au Rapport supplémentaire sur les Travaux du Conseil et du Secrétariat à la Onzième Session ordinaire de l'Assemblée de la Société des Nations.) Genève, le 9 sept. 1930. N° officiel: A. 6 (a). 1930. Annexe. Série de Publications de la Société des Nations. Questions générales. 1930. 6. In-fº, 88 pages. [I. Cour permanente de Justice internationale. Protocole de

signature. Genève, le 16 déc. 1929, p. 5. Disposition facultative. Genève, le 16 déc. 1929, pp. 6-12.

XXII. Revision du Statut de la Cour.... Protocole, Genève, le 14 sept. 1929, p. 67.

Adhésion des États-Unis d'Amérique au Protocole de signature du Statut de la Cour.... Protocole, Genève, le 14 sept. 1929, p. 68.]

[Voir aussi : Journal officiel [de la] Société des Nations, XI^{me} année, n° 12, 1930, déc., pp. 1689-1778.]

3218. *État actuel des engagements internationaux enregistrés par le Secrétariat de la Société des Nations. Supplément[s] à la liste complète [neuvième liste, citée ci-dessus].* (Journal officiel [de la] Société des Nations, XII^{me} année, n° 1, 1931, janv. p. 5 ; *Ibidem*, n° 3, 1931, mars, p. 541 ; *Ibidem*, n° 4, 1931, avril, p. 723 ; *Ibidem*, n° 5, 1931, mai, p. 763.)

3219. *League of Nations. Ratification of Agreements and Conventions concluded under the auspices of the League of Nations. Ninth List.* (Annex to the Supplementary Report on the Work of the Council and the Secretariat to the Eleventh Ordinary Session of the Assembly of the League.) Geneva, September 9th, 1930. Official No. A. 6 (a). 1930. Annex. Series of League of Nations Publications. General. 1930. 6. In-f°, 91 pages.

[I. Permanent Court of International Justice : Protocol of signature. Geneva, Dec. 16th, 1920, p. 5. Optional Clause. Geneva, December 16th, 1920, pp. 6-12.

XXII. Revision of the Statute of the Permanent Court.... : Protocol, Geneva, Sept. 14th, 1929, p. 69. Accession of the United States of America to the Protocol of Signature of the Statute of the Permanent Court.... Protocol, Geneva, Sept. 14th, 1929, p. 70.]

[See also : Official Journal [of the] League of Nations, 11th year, No. 12, 1930, Dec., pp. 1688-1778.]

3220. *Present Situation as regards International Engagements registered with the Secretariat of the League of Nations. Supplement[s] to the complete list....* [ninth list, mentioned above].

(Official Journal [of the] League of Nations, XIIth year, No. 1, 1931, Jan., p. 5 ; *Ibidem*, No. 3, 1931, March, p. 541 ; *Ibidem*, No. 4, 1931, April, p. 673 ; *Ibidem*, No. 5, 1931, May, p. 762.)

4. THE ELECTION OF JUDGES. BIOGRAPHIES OF JUDGES.

(See E 2, pp. 260-261 ; E 3, pp. 270-271 ; E 4, p. 348 ; E 5, pp. 315-317 ; E 6, pp. 376-377.)

3221. *Société des Nations. Élection générale des Membres de la Cour permanente de Justice internationale. Liste des candidats désignés par les Groupes nationaux. Lettre adressée au Secrétaire général par les représentants de divers États latino-américains concernant la composition de la Cour.* Genève, le 8 sept. 1930. N° officiel : A. 31. 1930. V. Série de Publications de la S. d. N. V. Questions juridiques. 1930. V. 19. In-f°, 25 pages.

3222. *Société des Nations. Élection générale des Membres de la Cour permanente de Justice internationale. Supplément[s] à la liste des candidats désignés par les groupes nationaux.* Genève, le[s] 9, 11, 19 sept. 1930. N°[s] officiel[s]: A. 31 (a) (b) (c). 1930. V. Série de Publications de la S. d. N. V. Questions juridiques. 1930. V. 20. In-f°.
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3228. *Au service de la Justice. BUSTAMANTE et la Cour permanente de Justice internationale. 1922-1930.* (Société cubaine de Droit international.) Habana, Carasa y Ca., 1930. In-8°, 44 pages.
3229. *Im Dienste der Gerechtigkeit. BUSTAMANTE und der Ständige Gerichtshof für internationale Rechtspflege (Weltgerichtshof) im Haag, 1922-1930.* (Kubanische Gesellschaft für Internationales Recht. [Habana, Carasa y Ca., 1930.] In-8°, 46 pages.
3230. HUDSON (MANLEY O.), *The Election of Members of the Permanent Court of International Justice.* (American Journal of International Law, Vol. 24, No. 4, 1930, Oct., pp. 718-727.)
3231. HUDSON (MANLEY O.), *New judges of the World Court.* (League of Nations news (New York), 1930, Oct., pp. 6-7.)
3232. HUDSON (MANLEY O.), *The new bench of the World Court.* (American Bar Association Journal, Vol. 16, 1930, Nov., pp. 708-710, 760-761.)

3233. HUDSON (MANLEY O.), *El nuevo Tribunal Permanente de Justicia Internacional*. (Revista de Derecho Internacional, Año IX, Tomo XVIII, Número 36, 1930, 31 Dic., pp. 284-292.)
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3235. *Memorial proposing Dean JOHN H. WIGMORE of Northwestern University (Chicago) for the Permanent Court of International Justice*. — *Mémoire proposant M. le doyen JOHN H. WIGMORE de Northwestern University (Chicago) pour la Cour permanente de Justice internationale*. [Annexe: Chronologie de la carrière de M. WIGMORE.] In-8°, 29 pages.
3236. [*De Nederlandsche rechters in het Permanente Hof*. B. C. J. LODER, W. J. M. VAN EYSINGA.] (Weekblad van het Recht, No. 12220, 1930, 30 Dec., p. 4.)
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3238. *Permanent Court of International Justice: New Judges*. (Bulletin of International News, Vol. VII, No. 8, 1930, 9th Oct., pp. 13-15.)
3239. RAALTE (E. VAN), *Nederland en de verkiezing van het Internationaal (Gerechtshof. Zal opnieuw ook een Nederlander gekozen worden?* Algemeen Handelsblad, 1930, 7 Mei, Avondblad, 1^e bl.)
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3243. *The American Judge for the World Court*. (Christian Science Monitor (Boston), May 19, 1930, p. 16.)
3244. *The World Court*. [*The results of the elections*.] (The Nation, Vol. CXXXI, No. 3407, 1930, Oct. 22, pp. 435-436.)
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3245. *The Late Lord FINLAY*. (The Law Times, Vol. 170, No. 4558, 1930, Aug. 9, p. 127.)

5. INAUGURATION OF THE COURT.

(See E 2, pp. 261-262 ; E 3, p. 271.)

6. PREPARATION OF THE RULES OF COURT. PROCEDURE¹.
TEXTS OF THE RULES AND OF THE REVISED RULES OF COURT.

(See E 2, pp. 262-263 ; E 3, pp. 271-272 ; E 4, pp. 348-349 ;
E 5, pp. 317-318 ; E 6, p. 378.)

A.—Official Documents.

3246. *Statut, Règlement et autres textes constitutionnels ou réglementaires (avec les modifications y apportées jusqu'au 21 févr. 1931). Deuxième édition. — Statute and Rules of Court and other constitutional documents, rules or regulations (with the modifications effected therein up to Feb. 21st, 1931). Second edition.* (Publications de la Cour permanente de Justice internationale. Série D. Actes et Documents relatifs à l'organisation de la Cour. N° 1. — Publications of the Permanent Court of International Justice. Series D. Acts and Documents concerning the organization of the Court. No. 1.)

B.—Unofficial Publications.

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3249. GUYNAT (ANDRÉ-MARIE), *Procédure orale devant la Cour permanente de Justice internationale.* (Revue générale de Droit international public, 37^{me} année, 3^{me} série, t. IV, n° 3, 1930, mai-juin, pp. 312-323.)
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¹ See also Nos. 3454-3455 of this list.

7. JURISDICTION AND EXTENSION OF JURISDICTION OF THE COURT ¹.

A.—Official Documents.

(See E 2, p. 263 ; E 3, p. 272 ; E 4, p. 349 ; E 5, p. 318 ; E 6, p. 379.)

B.—Unofficial Publications.

(See E 2, pp. 263-264 ; E 3, pp. 272-274 ; E 4, pp. 349-351 ;
E 5, pp. 319-320 ; E 6, pp. 379-381.)

3253. BAUMGARTEN (FERDINAND), *La juridiction internationale découlant des Accords de La Haye et de Paris*. (Revue de Droit international, de Sciences diplomatiques et politiques, fondée et publiée par ANTOINE SOTTILE, 8^{me} année, n^o 2, 1930, avril-juin, pp. 128-138.)
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- 3255 bis. FEINBERG (NATHAN), *La juridiction de la Cour permanente de Justice internationale dans le système des mandats*. Paris, Rousseau & Cie, 1930. In-8°, 238 pages.
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¹ See also Nos. 3358-3408 of this list.

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3264. ROUSSEAU (CH.), *L'aménagement des compétences en droit international*. (Revue générale de Droit international public, 37^{me} année, 3^{me} série, tome IV, nos 4-5, 1930, juill.-oct., pp. 461-475.)
3265. STRUPP (KARL), *Das Recht des internationalen Richters, nach Billigkeit zu entscheiden*. (Frankfurter Abhandlungen zum modernen Völkerrecht, herausgegeben von F. GIESE und K. STRUPP, Heft 20.) Leipzig, Robert Noske, 1930. In-8°, 175 pages.
[§ 7. Völkerbundspakt und Haager Courstatut, pp. 50-54. Voir aussi pp. 119-175.]
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8. DIPLOMATIC PRIVILEGES AND IMMUNITIES OF JUDGES AND OFFICIALS OF THE REGISTRY.

- (See E 2, p. 348 [n° 1292]; E 3, p. 314 [n° 1847]; E 4, p. 351;
E 5, p. 320; E 6, p. 381.)
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[Cour permanente de Justice internationale, *passim*.]
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[Voir pp. 23-24, 40-41.]

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9. ORGANIZATION OF THE REGISTRY OF THE COURT¹.

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See also Nos. 3358-3365 of this list.

C.—THE JUDICIAL AND ADVISORY FUNCTIONS
OF THE COURT.

I. ACTS AND DOCUMENTS RELATING TO JUDGMENTS AND OPINIONS.

(See E 2, pp. 264-266 ; E 3, pp. 274-275 ; E 4, p. 352 ; E 5, p. 321 ;
E 6, pp. 382-383.)

Publications de la Cour permanente de Justice internationale. Série C. Actes et Documents relatifs aux Arrêts et aux Avis consultatifs de la Cour. — Publications of the Permanent Court of International Justice. Series C. Acts and Documents relating to Judgments and Advisory Opinions given by the Court. Leyde, Sijthoff, 1930-1931.

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3280. 18 — II. *Idem. La Ville libre de Dantzig et l'Organisation internationale du Travail.* — *Idem. Free City of Danzig and International Labour Organization.*
3281. 19 — I. *Dix-neuvième Session (Ordinaire) (1930). Documents relatifs à l'Ordonnance du 6 décembre 1930. Affaire des zones franches de la Haute-Savoie et du Pays de Gex (deuxième phase). Volume I. Procès-verbaux. — Discours. — Nineteenth (ordinary) Session (1930). Documents relating to the Order of December 6th, 1930. Case of the free zones of Upper Savoy and the District of Gex (second phase). Volume I. Minutes.—Speeches.*
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3283. 19 — I. *Idem, volume III. Observations du Gouvernement suisse et annexes. — Publications des Comités suisses. — Idem, Volume III. Observations of the Swiss Government and annexes.— Publications of the Swiss Committees.*
3284. 19 — I. *Idem, volume IV. Réponse du Gouvernement français. Réponse du Gouvernement suisse, et annexes. — Idem, Volume IV. Reply of the French Government. Reply of the Swiss Government, and annexes.*
3285. 19 — I. *Idem, volume V. Documents déposés et documents transmis au Greffe de la Cour. — Correspondance. — Index. — Idem, Volume V. Documents deposited and documents transmitted to the Registry of the Court.—Correspondence.—Indexes.*

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[En langue turque. L'affaire du « Lotus » devant la Cour permanente de Justice internationale. Requête introductive, Mémoires et Contre-Mémoires turcs et français, plaidoyers et répliques turcs et français, arrêt de la Cour. (Traductions turques.)]

2. THE TEXTS OF JUDGMENTS AND OPINIONS.

A.—Official Texts.

(See E 2, pp. 267-268 ; E 3, p. 275 ; E 4, p. 353 ; E 5, pp. 322-323 ; E 6, p. 383.)

[Publications de la] Cour permanente de Justice internationale. Série A/B. Arrêts, Ordonnances et Avis consultatifs. Fascicules nos 37-40. — [Publications of the] Permanent Court of International Justice. Series A./B. Judgments, Orders and Advisory Opinions. Fascicules Nos. 37-40. Leyde, Sijthoff, 1930-1931. In-8°.
[Continuation.]

3287. [Fasc. n° 37.] [Old numbering: B, n° 17.] *Question des « Communautés » gréco-bulgares. Le 31 juill. 1930. — The Greco-Bulgarian "Communities". July 31st, 1930.*
3288. [Fasc. n° 38.] [Old numbering: B, n° 18.] *La Ville libre de Dantzig et l'Organisation internationale du Travail. Le 26 août 1930. — Free City of Danzig and International Labour Organization. August 26th, 1930.*
3289. [Fasc. n° 39.] [Old numbering: A, n° 24.] *Affaire des zones franches de la Haute-Savoie et du Pays de Gex (deuxième phase). Ordonnance du 6 déc. 1930. — Case of the free zones of Upper Savoy and the District of Gex (second phase). Order of Dec. 6th, 1930.*
3290. [Fasc. n° 40.] [Old numbering: B, n° 19.] *Accès aux écoles minoritaires allemandes en Haute-Silésie. Avis consultatif du 15 mai 1931, XXI^{me} Session. 1931. XXIst session. Advisory Opinion of May 15th, 1931. — Access to German Minority Schools in Upper Silesia.*

3290bis. *Cour permanente de Justice internationale. La Ville libre de Dantzig et l'Organisation internationale du Travail. Avis consultatif n° 18.* (Bulletin officiel [du] Bureau international du Travail, vol. XV, n° 3, 1930, 30 sept., pp. 75-100.)

B.—Unofficial Publications (in extenso or summarized).

(See E 2, pp. 253-276 ; E 3, pp. 276-277 ; E 4, pp. 354-357 ; E 5, pp. 323-324 ; E 6, pp. 384-387.)

3291. *Arrêt vom 10. September 1929 betr. die Territorial-Gerichtbarkeit der Internationalen ODERkommission. Arrêt n° 16.* [Texte français.] (Niemeyer's Zeitschrift für Internationales Recht, XXXXIII. Band, 2. bis 6. Heft, 1930-1931, pp. 204-232.)

3292. *Question (La) des emprunts serbes devant la Cour permanente de Justice internationale. Arrêt du 12 juillet 1929.* (Revue de Droit international [Rédacteurs: A. DE LAPRADELLE et N. POLITIS], n° 14, 4^{me} année, n° 2, 1930, avril-mai-juin, pp. 673-732.)
3293. *Arrêts et avis consultatifs de la Cour permanente de Justice internationale. Avis consultatif n° 17 du 31 juillet 1930. Interprétation de la Convention entre la Grèce et la Bulgarie, relative à l'émigration réciproque, signée à Neuilly-sur-Seine, le 27 novembre 1919 (Question des « communautés » gréco-bulgares). Avis consultatif n° 18 du 26 août 1930. Ville libre de Dantzig et Organisation internationale du Travail.* (Bulletin de l'Institut intermédiaire international, tome XXIII, n° 2, 1930, oct., pp. 318-325.)
3294. *Mouvement jurisprudentiel. Cour permanente de Justice internationale. La Ville libre de Dantzig et l'Organisation internationale du Travail.* 26 août 1930. *Avis consultatif n° 18.* (Revue de Droit international [Rédacteurs: A. DE LAPRADELLE et N. POLITIS], n° 15, 4^{me} année, n° 3, 1930, juill.-août-sept., pp. 336-359.)
3295. *La Ville libre de Dantzig et l'Organisation [internationale du Travail].* Avis de la Cour permanente de Justice internationale. (Informations sociales, vol. XXXVI, n° 2, 1930, 13 oct., pp. 59-62.)
3296. *Giurisprudenza internazionale. Città Libera di Danzica... Corte permanente di Giustizia internazionale, 26 agosto 1930.* [Texte français de l'avis consultatif.] (Rivista di Diritto internazionale, Anno XXII, Fasc. IV, Serie III, Vol. IX, 1930, 1^o Ott.-31 Dic., pp. 567-583.)
3297. *Judgments and Advisory Opinions of the Permanent Court of International Justice. Judgment No. 14. Delivered July 12, 1929. The Serbian Loans Case. Judgment No. 15. Delivered July 12, 1929. The Brazilian Loans Case. Order made on August 19, 1929. Case of the Free Zones of Upper Savoy. Judgment No. 16. Delivered September 10, 1929. Jurisdiction of the Commission of the River Oder.* [By ALEXANDER P. FACHIRI.] (The British Year Book of International Law, 1930, XIth year of issue, pp. 203-216.)
3298. *Jurisprudence internationale. — Cour permanente de Justice internationale. Jurisprudence relative à l'Organisation internationale du Travail. Communication de M. D. MAITER.* (Revista de Drept international... Organe de l'Institut roumain de Droit international, 1^{re} année, n° 1, 1930, sept., pp. 85-91.)
3299. *Les zones franches de la Haute-Savoie et du Pays de Gex. Ordonnance rendue par la Cour de La Haye, le 6 décembre 1930.* (Revue générale de Droit international public, 38^{me} année, n° 2, 3^{me} série, t. V, 1931, mars-avril, pp. 242-256.)
3300. *Zones (Les) franches de la Haute-Savoie et du Pays de Gex.* Textes de l'ordonnance rendue par la Cour de La Haye, le 6 décembre 1930. (L'Europe nouvelle, 14^{me} année, n° 675, 1931, 17 janv., pp. 86-92.)

3301. *Ordonnance vom 6. Dezember 1930 betr. die „Freizonen Hochsavoyen und der Landschaft Gex“*. [Texte français.] (Niemeyers Zeitschrift für Internationales Recht, XXXIII. Band, 2. bis 6. Heft, 1930-1931, pp. 233-247.)
3302. *Histoire des zones. 1815-1929. Documents officiels. 1ère édition, janvier 1930*. Genève, Éditions Mota, 1930. In-8°, 144 pages. [Ordonnance de la Cour permanente de Justice internationale, pp. 78-96.]
3303. *Judgments and advisory opinions of the Permanent Court of International Justice*. [I.] *Order made on December 6, 1930. Case of the Free Zones of Upper Savoy (Second Phase)*. [II.] *Advisory Opinion No. 17. Delivered July 31, 1930. The Greco-Bulgarian "Communities"*. [III.] *Advisory Opinion No. 18. Delivered August 26, 1930. Free City of Danzig and International Labour Office*. By ALEXANDER P. FACHIRI.] (The British Year Book of International Law, XXIIth year of issue, 1931, pp. 159-167.)

3. EFFECTS OF JUDGMENTS AND OPINIONS.

(See E 2, pp. 276-292; E 3, pp. 277-279; E 4, pp. 357-358; E 5, pp. 324-325.)

ADVISORY OPINION NO. 17. QUESTION OF THE GRECO-BULGARIAN "COMMUNITIES".

3304. *Conseil de la Société des Nations. Soixantième Session, Genève, 8-12 sept. 1930. Première séance, 8 sept. 1930.*
2658. *Commission mixte d'émigration gréco-bulgare. Avis consultatif de la Cour permanente de Justice internationale: Interprétation de certaines stipulations de la Convention gréco-bulgare relative à l'émigration réciproque, du 27 novembre 1919 (Question des « Communautés »)*. M. BRIAND donne lecture du rapport suivant. M. MOLOFF.... M. POLITIS.... Le colonel de REYNIER.... *Le projet de résolution est adopté.* (Journal officiel [de la] Société des Nations, XI^{me} année, n° 11, 1930, nov., pp. 1300-1301.)
3305. *Council of the League of Nations. Sixtieth Session, Geneva, Sept. 8th-12th, 1930. First meeting, Sept. 8th, 1930.*
2658. *Greco-Bulgarian Mixed Emigration Commission. Advisory Opinion of the Permanent Court of International Justice: Interpretation of Certain Clauses of the Convention of November 27th, 1919, between Greece and Bulgaria respecting Reciprocal Emigration (Question of the "Communities")*. M. BRIAND read the following report.... M. MOLOFF.... M. POLITIS.... Colonel de REYNIER.... *The draft resolution was adopted.* (Official Journal [of the] League of Nations, 11th year, No. 11, 1930, Nov., pp. 1300-1301.)

ADVISORY OPINION NO. 18. THE FREE CITY OF DANZIG AND
THE INTERNATIONAL LABOUR ORGANIZATION.

3306. *Conseil de la Société des Nations. Soixantième Session, Genève, 8-12 sept. 1930. Deuxième séance, 9 sept. 1930.*
2664. *Ville libre de Dantzig: Avis consultatif de la Cour permanente de Justice internationale au sujet de l'admission de la Ville libre en qualité de Membre de l'Organisation internationale du Travail. M. HENDERSON donne lecture du rapport et du projet de résolution suivants... M. ALBERT THOMAS... Le projet de résolution est adopté.* (Journal officiel [de la] Société des Nations, XI^{me} année, n° 11, 1930, nov., p. 1308.)
3307. *Council of the League of Nations. Sixtieth Session, Geneva, Sept. 8th-12th, 1930. Second meeting, Sept. 9th, 1930.*
2664. *Free City of Danzig: Advisory Opinion of the Permanent Court of International Justice with regard to the Admission of the Free City as a Member of the International Labour Organisation. Mr. HENDERSON read the following report and draft resolution... M. ALBERT THOMAS... The draft resolution was adopted.* (Official Journal [of the] League of Nations, 11th year, No. 11, 1930, Nov., p. 1308.)
4. WORKS AND ARTICLES ON JUDGMENTS AND OPINIONS.
(See E 2, pp. 292-300; E 3, pp. 279-283; E 4, pp. 358-364; E 5, pp. 325-330; E 6, pp. 388-394.)
3308. *Handbuch der Entscheidungen des Ständigen Internationalen Gerichtshofs. — Répertoire des décisions de la Cour permanente de Justice internationale. — Digest of the decisions of the Permanent Court of International Justice. — 1922-1930.* ERNST SCHMITZ, A. H. FELLER, B. SCHENK GRAF VON STAUFFENBERG, im Institut für ausländisches öffentliches Recht und Völkerrecht. (Fontes Juris Gentium, edidit VIKTOR BRUNS, Series A, Sectio 1, Tomus 1, Fasciculus 1, pp. 1-112.) Berlin, Carl Heymanns Verlag, 1931. In-8°, XLVI+112 pages doubles.
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[Permanent Court of International Justice, pp. 32, 176, 230, 287, 313, 342, 346, 347.]
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[Voir le chapitre V: La question de Mossoul, pp. 63-91.]
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3355. VERZIJL (J. H. W.), *Het Internationaal Gerechtshof en het minderhedenrecht*. (Weekblad van het Recht, No. 12287, 1931, 4 Juni, pp. 1-2.)
3356. WEHBERG (HANS), *Der deutsch-polnische Schulstreit vor dem Weltgerichtshof*. (Die Friedens-Warte, XXXI. Jahrgang, Heft 5, 1931, Mai, pp. 145-146.)

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D.—GENERAL.

I. OFFICIAL SOURCES.

(See E 2, pp. 301-303; E 3, pp. 283-284; E 4, pp. 364-366; E 5, pp. 330-332; E 6, pp. 394-396.)

3358. *Journal officiel [de la] Société des Nations*. 1930-1931.
[Voir l'Index sous les mots « Cour permanente de Justice internationale ».]
3359. *Official Journal [of the] League of Nations*. 1930-1931.
[See Index under the heading "Permanent Court of International Justice".]
3360. *Société des Nations. Actes de la Onzième Assemblée. Genève, 1930-1931*.
[Voir l'Index sous les mots « Cour permanente de Justice internationale ».]
3361. *League of Nations. Records of the Eleventh Assembly. Geneva, 1930-1931*.
[See Index under the heading "Permanent Court of International Justice".]
3362. *Procès-verbaux des sessions du Conseil de la Société des Nations, 1930-1931*.
[Voir l'Index sous les mots « Cour permanente de Justice internationale ».]
3363. *Minutes of the sessions of the Council of the League of Nations, 1930-1931*.
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3364. *Résumé mensuel des travaux de la Société des Nations, 1930-1931*.
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3365. *Summary (Monthly—) of the League of Nations, 1929-1930*.
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3370. *League of Nations. Eleventh Assembly. Report of the Delegates of the United Kingdom to the Secretary of State for Foreign Affairs*, London, Dec. 31st, 1930. (Miscellaneous No. 4, 1931.) London. H.M. Stationery Office, 1931. In-8°, 62 pages. [See pp. 6-8, 31-34, 39, 56.]
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3372. *League of Nations. Fifty-Ninth Session of the Council. Report by the Rt. Hon. ARTHUR HENDERSON, British Delegate*. (Miscellaneous No. 12, 1930.) London, H.M. Stationery Office, 1930. In-8°, 24 pages. [See pp. 3-5, 23.]
3373. *League of Nations. Sixty-Second Session of the Council. Report of the Rt. Hon. ARTHUR HENDERSON, Delegate of the United Kingdom*. (Miscellaneous No. 9, 1931.) London, H.M. Stationery Office, 1931. In-8°, 10 pages. [See pp. 7-9.]
3374. *Udenrigsministeriets Aarbog 1930 angaaende det af Folkenes Forbund i det forløbne aar udførte arbejde*. København, J. H. Schultz forlag, 1930. In-8°, 271 pages. [See pp. 18-22, 38-40, 152-174, 249-266.]
3375. *Udenrigsministeriets Aarbog 1931 angaaende det af Folkenes Forbund i det forløbne aar udførte arbejde*. København, J. H. Schultz, 1931. In-8°, 319 pages. [See pp. 163-164.]
3376. *Verslag van de elfde Zitting van de Vergadering van den Volkenbond te Genève, 10 Sept.—4 Oct. 1930. Overgelegd door den Minister van Buitenlandsche Zaken aan de beide Kamers van de Staten-Generaal. Nov. 1930.* 's-Gravenhage, Algemeene Landsdrukkerij, 1930. In-f°, 40 pages. [Hoofdstuk VI. Internationale Rechtspraak, pp. 6-7.]

2. MONOGRAPHS ON THE COURT IN GENERAL.

A.—*Complete Works and Pamphlets.*

(See E 2, pp. 303-304; E 3, p. 284; E 4, pp. 366-367; E 5, pp. 332-333; E 6, pp. 396-397.)

3377. *Cour (La) permanente de Justice internationale. Nouvelle édition révisée.* Section d'Information. Secrétariat de la Société des Nations. Genève 1930. In-12°.
[La première édition est de 1923, une édition révisée a paru en 1926.]

3378. *Permanent Court (The) of International Justice. Newly revised edition.* Information Section, League of Nations Secretariat. Geneva, 1930. In-12°.
[The first edition was published in 1923, a revised edition in 1926.]

3379. BUDAY DE CSIKMO (KÁLMÁN), *Az Állando Nemzetközi Bírószág. The Permanent Court of International Justice.* A Budapesti Magyar Királyi Pázmány Péter tudományegyetemen benyújtott jogtudományi doktori értekezés. Budapest, 1930. In-4°, 100 pages.
[(Roneo). Dissertation. In Hungarian.]

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(See E 5, p. 347 ; E 6, p. 410.)

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- Status of Eastern Carelia* (Advisory Opinion No. 5). Acts and Documents relating to the Opinion 2: 451. Text of— 2: 457, 475-491. 6: 2822. Effects of— 2:

- 542-553. Articles on— 2: 653 *et sqq.*, 739.
- Statute*, Preparation of the—by the Council and by the First Assembly of the League of Nations 2: 128-210. 3: 1300-1318. 4: 1867-1871. 7: 3140. Revision of the—(Decision of the IXth Assembly) 5: 2281-2289. 6: 2672-2688, 2690, 2695, 2704, 2706, 2709-2721, 2748, 2750-2763. 7: 3141-3155.
- Statute of the Court*, Text of— 2: 211-230. 3: 1319-1325. 4: 1872-1875. 6: 2689. 7: 3156-3159. See also *Legislative instruments of various countries, Parliamentary Documents and Debates, Laws and Decrees of approval and publication*.
- Supreme Court*, see *United States, Supreme Court*.
- Sweden*, Legislative instruments 2: 393. 3: 1369-1382. 6: 2759-2760. Swedish Draft plan for an International Court 2: 84, 85, 86, 87, 88, 91, 111-112.
- Switzerland*, Legislative instruments 2: 394-404. 6: 2761-2766. Swiss Draft plan for an International Court 2: 89, 90, 91, 111-112. League of Nations, Official Swiss Document 6: 2906.
- Treaty between Belgium and China* (Denunciation of—). Orders 3: 1416. 4: 1934. 5: 2350. 6: 2826. Acts and Documents 6: 2809. Review articles 3: 1429-1431, 1433, 1485-1487. 4: 2020-2021. 5: 2401. 6: 2855.
- Treaty of Lausanne*, see *Frontier between Turkey and Iraq*.
- Treaty of Neuilly*, Article 179, Annex, paragraph 4 (*interpretation*) (Judgment No. 3). Acts and Documents relating to the Judgment 2: 451. Text of— 2: 456, 503-506, 513. 6: 2823. Articles on— 2: 694 *et sqq.*, 739. 5: 2372.
- Treaty of Neuilly* (Judgment No. 4, Interpretation of Judgment No. 3). Acts and Documents relating to the Judgment 2: 451. Text of— 2: 456, 503-506, 511, 513. Articles on— 2: 694 *et sqq.*, 739.
- Tribunal of Appeal*, see *Finland: Proposal of the Government of—*.
- Tunis*, see *Nationality Decrees in Tunis*.
- Union of South Africa*, Legislative instruments, Parliamentary Debates 6: 2691.
- United States of America*, Arbitration Treaties of 1911 2: 9. Bryan Peace Treaties 2: 10, 11. Legislative instruments 2: 270-329. 3: 1345-1354. 4: 1881-1889. 7: 3478.
- United States of America and the Court* 2: 1064-1270. 3: 1365, 1688-1820. 4: 2189-2212. 5: 2555-2646. 6: 2672-2673, 3026-3097. 7: 3478-3520. See *Kellogg Pact*.
- United States of America and the Court*, see also *Legislative instruments of various countries, Parliamentary Documents and Debates, Laws and Decrees of approval and publication*.
- United States Supreme Court* 2: 37, 38, 68, 69, 141.
- Upper Savoy*, see *Free zones of—*.
- Upper Silesia*, see *German interests in Polish Upper Silesia*; see also *Minorities (Rights of—in Upper Silesia)*.
- Uruguay*, Legislative instruments 4: 1892-1896. 7: 3215-3216.
- Various* 2: 1290-1299. 3: 1839-1847. 4: 2254-2259. 5: 2660-2661. 6: 3126-3135. 7: 3526-3536.

- Venezuela*, Legislative documents
3: 1383.
- Versailles*, see *Peace Conference of Versailles*.
- Wilson*, Draft plans of President—
2: 73. **4**: 1860-1861. **5**: 2279-2280.
- "*Wimbledon*" (*The S.S.—*) (Judgment No. 1). Acts and Documents relating to the Judgment **2**: 451. Text of— **2**: 456, 458, 486-491, 497, 498. **6**: 2822. Articles on— **2**: 661 *et seq.*, 739. **3**: 1441-1446. **5**: 2367.
- Workers' delegate*, see *Nomination of*—for the Netherlands at the third Session of the International Labour Conference.
- Works of various kinds containing chapters on the Court* **2**: 870-1063. **3**: 1572-1687. **4**: 2079-2188. **5**: 2466-2554. **6**: 2940-3025. **7**: 3409-3477.
- Works on the Court in general* **2**: 763-780. **3**: 1502-1506. **4**: 2045-2078. **5**: 2432-2436. **6**: 2907-2909. **7**: 3377-3381.
- World Court*, see *Permanent Court*.
- World War*, Draft plans published during the— **2**: 35-71. **4**: 1853-1859. **6**: 2669.
- Year books* **2**: 1055-1063. **3**: 1686-1687. **4**: 2184-2188. **5**: 2551-2554. **6**: 3021-3025. **7**: 3475-3477.

CHAPTER X.

TEXTS GOVERNING THE JURISDICTION
OF THE COURT.

The third edition of the *Collection of Texts governing the jurisdiction of the Court* which appeared on December 15th, 1926, and which contains the extracts affecting the Court taken from all the international instruments which had come to the knowledge of the Registry on that date, has already been supplemented by four addenda. These constitute Chapter X of the Third, Fourth, Fifth and Sixth Annual Reports respectively. The first addendum contains all information on the subject communicated to the Registry or collected by it between December 15th, 1926, and June 15th, 1927; the second covers the period June 15th, 1927, to June 15th, 1928, the third the period June 15th, 1928, to June 15th, 1929, and the fourth the period June 15th, 1929, to June 15th, 1930.

At the end of the first period of nine years since the Court entered upon its duties (corresponding to the term of office of judges elected in 1921), it seemed preferable, instead of publishing in the present Report a fresh addendum—which would have been the fifth—to the *Collection*, to prepare a new edition of this collection, comprising all texts already published with the addition of those which have been communicated to the Registry or have come to its knowledge since June 15th, 1930. This new edition will be issued at the end of 1931. It will be divided into four parts. The first will reproduce the constitutional texts forming the source of the Court's jurisdiction (the relevant articles of the Covenant and Statute, the Resolution of the Council of the League of Nations of May 17th, 1922, etc.). The second will reproduce in full instruments relating to the pacific settlement of disputes in which provision is made for recourse to the Court. The third will set out the relevant extracts from instruments—e.g. treaties of commerce or alliance—containing clauses providing for the decision by

the Court of disputes arising in connection with these actual instruments. The fourth will contain the relevant extracts from instruments conferring on the Court or its President some extra-judicial function such as the appointment of presidents of conciliation commissions, of umpires, etc.

The publication of the new edition of the *Collection* would seem to render superfluous the inclusion in Chapter X of the present Report of instruments affecting the Court's jurisdiction which have come to the knowledge of the Registry between June 15th, 1930, and June 15th, 1931. Hereinafter however will be found a list, corrected up to the latter date, of States which have signed and ratified the Protocol of Signature of the Court's Statute and the Optional Clause, as also the text of declarations accepting the Optional Clause affixed since the last Annual Report.

PROTOCOL OF SIGNATURE OF THE STATUTE OF THE COURT
AND OPTIONAL CLAUSE.

List of signatories and ratifications.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE ¹ . | |
|-----------------------|------------------------|--------------------|--|--|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any ²). |
| Union of South Africa | Aug. 4th, 1921 | Sept. 19th, 1929 | Ratification. Reciprocity. 10 years and thereafter until notice of termination is given. For all disputes arising after ratification with regard to situations or facts subsequent to ratification, except: —disputes in regard to which the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement; —disputes between Members of the League of Nations who are also Members of the British Commonwealth of Nations; | April 7th, 1930 |

¹ Sometimes the date of the signature of the Optional Clause does not appear in the declaration. In such cases, the list gives in brackets an approximate indication based on the date on which the declaration was first published in an official document of the League of Nations; this document is then referred to in a note.

² Ratification is not in fact required under the terms of the Optional Clause.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|----------------------------------|------------------------|--------------------|--|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Union of South Africa (cont.) | | | <p>—disputes with regard to questions which by international law fall exclusively within the jurisdiction of South Africa.</p> <p>The right is reserved in respect of any disputes considered by the Council to suspend judicial proceedings under certain conditions.</p> | |
| Albania | July 13th, 1921 | Sept. 17th, 1930 | <p>Ratification. Reciprocity.</p> <p>5 years (as from the date of the deposit of the instrument of ratification).</p> <p>For all disputes arising after ratification with regard to situations or facts subsequent to ratification.</p> <p>Except the disputes (a) relating to the territorial status of Albania ;</p> <p>(b) with regard to questions which by international law fall exclusively within the jurisdiction of Albania;</p> <p>(c) relating directly or indirectly to the application of treaties providing for another method of pacific settlement.</p> | Sept. 17th, 1930 |
| America (United States, of—) | | | | |

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|-------------------|------------------------|--|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Australia | Aug. 4th, 1921 | Sept. 20th, 1929 | (See, mutatis mutandis, the conditions stipulated by the Union of South Africa.) | Aug. 18th, 1930 |
| Austria | July 23rd, 1921 | March 14th, 1922 <i>Renewed on</i> Jan. 12th, 1927 | Reciprocity. 5 years. Ratification. Reciprocity. 10 years (from the date of the deposit of the instrument of ratification). | March 13th, 1927 |
| Belgium | Aug. 29th, 1921 | Sept. 25th, 1925 | Ratification. Reciprocity. 15 years. For any dispute arising after ratification with regard to situations or facts subsequent to such ratification. Except in cases where the Parties may have agreed or may agree to have recourse to some other method of pacific settlement. | March 10th, 1926 |
| Bolivia Brazil | Nov. 1st, 1921 | Nov. 1st, 1921 ¹ | Reciprocity. 5 years. On condition that compulsory jurisdiction is accepted by at least two of the Powers permanently represented on the Council | |

¹ Brazil's declaration is contained in the deed of ratification of the Protocol of Signature of the Statute (deposited on November 1st, 1921).

| States. | PROTOCOL OF SIGNATURE. | OPTIONAL CLAUSE. | | |
|-------------------|------------------------|--|--|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Brazil (cont.) | | | of the League of Nations ¹ . | |
| Bulgaria | Aug. 12th, 1921 | (1921) ² | Reciprocity. | Aug. 12th, 1921 |
| Canada | Aug. 4th, 1921 | Sept. 20th, 1929 | (See, mutatis mutandis, the conditions stipulated by the Union of South Africa.) | July 28th, 1930 |
| Chile | July 20th, 1928 | | | |
| China | May 13th, 1922 | May 13th, 1922 | Reciprocity. 5 years. | |
| Colombia | | (Before January 28th, 1921) ³ | Reciprocity. | |
| Costa Rica | | | | |
| Cuba | Jan. 12th, 1922 | | | |
| Czechoslovakia | Sept. 2nd, 1921 | Sept. 19th, 1929 | Ratification. Reciprocity. 10 years (as from the date of deposit of the instrument of ratification). For all disputes arising after ratification with regard to situations or facts subsequent to ratification. | |

¹ Germany and Great Britain—Powers permanently represented on the Council of the League of Nations—are now bound by the Clause, the first since February 29th, 1928, and the second since February 5th, 1930.

² Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

³ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

Costa Rica, on December 24th, 1924, informed the Secretary-General of her decision to withdraw from the League of Nations, this decision to take effect as from January 1st, 1927. Before that date, Costa Rica had not ratified the Protocol of Signature of the Statute; moreover, Costa Rica is not mentioned in the Annex to the Covenant of the League of Nations. This would seem to point to the conclusion that Costa Rica's obligations resulting from her signature of the Protocol of December 16th, 1920, and of the Optional Clause have lapsed.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|------------------------|------------------------|---|--|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Czechoslovakia (cont.) | | | Except in cases where the Parties have agreed or shall agree to have recourse to some other method of pacific settlement. Subject to the right of either Party to a dispute to submit it, before any recourse to the Court, to the Council of the League of Nations. | |
| Denmark | June 13th, 1921 | (Before January 28th, 1921) ¹ <i>Renewed on</i> Dec. 11th, 1925 | Ratification. Reciprocity. 5 years. | June 13th, 1921 March 28th, 1926 |
| Dominican Republic | | Sept. 30th, 1924 | Ratification. Reciprocity. | |
| Esthonia | May 2nd, 1923 | May 2nd, 1923 ² <i>Renewed on</i> June 25th, 1928 ³ | Reciprocity. 5 years. For any future dispute in regard to which the Parties have not agreed to have recourse to some other method of pacific settlement. | |
| | | | Extension for a period of 10 years as from May 2nd, 1928. | |

¹ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

² Esthonia's declaration is contained in the deed of ratification of the Protocol of Signature of the Statute (deposited on May 2nd, 1923).

³ Date of the letter by which the Minister for Foreign Affairs of the Esthonian Government informed the Secretary-General of the League of Nations of the extension of the period for which that Government was bound.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|----------|------------------------|---|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Ethiopia | July 16th, 1926 | July 12th, 1926 | Reciprocity. 5 years. Future disputes in regard to which the Parties may have agreed to have recourse to some other method of pacific settlement are excepted. | July 16th, 1926 |
| Finland | April 6th, 1922 | (1921) ¹ <i>Renewed on</i> March 3rd, 1927 | Ratification. Reciprocity. 5 years. Reciprocity. 10 years (as from April 6th, 1927). | April 6th, 1922 |
| France | Aug. 7th, 1921 | Sept. 19th, 1929 ² | Ratification. Reciprocity. 5 years. For all disputes arising after ratification with regard to situations or facts subsequent to ratification; And which cannot be settled by a procedure of conciliation or by the Council according to the terms of Article 15, paragraph 6, of the Covenant. Except cases in which the Parties have agreed or shall agree to have recourse to | April 25th, 1931 |

¹ Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

² This declaration replaces the declaration made on behalf of the French Government on October 2nd, 1924, which was subject to ratification but had not been ratified.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|----------------|------------------------|--------------------|--|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| France (cont.) | | | some other method of arbitral settlement. | |
| Germany | March 11th, 1927 | Sept. 23rd, 1927 | Ratification. Reciprocity. 5 years. For any future dispute arising after ratification regarding situations or facts subsequent to ratification, except in cases where the Parties may have agreed or may agree to have recourse to another method of pacific settlement. | Feb. 29th, 1928 |
| Great Britain | Aug. 4th, 1921 | Sept. 19th, 1929 | (See, mutatis mutandis, the conditions stipulated by the Union of South Africa.) | Feb. 5th, 1930 |
| Greece | Oct. 3rd, 1921 | Sept. 12th, 1929 | Reciprocity. 5 years. For all categories of disputes enumerated in Article 36 of the Statute, except: (a) disputes relating to the territorial status of Greece, including those concerning its rights of sovereignty over its ports and lines of communication; (b) disputes relating directly or indirectly to the ap- | |

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|-------------------------------|--------------------------|---------------------|--|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Greece (<i>cont.</i>) | | | plication of treaties or conventions accepted by Greece and providing for another procedure. | |
| Guatemala | | Dec. 17th, 1926 | Ratification. Reciprocity. | |
| Haiti | Sept. 7th, 1921 | (1921) ¹ | (Without conditions.) | |
| Hungary | Nov. 20th, 1925 | Sept. 14th, 1928 | Ratification. Reciprocity. 5 years (from the date of the deposit of the instrument of ratification). | Aug. 13th, 1929 |
| India | Aug. 4th, 1921 | Sept. 19th, 1929 | (<i>See, mutatis mutandis, the conditions stipulated by the Union of South Africa.</i>) | Feb. 5th, 1930 |
| Irish Free State ² | (Before Aug. 27th, 1926) | Sept. 14th, 1929 | Ratification. Reciprocity. 20 years. | July 11th, 1930 |

¹ Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

² In his circular letter No. 105, the Secretary-General of the League of Nations informed the governments of Members of the League that the Minister for Foreign Affairs of the Irish Free State had informed him by a letter dated August 21st, 1926, that the Irish Free State should be included amongst the Members of the League which had ratified the Protocol of Signature.

On October 12th, 1926, the Secretary-General informed the Registrar of the Court that the letter of August 21st above mentioned had been handed to him on August 26th by the representative of the Irish Free State accredited to the League of Nations, and that, since that date, the Irish Free State has been included on the Secretariat's list as bound by the Protocol of the Court.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|---------|------------------------|-------------------------------|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Italy | June 20th, 1921 | Sept. 9th, 1929 | Ratification. Reciprocity. 5 years. Subject to any other method of settlement provided by a special convention. In cases where a solution by means of diplomacy or by the action of the Council of the League of Nations is not attained. | |
| Japan | Nov. 16th, 1921 | | | |
| Latvia | Feb. 12th, 1924 | Sept. 10th, 1929 ¹ | Ratification. Reciprocity. 5 years. For all disputes arising after ratification of this declaration in regard to situations or facts subsequent to ratification. Except in cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement. | Feb. 26th, 1930 |
| Liberia | | (1921) ² | Ratification. Reciprocity. | |

¹ This declaration replaces the declaration made on behalf of the Latvian Government on September 11th, 1923, which was subject to ratification but had not been ratified.

² Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|------------------------|------------------------|---------------------------------------|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Netherlands (cont.) | | | Statute, to have recourse to some other method of pacific settlement. | |
| New Zealand | Aug. 4th, 1921 | Sept. 19th, 1929 | (See, mutatis mutandis, the conditions stipulated by the Union of South Africa.) | March 29th, 1930 |
| Nicaragua | | Sept. 24th, 1929 | (Unconditionally.) | |
| Norway | Aug. 20th, 1921 | Sept. 6th, 1921 | Ratification. Reciprocity. 5 years. | Oct. 3rd, 1921 |
| | | <i>Renewed on</i> Sept. 22nd, 1926 | Reciprocity. 10 years (from Oct. 3rd, 1926). | |
| Panama | June 14th, 1929 | Oct. 25th, 1921 | Reciprocity. | June 14th, 1929 |
| Paraguay | April 25th, 1931 | Oct. 2nd, 1930 | Ratification. Reciprocity. 6 years (and after expiration of that period, until notification of abrogation). | |
| Persia | | | For all disputes arising after ratification with regard to situations or facts relating directly or indirectly to the application of treaties accepted by Persia and subsequent to the ratification. With the exception of: (a) disputes relating to the territorial status of Persia, including those concerning the | |

PROTOCOL OF SIGNATURE

| States. | PROTOCOL OF SIGNATURE. | OPTIONAL CLAUSE. | | |
|-------------------------|------------------------|--------------------|--|--|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Persia (<i>cont.</i>) | | | <p>rights of sovereignty of Persia over its islands and ports;</p> <p>(b) disputes in regard to which the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement;</p> <p>(c) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of Persia. Subject to Persia's right to demand the suspension of proceedings before the Court in regard to any dispute referred to the Council of the League of Nations.</p> | |
| Peru | | Sept. 19th, 1929 | <p>Ratification. Reciprocity. 10 years (as from date of ratification).</p> <p>For all disputes arising with regard to situations or facts subsequent to ratification.</p> <p>Except in cases where the Parties may have agreed either to have recourse to some other method of settlement by arbitration or to</p> | |

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|-----------------------|------------------------|--------------------|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Peru (<i>cont.</i>) | | | submit the dispute previously to the Council of the League of Nations. | |
| Poland | Aug. 26th, 1921 | Jan. 24th, 1931 | <p>Ratification. Reciprocity. 5 years.</p> <p>For all disputes arising after the signature with regard to situations or facts subsequent to the signature.</p> <p>Except the cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement.</p> <p>Except the disputes :</p> <ol style="list-style-type: none"> (1) with regard to matters which, by international law, are solely within the domestic jurisdiction of States ; (2) arising between Poland and States which refuse to establish or maintain normal diplomatic relations with Poland ; (3) connected directly or indirectly with the World War or with the Polono-Sovietic War ; (4) resulting directly or indirectly from the provisions of the Treaty of Peace signed at | |

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|-------------------------|------------------------|--|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Poland (<i>cont.</i>) | | | Riga on March 18th, 1921; (5) relating to provisions of internal law connected with points (3) and (4). | |
| Portugal | Oct. 8th, 1921 | (Before January 28th, 1921) ¹ | Reciprocity. | Oct. 8th, 1921 |
| Roumania | Aug. 8th, 1921 | Oct. 8th, 1930 | Ratification. Reciprocity. In respect of the governments recognized by Roumania. 5 years. In regard to legal disputes arising out of situations or facts subsequent to ratification. With exception of the matters for which a special procedure has been or may be established. Subject to the right of Roumania to submit the dispute to the Council of the League of Nations before having recourse to the Court. With the exception of: (a) any question of substance or procedure which might directly or indirectly cause | June 9th, 1931 |

¹ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|------------------------------|------------------------|------------------------------|--|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Roumania (<i>cont.</i>) | | | the existing territorial integrity of Roumania and of her sovereign rights, including her rights over her ports and communications, to be brought into question ; (b) disputes relating to questions which, according to international law, fall under the domestic jurisdiction of Roumania. | |
| Salvador | Aug. 29th, 1930 | Aug. 29th, 1930 ¹ | With the exception of any disputes or differences concerning points or questions which cannot be submitted to arbitration in accordance with the political constitution of Salvador. Except the disputes which arose before the signature. Reciprocity only in regard to States which accept the arbitration in that form. | Aug. 29th, 1930 |
| Siam | Feb. 27th, 1922 | Sept. 20th, 1929 | Ratification. Reciprocity. 10 years. For all disputes as to which no other means of pacific settlement is agreed upon between the Parties. | May 7th, 1930 |

¹ The declaration of Salvador is contained in the deed of ratification of the Protocol of Signature of the Statute (deposited on August 29th, 1930).

| States. | PROTOCOL OF SIGNATURE. | | OPTIONAL CLAUSE. | |
|-------------|------------------------|--|---|---|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification (if any). |
| Spain | Aug. 30th, 1921 | Sept. 21st, 1928 | Reciprocity. 10 years. For any dispute arising after signature with regard to situations or facts subsequent to such signature; except in cases where the Parties may have agreed or may agree to have recourse to some other method of pacific settlement. | |
| Sweden | Feb. 21st, 1921 | Aug. 16th, 1921 <i>Renewed on</i> March 18th, 1926 | Reciprocity. 5 years. Reciprocity. 10 years (as from Aug. 16th, 1926). | |
| Switzerland | July 25th, 1921 | (Before January 28th, 1921) ¹ <i>Renewed on</i> March 1st, 1926 | Ratification. Reciprocity. 5 years. Ratification. Reciprocity. 10 years (as from deposit of instrument of ratification). | July 25th, 1921 July 24th, 1926 |
| Uruguay | Sept. 27th, 1921 | (Before January 28th, 1921) ¹ | Reciprocity. | Sept. 27th, 1921 |
| Venezuela | Dec. 2nd, 1921 | | | |
| Yugoslavia | Aug. 12th, 1921 | May 16th, 1930 | Ratification. In relation to any government recognized by the Kingdom of | Nov. 24th, 1930 |

¹ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

| States. | PROTOCOL OF SIGNATURE. | OPTIONAL CLAUSE. | | |
|------------------------------|------------------------|--------------------|---|--|
| | Date of ratification. | Date of signature. | Conditions. | Date of deposit of ratification <i>(if any)</i> . |
| Yugoslavia <i>(cont.)</i> | | | <p>Yugoslavia and on condition of reciprocity.</p> <p>5 years (as from deposit of instrument of ratification).</p> <p>For all disputes arising after ratification.</p> <p>Except disputes relating to questions which, by international law, fall exclusively within the jurisdiction of the Kingdom of Yugoslavia.</p> <p>And except in cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement.</p> | |

DECLARATIONS OF ACCEPTANCE
OF THE OPTIONAL CLAUSE CONCERNING THE COURT'S
COMPULSORY JURISDICTION

MADE SINCE JUNE 15th, 1930¹.

Salvador.

The deed of ratification of the Protocol of Signature of the Statute deposited at the Secretariat of the League of Nations on August 29th, 1930, by the Government of Salvador, indicates certain reservations with regard to the acceptance of the Optional Clause. These reservations are the following²:

The provisions of this Statute do not apply to any disputes or differences concerning points or questions which cannot be submitted to arbitration in accordance with the political Constitution of this Republic.

The provisions of this Statute also do not apply to disputes which arose before that date or to pecuniary claims made against the nation, it being further understood that Article 36 binds Salvador only in regard to States which accept the arbitration in that form.

Luxemburg³.

⁴ The Government of the Grand-Duchy of Luxemburg recognizes as compulsory, *ipso facto*, and without special agreement, in relation to any other State accepting the same obligation, that is to say on condition of reciprocity, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of its Statute, in any disputes arising after the signature of the present declaration, with regard to situations or facts subsequent to the said signature, except in cases where the Parties have agreed or shall agree to have recourse to another procedure or to another method of pacific settlement. The present declaration is made for a period of five years. Unless

¹ See Sixth Annual Report, pp. 468 *et seq.*, the declarations of acceptance of the following States: Union of South Africa, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, China, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Esthonia, Ethiopia, Finland, France, Germany, Great Britain, Greece, Guatemala, Haiti, Hungary, India, Ireland, Italy, Latvia, Liberia, Lithuania, Luxemburg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Peru, Portugal, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay, Yugoslavia.

² Original text in Spanish; translation by the Secretariat of the League of Nations.

³ See note on p. 456.

⁴ Translation by the Secretariat of the League of Nations.

it is not denounced six months before the expiration of that period, it shall be considered as renewed for a further period of five years and similarly thereafter.

Geneva, September 15th, 1930.

(Signed) BECH.

Albania.

(Deposit of the deed of ratification: September 17th, 1930).

¹ On behalf of the Kingdom of Albania and subject to ratification, I recognize as compulsory *ipso facto* and without special agreement in relation to any other Member of the League of Nations or State accepting the same obligation, that is to say on condition of reciprocity, the Optional Clause provided for by Article 36 of the Statute of the Permanent Court of International Justice, for a period of five years from the date of the deposit of the instrument of ratification, in any of the disputes enumerated in the said article arising after the ratification of the present declaration with regard to situations of facts subsequent to this ratification, other than

(a) disputes relating to the territorial status of Albania ;

(b) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of the Kingdom of Albania ;

(c) disputes relating directly or indirectly to the application of treaties or conventions accepted by the Kingdom of Albania and providing for another method of pacific settlement.

September 17th, 1930.

(Signed) MEDHI FRASHERI.

Persia.

¹ The Imperial Government of Persia recognizes as compulsory *ipso facto* and without special agreement in relation to any other State accepting the same obligation, that is to say on condition of reciprocity, the jurisdiction of the Permanent Court of International Justice, in accordance with Article 36, paragraph 2, of the Statute of the Court, in any disputes arising after the ratification of the present declaration with regard to situations or facts relating directly or indirectly to the application of treaties or conventions accepted by Persia and subsequent to the ratification of this declaration, with the exception of :

(a) disputes relating to the territorial status of Persia, including those concerning the rights of sovereignty of Persia over its islands and ports ;

¹ Translation by the Secretariat of the League of Nations.

(b) disputes in regard to which the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement ;

(c) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of Persia.

However, the Imperial Government of Persia reserves the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to the Council of the League of Nations.

The present declaration is made for a period of six years. At the expiration of that period, it shall continue to bear its full effects until notification is given of its abrogation.

Geneva, October 2nd, 1930.

(Signed) HUSSEIN ALÂ.

Roumania.

(Deposit of the deed of ratification: June 9th, 1931.)

¹The Roumanian Government declares that it accedes to the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice for a period of five years in respect of the governments recognized by Roumania and on condition of reciprocity in regard to legal disputes arising out of situations or facts subsequent to the ratification by the Roumanian Parliament of this accession and with the exception of matters for which a special procedure has been or may be established and subject to the right of Roumania to submit the dispute to the Council of the League of Nations before having recourse to the Court.

The following are, however, excepted :

(a) any question of substance or of procedure which might directly or indirectly cause the existing territorial integrity of Roumania and her sovereign rights, including her rights over her ports and communications, to be brought into question ;

(b) disputes relating to questions which, according to international law, fall under the domestic jurisdiction of Roumania.

Geneva, October 8th, 1930.

(Signed) C. ANTONIADE.

Poland.

¹On behalf of the Republic of Poland, subject to ratification, the undersigned recognizes as compulsory *ipso facto* and without special agreement, in relation to any other Member of the League of Nations or State accepting the same obligation, the jurisdiction of the Permanent Court of International Justice in conformity with Article 36, paragraph 2, of the Statute of the Court, for a period of five years, in any future dispute

¹ Translation by the Secretariat of the League of Nations.

arising after the ratification of the present declaration with regard to situations or facts subsequent to such ratification, except in cases where the Parties have agreed or shall agree to have recourse to another method of peaceful settlement.

The present declaration does not apply to disputes :

(1) with regard to matters which, by international law, are solely within the domestic jurisdiction of States, or

(2) arising between Poland and States which refuse to establish or maintain normal diplomatic relations with Poland, or

(3) connected directly or indirectly with the World War or with the Polono-Sovietic war, or

(4) resulting directly or indirectly from the provisions of the Treaty of Peace signed at Riga, on March 18th, 1921, or

(5) relating to provisions of internal law connected with points (3) and (4).

Geneva, January 24th, 1931.

(Signed) AUG. ZALESKI.

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