

SERIES E.—No. 16

SIXTEENTH REPORT

OF THE

PERMANENT COURT OF INTERNATIONAL JUSTICE

(June 15th, 1939—December 31st, 1945)

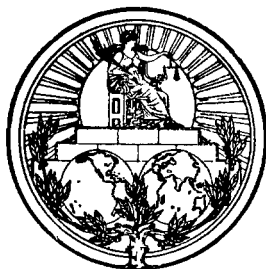
PUBLICATIONS OF THE PERMANENT COURT
OF INTERNATIONAL JUSTICE

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(JUNE 15th, 1939—DECEMBER 31st, 1945)



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INTRODUCTION.

In accordance with the regular practice of the Court, the essential data had been assembled in the spring of 1940 with a view to the publication of the Sixteenth Annual Report, when, at the beginning of the month of May, the Netherlands were invaded by the German armies. The President and the Registrar were obliged to leave The Hague in circumstances which are described hereinafter¹. Subsequently, the economic restrictions necessitated by the war made it impossible to proceed with the publication of the volume.

Now, however, that the new Court provided for by the Charter of the United Nations is about to be constituted—between which and the present Court a bond of continuity is provided by the fact that the Statute of the former is almost identical with that of the latter—it has seemed desirable to assemble in a report covering the period from June 15th, 1939, to December 31st, 1945, all essential facts and data concerning the Court.

A brief account now follows of the irresistible circumstances in which the Court was compelled in 1940 to leave the seat assigned to it by the Statute.

In June 1939, the Court, in view of the deterioration of the international situation, decided to authorize the President, in case of emergency, to take steps which he might consider necessary, including administrative or financial measures.

At the beginning of November, disturbing news led the President and the Registrar to visit the Netherlands Minister for Foreign Affairs in order to inform him that, should the need arise, the members and staff of the Court intended to share the lot of the Netherlands Government and of the neutral diplomatic corps at The Hague.

The Foreign Minister assured the President that, for his part, he would see that all steps were taken as far as possible to protect the members and staff of the Court in any emergency that might arise and to provide the necessary facilities in case it became necessary to move the seat of the Court.

At the session which opened in November 1939, the President informed the Court of the upshot of this conversation and asked his colleagues to state their views as to the measures to be

¹ See below, pp. 9-10.

adopted in case of emergency. The Court came to the conclusion that, if it became necessary to transfer the seat of the Court, it would be preferable to establish it in a neutral country, and also that certain practical measures, more particularly with regard to the archives, should be decided upon beforehand.

In accordance with this decision, the Registrar took steps to place the most important documents in safety. The text of the original minutes was sent to Geneva to be placed in the archives of the League of Nations.

Apart, however, from these practical measures, it was essential to make it clear that, notwithstanding the difficulties of the time, the Court remained fully alive to the fact that its mission was the administration of international justice. Accordingly, before the Court separated, the President, at the opening of the hearing on December 4th, 1939, made the following statement :

“At a time when the members of the Court were absent from its seat owing to the judicial vacation provided for by our Rules, grave events unfortunately occurred in Europe, which have to a greater or less degree disturbed all normal national and international activities.

The Court is powerless to arrest the course of these tragic events, which it deeply deplores. Amidst the present confusion however, there remain problems the settlement of which is the Court's task and the submission of which to the Court's jurisdiction depends only upon the will of States.

Faithful to its mission, the Court intends to provide to the best of its ability for the administration of that international justice of which it is the custodian. To-day's hearing is a proof of this.

The Court is however fully aware of the practical difficulties and special exigencies of the present situation. In this connection it would remind governments of the numerous resources afforded them by its Statute and Rules, whether for the adaptation of the procedure to the special requirements of a particular case or to secure the prompt settlement of disputes.

Even before the full Court, Article 31 of the Rules permits any ‘particular modifications or additions proposed jointly by the parties and considered by the Court to be appropriate to the case and in the circumstances’. This provision *inter alia* affords governments the means to curtail if need be the time-limits in proceedings in so far as may be consistent with a sound administration of justice.

It should also be remembered that the organization of the Court comprises a Chamber for Summary Procedure, consisting of five judges, who will always include judges of the nationality of the parties; this Chamber is able promptly to render decisions fulfilling all the requirements of justice.

In the last resort, recourse to international justice depends on the will of the governments and on their readiness to submit for legal decision all which can and should be preserved from the arbitrament of violence. As for the Court, it means to accomplish to the full the duties incumbent upon it; and it will not weaken in that resolve.”

As the situation continued to give rise to anxiety, the Court endeavoured to obtain information as to the steps contemplated by the legations of the allied countries, in the event of an invasion of the Netherlands by the German forces. One of the ministers approached stated, by authority of his government, that he would be ready to assist in the evacuation of all the personnel of the Court in the event of the Netherlands Government being obliged to leave Dutch territory. At that time, the plan envisaged by the President and the Registrar was to arrange for the evacuation *en bloc* of members of the Court present in The Hague, in order to be able to maintain the institution in being wherever it might find temporary accommodation.

This plan, however, proved impossible to carry out, owing to the sudden invasion of the Netherlands by the German army. On May 13th, H.M. the Queen, the members of the Netherlands Government and the diplomatic representatives of the Allied Powers left The Hague. Efforts made by the officials of the Netherlands Ministry for Foreign Affairs to facilitate the evacuation of the Court came to nothing. The only course remaining open therefore to the officials of the Registry who should have left Netherlands territory before the arrival of the Germans, was to try to do so individually, making their own arrangements. Some succeeded in doing so, others preferred to wait. Acting on information furnished by the legation of a country which was then neutral, an attempt was made to evacuate all officials belonging to countries at war with the Axis; this attempt, however, failed.

As soon as the armistice had been signed (May 15th, 1940), the Registrar devoted his efforts to securing from the German authorities an assurance that those officials of the Court who were nationals of countries at war with the Axis Powers and had remained in The Hague, would not be molested. These authorities, after consulting the Government in Berlin, announced that the German Government had decided to extend to the personnel of the Court the same rights and privileges as had been granted by the Netherlands Government. There could, however, be no doubt that it would be impossible for the Court to continue to exist under the German occupation.

After a consultation between the President and the judges present in The Hague (MM. van Eysinga and Cheng), it was decided to instruct the Registrar again to approach the German Minister in The Hague and to ask him whether his Government would be prepared to facilitate the transfer of the Court to Switzerland. The German Minister, after consulting Berlin, replied that the German military authorities would be prepared to place motor-buses at the Court's disposal for the transport of the personnel as far as Cologne, whence the journey would

be continued by train. In view, however, of the continuous bombardment of the Rhine zone, such a journey was considered too hazardous, since the families of members of the Court's personnel, that is to say, women and children, would also have to make it. It was accordingly decided not to accept the German Government's offer, to remain for the time being in The Hague, and to share the lot of the diplomatic missions there.

At the beginning of July, the heads of missions were notified that all diplomatic privileges would be abolished and that the legations must cease to function as from July 15th. On that date, a special train would convey all the personnel of the legations to Switzerland.

The Registrar having, on the President's instructions, once more got into touch with the official in charge of diplomatic affairs on the staff of the German High Commissioner for Holland in order to ascertain what the position of the Court would be when the above-mentioned measures came into force, received the reply that as from the date of the suppression of the legations, no sort of privilege would be accorded to the Court, whose members and staff would henceforward be treated as private persons. The personnel of the Court could, however, leave The Hague under the same conditions and together with the diplomatic corps.

This offer having been accepted, the members and staff of the Court—including subordinate officials—all expressed a desire to leave for Switzerland, accompanied by their families. Shortly before the time of departure, however, the German authorities refused permission to leave the Netherlands to all persons of Dutch nationality; accordingly, Judge van Eysinga and a number of officials of the Registry¹ were obliged to remain at The Hague.

The President and the Registrar requested Judge van Eysinga to take charge of such matters as could only be dealt with at The Hague.

The Court left on July 16th, 1940, and reached Berne the same evening. On arrival in Switzerland, the President and the Registrar, following negotiations with the Federal authorities, took up their residence in Geneva, and it is there that, during the years which have elapsed since 1940, the President and the Registrar, with the assistance of an extremely reduced staff—comprising three officials only²—have dealt with the Court's administrative business and watched over its interests.

¹ The Accountant-Establishment Officer, the Head of the Documents Service, the Head of the Archives and the messengers.

² The secretaries of the President and the Registrar and the Head of the Short-hand-Typewriting Department.

At The Hague, Jonkheer van Eysinga, assisted by a few Registry officials of Dutch nationality, repeatedly had to defend the rights of the Court against the German occupying authorities.

The management of affairs at the seat of the Court has formed the subject of a report by Jonkheer van Eysinga. It emerges from this report that it would be well to reconsider the question of the so-called diplomatic privileges and immunities of judges and officials of the Court. In this connection, regard should in the first place be had to the fact that these persons are not the representatives of one State accredited to another in the same legal plane, but are officials of the community of States. In the second place, it should be borne in mind that all these persons should enjoy the same guarantees of independence no matter what their nationality may be.

* * *

The following passage concerning the Court occurring in the Supervisory Commission's first report for 1943¹, may here be quoted :

"The Permanent Court of International Justice continues to exist as the chief judicial tribunal of the world, under the provisions of a Statute to which some fifty States are parties. The Court has twelve judges, nine being required for a full quorum; for a meeting of the Chamber for Summary Procedure, five judges constitute a quorum, and some of these may be appointed *ad hoc*. For the time being, the President and Registrar of the Court discharge their duties from Geneva.

Some four or five hundred international instruments are in force, providing for the Court's jurisdiction. Some of these treaties have been recently concluded, among the latest being the Treaty of May 8th, 1942, between the Argentine Republic and Chile.

Sixty cases have come before the Court to date. Whilst no new cases have been submitted during the past year, the Court is available at all times for any case which may be brought before it.

So far as possible, the publications of the Court, which make it one of the best-documented public institutions in the world, are being kept up to date.

The Commission attaches the highest importance to the maintenance of the Court as an essential factor in the machinery for the settlement of international disputes, and it places on record its appreciation of the action of the President of the Court and the judges in keeping their services available during the period of crisis. This has permitted the preservation of the Court as an effective organ to which recourse may be made in any cases which might arise."

¹ Geneva, September 20th, 1943, doc. C. 23. M. 23. 1943. X.

* * *

Judge Hudson, having been delegated by the President of the Court, attended the proceedings of the Committee of Jurists which met in Washington prior to the San Francisco Conference to prepare a draft statute for the new Court. In compliance with an invitation from the Government of the United States of America, the President and the Registrar of the Court went to San Francisco for the United Nations Conference. They and Judge Hudson held themselves at the disposal of the Conference for the purpose of supplying any necessary information regarding the Court and its Statute.

* * *

At the session held in October 1945, the Court dealt with a number of administrative questions. In this connection, mention should be made of two decisions of the Court concerning "steps to be taken to contribute to the preservation of continuity in the domain of international justice"¹, and like-

¹ The text of these decisions, which were transmitted to the Supervisory Commission of the League of Nations, is as follows :

"The Permanent Court of International Justice attaches the greatest importance to the principle of continuity in the administration of international justice. Accordingly, it desires to do everything possible to facilitate the inauguration of the International Court of Justice, which was referred to at the San Francisco Conference as the 'successor' to the present Court.

"Actuated by this motive, the Court has considered what steps should be taken in order that its archives, as well as the library and the furniture of which it has the use and which are either its own property or that of the League of Nations, may, when required, readily be placed at the disposal of the International Court of Justice. To this end it takes the following decisions :

"Decision I.

"1. In view of the arrangements to be concluded between the League of Nations and the United Nations' Organization, all necessary steps will be taken to prepare for the handing over of the Court's archives, so that they may be available for immediate use at any time.

"2. Similar steps will be taken with regard to the movable property—furniture, equipment and books—of which the Court has the use and which are either its own property or that of the League of Nations.

"Decision II.

"1. The Registrar is instructed to prescribe the steps contemplated in decision I and to see that they are carried out.

"2. For this purpose, he is requested to continue to fulfil his present duties until such time as his task can be regarded as completed, when he will receive three months' notice of the termination of his appointment.

"In particular, it will be his duty to continue conversations and negotiations with the various competent authorities as circumstances may require, and, in general, to represent, as he has hitherto done, the interests of the Permanent Court of International Justice in dealings with all national or international authorities."

wise a Resolution with regard to the future of the officials of the Court ¹.

* * *

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, advisory opinions and orders contained in it, 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, opinions and orders, and does not constitute an interpretation thereof.

J. LÓPEZ OLIVÁN,
Registrar.

¹ This resolution, which was transmitted to the Preparatory Commission of the League of Nations and to the Secretary-General of the League of Nations, was in the following terms :

"The Permanent Court of International Justice ;

"In closing its session of October 1945, convened after the signature of the Charter of the United Nations at San Francisco ;

"Addresses its thanks to the officials of the Registry—both those who are still in possession of contracts and those who have been obliged to resign as the result of the war—some of whom have been in the Court's service since its institution ;

"Declares that these officials, of whom a list is appended to this Resolution, have, each in his own sphere, displayed a technical ability which, in combination with their moral qualities—sense of duty, discretion, devotion and spirit of mutual understanding—and the experience which they have acquired over a period of continuous service of nearly twenty years, has made the Registry an instrument equal to every task entrusted to it ;

"Expresses the hope, in the general interest, that the work thus accomplished may be carried on, in such circumstances and under such conditions as may be considered fitting ;

"Decides to transmit the text of this Resolution to the Preparatory Commission of the United Nations for its information and any action which may seem appropriate."

TABLE OF CONTENTS.

	Pages
<i>Introduction</i>	7

CHAPTER I.

THE COURT AND REGISTRY.

I.—THE COURT.

1.—Composition of the Court	21
2.—Precedence, the Presidency and Vice-Presidency	24
List of Judges	24
3.—Biographical notes concerning members of the Court	25
4.—Former judges	25
5.—Deputy-judges	26
6.—Judges <i>ad hoc</i>	26
Judges <i>ad hoc</i> in the cases dealt with	26
7.—List of candidates	27
8.—Special Chambers	32
9.—Assessors	32
10.—Experts	32

II.—THE REGISTRAR.

Present holder of the post	32
Deputy-Registrar	33

III.—THE REGISTRY.

List of Officials	33
The Administrative Tribunal of the L. N.	35

IV.—DIPLOMATIC PRIVILEGES AND IMMUNITIES OF JUDGES AND OFFICIALS OF THE REGISTRY	35
---	----

V.—PREMISES AND LIBRARY.		Pages
Library		35
VI.—POSTAL COMMUNICATIONS, ETC.		35

CHAPTER II.

THE STATUTE AND RULES OF COURT.

I.—The Statute :		
Signatories and ratifications of the Protocol of Signature of 1920		37
The Revision Protocol of 1929, and the entry into force of the revised Statute		37
II.—The Rules of Court		38
III.—Proposed reforms		39

CHAPTER III.

THE COURT'S JURISDICTION.

I.—JURISDICTION IN CONTESTED CASES.

i.—Jurisdiction <i>ratione materiae</i> :		
Under a Special Agreement		43
List of cases submitted by Special Agreement		43
Under a treaty or convention		44
A.—Peace treaties.		45
B.—Protection of minorities		45
C.—Mandates		45
D.—General international agreements		45
E.—Political treaties and others		46
F.—Transit and communications		47
G.—Arbitration and conciliation		47
Under the Optional Clause		48
Text of the Clause		48
List of States having signed, of States bound, etc.		49
Under the Resolution of the Council of the L. N. of May 17th, 1922		50
General Act of 1928		51
Cases submitted by unilateral application		51
List of cases submitted by unilateral application		52
Jurisdiction as a Court of Appeal		54
Interim measures of protection		54

CHAPTER VI.

DECISIONS TAKEN BY THE COURT

IN APPLICATION OF THE STATUTE AND RULES.

(JUNE 15th, 1933—DECEMBER 31st, 1945.)

	Pages
Contents of the Chapter	159

First Part :

SECTION I. Statute : Contentious procedure	161
SECTION II. „ : Advisory procedure	200
SECTION III. Other activities	201

Second Part :

SECTION A. Analytical Index	203
SECTION B. Index of the articles of the <i>Statute</i>	240
SECTION C. Index of the articles of the <i>Rules</i>	244

CHAPTER VII.

THE COURT'S PUBLICATIONS.

Series of publications and catalogues	249
New publications issued	249
German edition	250
Booklet on the Court	250
Table of the Publications (annually and in Series)	251

CHAPTER VIII.

THE COURT'S FINANCES.

1.—RULES FOR FINANCIAL ADMINISTRATION.

A.—Basis and Historical Sketch	253
B.—The Financial Regulations	253
C.—Other Regulations	254
(1) Members of the Court	254
Salaries, allowance and indemnities	255
Special rules	258
(2) The Registrar of the Court	258
Voluntary contributions	258

TABLE OF CONTENTS

19

	Pages
(3) Officials of the Registry	259
Voluntary contributions	259
Temporary allowances	259
D.—Special measures :	
(1) Budgets for 1938 and 1939	259
(2) Budget for 1940	259
(3) " " 1941	260
(4) Budgets for 1942, 1943, 1944 and 1945	263
(5) Budget for 1946	263

2.—ANNUAL ACCOUNTS.

1939.—1. Budget	266
2. Accounts	266
3. Statement of Assets and Liabilities as at December 31st, 1939	268
1940.—1. Budget	270
2. Accounts	271
3. Statement of Assets and Liabilities as at December 31st, 1940	272
1941.—1. Budget	274
2. Accounts	275
3. Statement of Assets and Liabilities as at December 31st, 1941	276
1942.—1. Budget	278
2. Accounts	279
3. Statement of Assets and Liabilities as at December 31st, 1942	280
1943.—1. Budget	282
2. Accounts	283
3. Statement of Assets and Liabilities as at December 31st, 1943	284
1944.—1. Budget	286
2. Accounts	287
3. Statement of Assets and Liabilities as at December 31st, 1944	288
1945.—Budget	290
1946.— " 	291

CHAPTER IX.

BIBLIOGRAPHICAL LIST OF PUBLICATIONS
CONCERNING THE COURT.

(The table of contents of Chapter IX is to be found on pp. 294-296.)

CHAPTER X.

NINTH ADDENDUM TO THE FOURTH EDITION
OF THE COLLECTION OF TEXTS
GOVERNING THE JURISDICTION OF THE COURT.

	Pages
Contents of the Chapter	329
Section I.	
<i>Modifications and additions affecting the texts given in the fourth edition of the Collection and in the first to eighth addenda</i>	331
List of States having signed the Optional Clause.	345
Section II.	
<i>Instruments governing the jurisdiction of the Court which have come to the knowledge of the Registry since June 15th, 1939</i>	385
FIRST PART.—Constitutional texts determining the jurisdiction of the Court. (<i>No new instruments.</i>)	
SECOND PART.—Instruments for the pacific settlement of disputes and concerning the jurisdiction of the Court :	
<i>Section A</i> : Collective Instruments. (<i>No new instruments.</i>)	
<i>Section B</i> : Other Instruments	386
THIRD PART.—Various Instruments providing for the jurisdiction of the Court :	
<i>Section A</i> : Collective Instruments	396
<i>Section B</i> : Other Instruments	400
FOURTH PART.—Instruments conferring upon the Court or its President an extrajudicial function :	
<i>Section A</i> : Appointment by the Court. (<i>No new instruments.</i>)	
<i>Section B</i> : Appointment by the President (Vice-President or oldest Judge)	408
Table in chronological order of instruments in force, or signed only, governing the Court's jurisdiction	414

CHAPTER I.

THE COURT AND REGISTRY.

I.—THE COURT.

(I) COMPOSITION OF THE COURT.

The term of office of the judges elected in September 1930 (new election of the whole Court), or at by-elections held since that date, should have expired on December 31st, 1939. A new election of the whole Court was to have been held during the ordinary session of the Assembly and of the Council of the League of Nations in September 1939. In preparation for this election, the Secretary-General of the League of Nations, on February 17th, 1939, had sent the usual communications to the governments of Members of the League of Nations and the governments of States which, though not Members, are parties to the Court's Statute¹. On December 7th, 1939, he communicated to the Assembly and Council of the League of Nations, in accordance with Article 7 of the Statute, a list of persons nominated by the national groups².

New election
of Court not
held.

Neither the Assembly nor the Council however met in September 1939, but they were respectively convened for December 11th and 9th, 1939, in connection with an appeal from the Government of Finland.

The Assembly's agenda, circulated in September, had included the election of the members of the Permanent Court of International Justice. When the Assembly met in December, its General Committee proposed an agenda which did not include

¹ See E 15, pp. 15-16.

² See *League of Nations*, doc. A. 27. 1939. V, and A. 27 (a). 1939. V. The persons thus nominated are included in the list given below (pp. 28-32). In letters addressed to the Secretary-General on September 7th and 9th, 1939, the Egyptian and Iraqi Governments, in agreement with the Turkish and Iranian Governments, drew the attention of States Members of the League of Nations to Article 9 of the Statute, which is concerned with the representation in the Court of the main forms of civilization and the principal legal systems of the world, and went on to state that the "Moslem members of the League form a group whose importance cannot fail to be taken into consideration for the purpose of the composition of the Court" (see *League of Nations*, doc. A. 30. 1939. V).

this question. According to a statement made by the President of the Assembly: "In view of the present circumstances, the General Committee thinks it would be advisable not to proceed during the present session with the renewal of the membership of the Permanent Court of International Justice. According to the Statute of the Court (Art. 13, para. 3), the present judges continue to discharge their duties if their places have not been filled¹." The provision in the Statute referred to in this statement is as follows: "They [the members of the Court] shall continue to discharge their duties until their places have been filled."

The proposal of the General Committee was approved by the Assembly on December 11th, 1939¹. The Secretary-General of the League of Nations communicated the decision the same day to the President of the Court.

The Council of the League of Nations tacitly adopted the same attitude as the Assembly².

Death of
Count Rost-
worowski.

On March 24th, 1940, Count Michel Rostworowski, a member of the Court, died at Gromnik, near Tarnow.

In order to fill the vacancy thus created, the Secretary-General of the League of Nations, on May 10th, 1940, pursuant to Articles 14 and 15 of the Statute, and "without prejudice to the action which the Council and Assembly may take in regard to the election itself", despatched the customary communications concerning the nomination of candidates by the "national groups"³. The Governments of the Union of South Africa, Colombia, the Dominican Republic, Ecuador, Egypt, the United States of America, Finland, Guatemala, Iraq, Ireland, Latvia, Mexico, Roumania, Salvador, Siam, Sweden, Switzerland and Uruguay responded to the invitation, and five candidates⁴ were thus nominated.

Resignation
of MM. Urru-
tia, Nagaoka
and Froma-
geot.

By a letter addressed on November 17th, 1941, to the President of the Court, M. F. J. Urrutia (Colombia), member of the Court, announced his resignation on the ground of his advanced age and the unsatisfactory state of his health. In accordance with Article 13, paragraph 4, of the Statute, his resignation became effective on January 9th, 1942.

¹ See *Records of the 20th Ordinary Session of the Assembly of the League of Nations*, Plenary Meetings, p. 6.

² The question of the elections was included in the agenda for the 106th Session of the Council, which was held on December 9th, 1939, on the eve of the meeting of the Assembly. It was enumerated by the Secretary-General among those which would "entail decisions by the Council ... in private session". On the other hand, it no longer figured on the agenda for the 107th Session of the Council, which was held on December 14th, 1939, after the above-mentioned decision of the Assembly. See *League of Nations, Official Journal*, 1939, pp. 494, 500 *et seq.*

³ See *League of Nations*, doc. C. L. 63 and 63 (a). 1940. V.

⁴ They are included in the list given below, pp. 28 *et seq.*

By a letter addressed to the President of the Court, M. H. Nagaoka (Japan), member of the Court, announced his resignation, which became effective on January 15th, 1942.

By a letter addressed on May 30th, 1945, to the President of the Court, M. H. Fromageot (France), member of the Court, announced his resignation on the ground of his age and the state of his health. His resignation became effective on June 8th, 1945.

In connection with the first two of these resignations, the question arose whether the procedure for the purpose of filling the vacancies thus created should be set in motion.

In a communication dated March 20th, 1942, addressed to the Supervisory Commission of the League of Nations, the Acting Secretary-General explained as follows his reasons for refraining, temporarily, from taking any action in this connection¹:

“(1) The judges of the Court are elected by the Assembly and the Council of the League of Nations.

It must be remembered that this method of election is prescribed in the Statute of the Court. That Statute was, however, formally set up not by a resolution of the Assembly but by an international treaty, viz.: the Protocol of Signature relating to the Statute of the Court, dated December 16th, 1920.

In consequence, it is practically impossible to decide to appoint judges by means of any procedure other than that prescribed in the Statute. For that purpose, a decision by the Supervisory Commission would not be sufficient. The Supervisory Commission might nevertheless propose to States parties to the Statute of the Court a new procedure for the appointment of judges at the present time. In practice, however, there could be no question of this.

The only procedure applicable would therefore be that of appointment by the Assembly and the Council of the League of Nations. In present circumstances, however, it is impossible to arrange meetings of the Assembly and the Council. Consequently, it is impossible to appoint new judges.

(2) Even if it were possible to appoint two judges to take the places of the judges who have resigned, it would, for several reasons, not be expedient to do so.

In the first place, the two new judges would have to be paid the reduced salary that is paid to members of the Court, and this would be an unnecessary expense. Such an arrangement would offer little attraction for candidates possessing the requisite qualifications.

In 1940, when a vacancy occurred owing to the death of Count Rostworowski, the Secretary-General invited the national groups to nominate candidates for the purpose of filling the vacancy. Only two candidates were nominated², however, and the election was not held.

In the second place, it is very unlikely that the Court will be called upon to hold a full meeting during the present crisis—*i.e.*,

¹ See *League of Nations*, doc. C. L. 11. 1942. X, Annex II, p. 13.

² See p. 22.

during the time when very great difficulties would be encountered whether in the election of new judges or in the re-election of the whole of the Court.

It may, further, be pointed out that, if it became necessary for the Court to meet, the fact that places were vacant as a result of the resignations of M. Urrutia and M. Nagaoka would not necessarily constitute an obstacle to the meeting of the Court. Normally, the membership of the Court consists of fifteen judges. At present, twelve judges remain in office. Article 25 provides that a quorum of nine judges shall suffice to constitute the Court. In present circumstances, it would, no doubt, be very difficult to bring together all the judges in office. The Chamber for Summary Procedure could, however, be convened at any time.

In conclusion, it seems that no purpose would be served by setting in motion any procedure for a partial election. Such a procedure, indeed, could lead to no practical result, and even if it could lead to a result, it would not be expedient. Furthermore, such a procedure would not serve any real purpose.

The Supervisory Commission is requested to give its opinion on this question and to state whether the Acting Secretary-General should continue to refrain from setting in motion the procedure that would be necessary for the purpose of filling the vacancies created by the resignations of the two judges."

The Supervisory Commission took note of this communication at its 90th Session, held in Montreal in August 1942¹.

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

On November 25th, 1936, M. J. Gustavo Guerrero was elected President of the Court, and Sir Cecil J. B. Hurst Vice-President of the Court. They entered upon their duties on January 1st, 1937, and their term of office was due to expire on December 31st, 1939.

In virtue of a decision of the Court dated November 30th, 1939², the principle to the effect that members of the Court continue to discharge their duties until their places have been filled, is applicable to the President and the Vice-President of the Court. The term of office of M. Guerrero as President, and of Sir Cecil Hurst as Vice-President, has accordingly been regarded as extended as from January 1st, 1940, for so long as the members of the Court may continue in office after the expiration of the term for which they were appointed in 1930.

Composition of the Court. The list of members of the Court in order of precedence is as follows :

M. Guerrero, <i>President</i>	Salvador
Sir Cecil Hurst, <i>Vice-President</i>	Great Britain
MM. de Bustamante	Cuba
Altamira	Spain

¹ See *League of Nations*, doc. C. L. II. 1942. X, Annex II, p. 3.

² ,, pp. 161-162.

MM. Anzilotti	Italy
Negulesco	Roumania
Jonkheer van Eysinga	Netherlands
MM. Cheng Tien-Hsi	China
Hudson	U.S. of America
De Visscher	Belgium
Erich	Finland
(four seats vacant) ¹ .	

(3) BIOGRAPHICAL NOTES CONCERNING MEMBERS OF THE COURT.

Biographical notes concerning M. Guerrero, Sir Cecil Hurst, MM. de Bustamante, Altamira, Anzilotti, Negulesco and Jonkheer van Eysinga will be found in the Seventh Annual Report (pp. 22-36). Biographical notes concerning MM. Cheng and Hudson, elected in October 1936, and M. Ch. De Visscher, elected in May 1937, will be found in the Thirteenth Annual Report (pp. 23-26). A biographical note concerning M. Erich, elected in September 1938, will be found in the Fifteenth Annual Report (pp. 17-18).

(4) FORMER JUDGES.

In addition to the present members of the Court, the following have been elected judges :

- ADATCI, Minéitciro (Japan) (elected 25 IX 30 ; died 28 XII 34).
 BARBOSA, Ruy (Brazil) (elected 16 IX 21 ; died 1 III 23).
 FINLAY, Robert Bannatyne, Viscount (Great Britain) (elected 16 IX 21 ; died 9 III 29).
 FROMAGEOT, Henri (France) (elected 19 IX 29 ; re-elected in 1930 ; resigned 8 VI 45).
 HAMMARSKJÖLD, Åke (Sweden) (elected 8 X 36 ; died 7 VII 37).
 HUBER, Max (Switzerland) (elected 6 IX 21 ; term of office expired 31 XII 30).
 HUGHES, Charles Evans (U.S. of America) (elected 8 IX 28 ; resigned 15 II 30).
 KELLOGG, Frank B. (U.S. of America) (elected 17 IX 30 ; resigned 9 IX 35).
 LODER, B. C. J. (Netherlands) (elected 16 IX 21 ; term of office expired 31 XII 30).
 MOORE, John Bassett (U.S. of America) (elected 16 IX 21 ; resigned 11 IV 28).
 NAGAOKA, Harukazu (Japan) (elected 14 IX 35 ; resigned 15 I 42).
 NYHOLM, Didrik Galtrup Gjedde (Denmark) (elected 16 IX 21 ; term of office expired 31 XII 30).
 ODA, Yorozu (Japan) (elected 16 IX 21 ; term of office expired 31 XII 30).
 PESSÔA, Epitacio da Silva (Brazil) (elected 10 IX 23 ; term of office expired 31 XII 30).

¹ See pp. 22-23.

- ROLIN-JAEQUEMYS (Le baron) (Belgium) (elected 25 IX 30 ; died II VII 36).
 ROSTWOROWSKI, Michel (Le comte) (Poland) (elected 25 IX 30 ; died 24 III 40).
 SCHÜCKING, Walther (Germany) (elected 25 IX 30 ; died 25 VIII 35).
 URRUTIA, Francisco José (Colombia) (elected 25 IX 30 ; resigned 9 I 42).
 WANG CHUNG-HUI (China) (elected 25 IX 30 ; resigned 15 I 36).
 WEISS, André (France) (elected 16 IX 21 ; died 31 VIII 28).

(5) DEPUTY-JUDGES.

The following persons have been elected deputy-judges :

- BEICHMANN, Frederik Waldemar, N. (Norway) (elected 16 IX 21 ; term of office expired 31 XII 30).
 CAEIRO DA MATTA, José (Portugal) (elected 25 IX 30 ; term of office terminated I II 36¹).
 ERICH, Rafael (Finland) (elected 25 IX 30 ; term of office terminated I II 36¹).
 NEGULESCO, Demètre (Roumania) (elected 16 IX 21 ; term of office expired 31 XII 30).
 NOVACOVITCH, Miléta (Yugoslavia) (elected 25 IX 30 ; term of office terminated I II 36¹).
 REDLICH, Joseph (Austria) (elected 25 IX 30 ; term of office terminated I II 36¹).
 WANG CHUNG-HUI (China) (elected 16 IX 21 ; term of office expired 31 XII 30).
 YOVANOVITCH, Michel (Yugoslavia) (elected 16 IX 21 ; term of office expired 31 XII 30).

(6) JUDGES "AD HOC".

The following persons have been nominated as judges *ad hoc* :

- BRUNS, Victor (Germany) (*Jurisdiction of the Courts of Danzig*, Gen. list No. 29 ; *Polish war vessels at Danzig*, Gen. list No. 44 ; *Polish nationals at Danzig*, Gen. list No. 42).
 CALOYANNI, Mégalos (Greece) (*Mavrommatis*, Gen. list Nos. 10 and 12 ; *Readaptation of Mavrommatis concessions*, Gen. list Nos. 27 and 28 ; *Greco-Bulgarian communities*, Gen. list No. 37 ; *Caphandaris-Molloff Agreement*, Gen. list No. 45).
 DREYFUS, Eugène (France) (*Free Zones*, Gen. list No. 32).
 EHRLICH, Ludovik (Poland) (*Chorzów factory*, Gen. list Nos. 25 and 26 ; *Jurisdiction of the Courts of Danzig*, Gen. list No. 29).
 FEÏZI-DAÏM BEY (Turkey) ("*Lotus*" case, Gen. list No. 24).
 FROMAGEOT, Henri (France) (*Serbian loans*, Gen. list No. 34 ; *Brazilian loans*, Gen. list No. 33).
 HERMANN-OTAVSKÝ, Karel (Czechoslovakia) (*Peter Pázmány University case*, Gen. list No. 58).

¹ The entry into force of the revised Statute on this date brought to an end the functions of the deputy-judges.

- HUBER, Max (Switzerland) (*Losinger & Co.*, Gen. list Nos. 64 and 67).
- NOVACOVITCH, Miléta (Yugoslavia) (*Serbian loans*, Gen. list No. 34).
- PAPAZOFF, Théohar (Bulgaria) (*Electricity Co. of Sofia and Bulgaria*, Gen. list Nos. 75 and 78; *Greco-Bulgarian communities*, Gen. list No. 37; *Caphandaris-Molloff Agreement*, Gen. list No. 45).
- RABEL, Ernst (Germany) (*German interests in Upper Silesia*, Gen. list Nos. 18, 18 bis and 19; *Chorzów factory*, Gen. list Nos. 25 and 26).
- RÖMER'IS, Michel (Lithuania) (*Statute of Memel*, Gen. list Nos. 47 and 50; *Panevezys-Saldutiskis railway*, Gen. list Nos. 74 and 76).
- ROSTWOROWSKI, Michel (Le Comte) (Poland) (*German interests in Upper Silesia*, Gen. list Nos. 18, 18 bis and 19; *Minorities in Upper Silesia*, Gen. list No. 31; *Commission of the Oder*, Gen. list No. 36).
- SCHÜCKING, Walther (Germany) (*S.S "Wimbledon"*, Gen. list No. 5; *Minorities in Upper Silesia*, Gen. list No. 31).
- SÉFÉRIADÈS, Stélio (Greece) (*Lighthouses' case between France and Greece*, Gen. list No. 59; *Lighthouses in Crete and Samos*, Gen. list No. 70).
- STAŠINSKAS, Vladas (Lithuania) (*Railway traffic between Lithuania and Poland*, Gen. list No. 39).
- STRANDMAN, Otto (Estonia) (*Panevezys-Saldutiskis railway*, Gen. list Nos. 74 and 76).
- TÉNÉKIDÈS, Cyriaque Georges (Greece) (*Société commerciale de Belgique*, Gen. list No. 77).
- TOMCSÁNYI, G. Paul de (Hungary) (*Peter Pázmány University case*, Gen. list No. 58; *Pajzs, Csáky, Esterházy case*, Gen. list Nos. 65 and 66).
- DE VISSCHER, Charles (Belgium) (*Diversion of water from the Meuse*, Gen. list No. 69; *Borchgrave case*, Gen. list Nos. 72 and 73).
- VOGT, Paul-Benjamin (Norway) (*Eastern Greenland case*, Gen. list No. 43; *South-eastern Greenland case*, Gen. list No. 52).
- ZAHLE, Herluf (Denmark) (*Eastern Greenland case*, Gen. list No. 43; *South-eastern Greenland case*, Gen. list No. 52).
- ZORIČIĆ, Milovan (Yugoslavia) (*Losinger & Co. case*, Gen. list Nos. 64 and 67; *Pajzs, Csáky, Esterházy*, Gen. list Nos. 65 and 66).

(7) CANDIDATES FOR ELECTION TO THE COURT.

In addition to the present members of the Court and the above-mentioned judges and deputy-judges, the persons enumerated below have been nominated in accordance with Articles 4 and 5 of the Statute on one or more of the following occasions :

- 1921 Election of members of the Court
 1923 Replacement of M. Barbosa, deceased
 1928 Replacement of Mr. Moore, resigned

- 1929 Replacement of M. André Weiss and Lord Finlay, deceased
 1930 Replacement of Mr. Charles Evans Hughes, resigned, and new election of the whole Court
 1935 Replacement of M. Adatci, deceased
 1936 Replacement of M. Schücking, deceased, Mr. Kellogg, resigned, and Mr. Wang Chung-Hui, resigned
 1937 Replacement of Baron Rolin-Jaequemyns, deceased
 1938 Replacement of M. Hammarskjöld, deceased
 1939 Preparatory measures taken in view of the new election of the whole Court
 1940 Measures taken with a view to the replacement of Count Rostworowski, deceased:

ACCIOLY, Hildebrando	Brazil
ADOR, Gustave	Switzerland
AGUADO, Enoc	Nicaragua
AHMED, Sir Saiyid Sultan	India
AIYAR, Sir P. S. Sivaswami	India
ALFARO, F. A. Guzman	Venezuela
ALFARO, Ricardo J.	Panama
ALVAREZ, Alexandre	Chile
AMEER ALI, Saiyid	India
ANDRÉ, Paul	France
ANGLIN, Franck A.	Canada
ARENDE, Ernest	Luxemburg
ARSEBÜK, Sadettin	Turkey
AYON, Alfonso	Nicaragua
BABINSKI, Léon Ladislas	Poland
BADAWI PACHA	Egypt
BAGGE, Algot	Sweden
BAKER, Newton D.	U.S. of America
BALAMÉZOV, St. G.	Bulgaria
BALOGH, Eugène de	Hungary
BARRA, F. L. de la	Mexico
BARTHÉLÉMY, Joseph	France
BASDEVANT, Jules	France
BATLLE Y ORDOÑEZ, José	Uruguay
BENUSSI, Balthazar	Albania
BEVILAQUA, Clovis	Brazil
BJØRNSSON, Sveinn	Iceland
BLANCO USTÁRIAZ, Julio	Venezuela
BÆG, Niels Vilhelm	Denmark
BONAMY, Auguste	Haiti
BORDEN, Sir Robert	Canada
BOREL, Eugène	Switzerland
BORJA, Alejandro Ponce	Ecuador
BORNO, Louis	Haiti
BOSSA, Simon	Colombia
BOURGOIS, Léon	France
BOURQUIN, Maurice	Belgium

BOYDEN, William Roland	U.S. of America
BROWN, Philip Marshall	U.S. of America
BRUM, Baltasar	Uruguay
BRUNS, Victor	Germany
BUCKMASTER, Lord	Great Britain
BUERO, Juan A.	Uruguay
BUSTAMANTE, Daniel Sanchez	Bolivia
BUSTILLOS, Juan Francisco	Venezuela
CABRAL MONCADA, Luiz de	Portugal
CEMIL BILSEL	Turkey
CHAMBERLAIN, Joseph E.	U.S. of America
CHINDAPIROM, Phya	Siam
CHYDENIUS, Jacob Wilhelm	Finland
COLIN, Ambroise	France
CONCHA, Carlos	Peru
CORDERO REYES, Manuel	Nicaragua
CRUCHAGA TOCORNAL, Miguel	Chile
DANEFF, Stoyan	Bulgaria
DAS, S. R.	India
DEVIDUR, Phya	Siam
DEJEAN, Léon	Haiti
DESCAMPS (Le baron)	Belgium
DOHERTY, Charles	Canada
DREYFUS, Eugène	France
DUFF, Lyman Poore	Canada
DUPUIS, Charles	France
DUZMANS, Charles	Latvia
ELIZALDE, Rafael	Ecuador
ERTEGÜN, Münir	Turkey
ETHEART, Emmanuel	Haiti
FADENHEHT, Joseph	Bulgaria
FARRERA, Celestino	Venezuela
FAUCHILLE, Paul	France
FERNANDEZ Y MEDINA, Benjamin	Uruguay
FRACHERI, Mehdi	Albania
FRIIS, M. P.	Denmark
FURRIOL, Alfredo	Uruguay
GAJZAGO, Ladislav	Hungary
GARCIA SALAZAR, Arturo	Peru
GIL BORGES, Esteban	Venezuela
GODDYN, Arthur	Belgium
GONZALEZ, Joaquin V.	Argentina
GONZÁLEZ HONTORIA, Manuel	Spain
GOYENA, J. Y.	Uruguay
GRAM, G.	Norway
GRISANTI, Carlos F.	Venezuela
GUANI, Alberto	Uruguay
HAILSHAM, Lord	Great Britain
HALBAN, Alfred	Poland
HAMMARSKJÖLD, Hj. L.	Sweden
HANOTAUX, Gabriel	France
HANSSON, Michael	Norway
HANWORTH, Lord	Great Britain

HASSAN KHAN MOCHIROD DOVLEH (H.H.)	Iran
HERMANN-OTAVSKÝ, Charles	Czechoslovakia
HIGGENS, A. Pearce	Great Britain
HOZ, Julian de la	Uruguay
HUDICOURT, Pierre	Haiti
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
KEY AYALA, Santiago	Venezuela
KLAESTAD, Helge	Norway
KLEIN, Franz	Austria
KOSTERS, J.	Netherlands
KRAMARZ, Charles	Czechoslovakia
KRIEGE, Johannes	Germany
KRITIKANUKORNKITCH, Chowphya Bijaiyati	Siam
LAFLEUR, Eugène	Canada
LANGE, Christian	Norway
LAPRADELLE, Albert de	France
LARNAUDE	France
LEE, Frank William Chinglun	China
LE FUR, Louis	France
LÉGER, Abel-Nicolas	Haiti
LÉMONON, Ernest	France
LESPINASSE, Edmond de	Haiti
LIANG, Chi-Chao	China
LIMBURG, J.	Netherlands
MACEDO SOARES, José Carlos	Brazil
MAGYARY, Géza de	Hungary
MANOLESCO RAMNICEANO	Roumania
MARKS DE WURTEMBERG, Baron Erik Teodor	Sweden
MARTINEZ, Martin C.	Uruguay
MASTNY, Vojtěch	Czechoslovakia
MATINE-DAFTARY, Ahmad	Iran
MAÚRTUA, Victor	Peru
MELLO FRANCO, Afranio de	Brazil
MELO, Leopoldo	Argentina
MEYER, Cosmus A. C.	Denmark
MOHAMMED ALI KHAN ZOKAOL MOLK	Iran
MØLLER, Axel	Denmark
MORALES, Eusebio	Panama
MORENA, Alfredo Baquerizo	Ecuador
MURNAGHAN, James Augustine	Ireland
NOLDE (Le baron)	
OCA, Manuel Montès de	Argentina
OCTAVIO DE LANGAARD MENEZES, Rodrigo	Brazil
OROLOGA, Thoma	Albania
OZOLINŠ, Osvalds	Latvia
PAPAZOFF, Théohar	Bulgaria

PAREJO, F. A.	Venezuela
PARRA PÉREZ, C.	Venezuela
PHILLIMORE, Lord Walter George Frank .	Great Britain
PIOLA-CASELLI, Edoardo	Italy
POINCARÉ, Raymond	France
POLITIS, Nicolas	Greece
POLLOCK, Sir Frederick	Great Britain
PONCE BORGIA, Alejandro	Ecuador
POUND, Roscoe	U.S. of America
RAHIM, Sir Abdur	India
READING, Marquess of	Great Britain
REYES, Pedro Miguel	Venezuela
RIBEIRO, Arthur Rodrigues de Almeida .	Portugal
RICHARDS, Sir Henry Erle	Great Britain
ROLIN, Henri	Belgium
RÖMER'IS, Mykolas	Lithuania
ROOT, Elihu	U.S. of America
ROUGIER, Antoine	France
RUIZ MORENO, Isidoro	Argentina
SAAVEDRA LAMAS, Carlos	Argentina
SALAZAR, Carlos	Guatemala
SANDSTRÖM, Alfred Emil Fredrik	Sweden
SANTOS, Abel	Venezuela
SAPRU, Sir Tej Bahadur	India
SATO, Naotake	Japan
SCHEY, Joseph	Austria
SCHINDLER, Dietrich	Switzerland
SCHLYTER, Karl	Sweden
SCHUMACHER, Franz	Austria
SCOTT, James Brown	U.S. of America
SCOTT, Sir Leslie	Great Britain
SÉFÉRIADÈS, Stélio	Greece
SETALVAD, Sir C. H.	India
SIMONS, Walther	Germany
SLAMECKA, Alfred	Austria
SMUTS, General J. C.	Union of South Africa
SOARES, Auguste Luis Vieira	Portugal
STIMSON, H. L.	U.S. of America
STREIT, Georges	Greece
STRUPP, Karl	Germany
STRUYCKEN, A. A. H.	Netherlands
SUAREZ, Aranzolo Eduardo	Mexico
TCHIMITCH, Ernest	Yugoslavia
TOMCSÁNYI, Guillaume Paul de	Hungary
TURGEON, L'hon. William Ferdinand . .	Canada
TYBJERG, Erland	Denmark
ULLOA, Alberto	Peru
UNDÉN, Östen	Sweden
VARELA, José Pedro	Uruguay
VARNVAIDYA, S. A. S. le Prince	Siam
VELEZ, Fernando	Colombia
VERDROSS, Alfred	Austria
VILLAZON, Eliodoro	Bolivia

VILLIERS, Sir Étienne de	Union of South Africa
VRYAKAS, Constantin	Greece
WALKER, Gustave	Austria
WALLACH, William	India
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
YAMADA, Saburo	Japan
YEPES, J. M.	Colombia
ZAHLE, Herluf	Denmark
ZEBALLOS, Estanislás	Argentina
ZEPEDA, Maximo	Nicaragua
ZOLGER, Ivan	Yugoslavia
ZORIČIĆ, Milovan	Yugoslavia
ZORILLA DE SAN MARTIN, Juan	Uruguay

(8) SPECIAL CHAMBERS. (See E 1, p. 55.)

In virtue of a decision of the Court of November 30th, 1939¹, the principle to the effect that the members of the Court continue to discharge their duties until their places have been filled is applicable to the members and substitute members of the Chamber for Labour cases, the Chamber for Communications and Transit cases and of the Chamber for Summary Procedure. The term of office of the members and substitute members of these Chambers are accordingly regarded as extended as from January 1st, 1940, for so long as the members of the Court may remain in office after the expiration of the term for which they were appointed in 1930.

For the composition of these Chambers, see E 15, p. 25.

(9) ASSESSORS. (See E 1, p. 57; E 13, pp. 36-45; E 14, p. 25; E 15, pp. 25-26.)

(10) EXPERTS. (See E 5, p. 51.)

II.—THE REGISTRAR. (See E 1, p. 79.)

Present holder of the post: M. JULIO LÓPEZ OLIVÁN, former Spanish Ambassador in London, appointed on December 5th, 1936, and entered upon his duties on December 9th, 1936.

The Registrar's term of office expired on December 31st, 1943, but in view of the impossibility of assembling the members of the Court for the purpose of holding an election, the President of the Court, on December 7th, 1943, requested the Registrar to continue in office until the Court should be in a position to

¹ See pp. 161-162.

hold an election as provided in Article 14 of the Rules of Court. On December 8th, 1943, the Registrar agreed to do so.

Deputy-Registrar: M. L. J. H. JORSTAD, former Head of Division in the Norwegian Ministry for Foreign Affairs, was appointed on January 23rd, 1931, and took up his duties on February 1st, 1931; he was re-elected on November 28th, 1938, for a term of office expiring on December 31st, 1945. His contract was suspended on August 31st, 1940.

III.—THE REGISTRY. (See E 1, p. 79.)

On June 15th, 1939, the officials of the Registry (apart from auxiliary officials¹) were as follows:

Name.	Date of appointment.	Nationality.
<i>Deputy-Registrar</i> :		
M. L. J. H. Jorstad ²	February 1st, 1931	Norwegian
<i>Principal Editing Secretaries</i> :		
M. J. Garnier-Coignet ³ , Secretary to the Presidency	March 1st, 1922	French
Mr. C. Hardy ³	June 1st, 1922	British
<i>Editing Secretaries</i> :		
Baron T. M. A. d'Honincthun ⁴	January 1st, 1925	French
Mr. S. T. Cross ²	February 1st, 1938	British
<i>Private Secretaries</i> :		
Miss M. G. Recaño ⁵	March 1st, 1922	British
Miss E. M. Fisher ²	January 1st, 1930	"
Mlle M. Jokl ⁶	(temporary ¹)	French
<i>Establishment</i> :		
M. D. J. Bruinsma ⁷ , Accountant-Establishment Officer, Head of Department	August 1st, 1922	Netherlands
Jhr. F. C. Beelaerts van Blokland ⁸	January 1st, 1937	Netherlands
<i>Printing Department</i> :		
M. M. J. Tercier ⁷ , Head of Department	May 19th, 1924	Swiss
M. R. Knaap ⁸	January 1st, 1932	Netherlands

¹ Auxiliary officials are those who are appointed for a period of less than six months, and temporary officials are those appointed for a period greater than six months, but less than seven years.

² Contract suspended on August 31st, 1940.

³ " " " " December 31st, 1940.

⁴ " " " " August 20th, 1940.

⁵ In the service of the Court.

⁶ Resigned on December 31st, 1939.

⁷ Contract terminated on December 31st, 1940.

⁸ " " " " August 31st, 1940.

Name.	Date of appointment.	Nationality.
<i>Archives :</i>		
Mlle L. P. M. Loeff ¹ , Head of Department	January 1st, 1925	Netherlands
Mlle R. B. Valck-Lucassen ²	January 1st, 1937	Netherlands
Miss N. Chown ³	(temporary ⁴)	British
<i>Indexing :</i>		
Miss A. H. Welsby ¹	January 1st, 1927	British
<i>Documents Department :</i>		
M. J. Douma ⁵ , Head of Department	January 1st, 1931	Netherlands
<i>Shorthand, typewriting and roneo- graphing Department :</i>		
Mlle J. C. Lamberts ¹ Head of Department	March 1st, 1922	Belgian
Mlle M. L. Estoup ⁶ Verbatim Reporter	January 1st, 1927	French
Miss A. M. Driscoll ⁷	January 1st, 1930	British
Mme C. van Meurs ⁶	(temporary ⁴)	Netherlands
<i>Messengers :</i>		
M. H. C. van der Leeden ¹	January 1st, 1929	Netherlands
M. K. Pronk ⁶	January 1st, 1929	„
M. J. W. H. Jansen ⁶	January 1st, 1930	„
M. A. Maas ⁶	January 1st, 1936	„
M. G. Korpel ³	(temporary ⁴)	„
M. H. van der Kooy ³	(„)	„

* * *

Organization of the Registry. (See E 7, pp. 64-69 ; E 11, p. 36.)

* * *

“Administrative Results.” (See E 6, pp. 43-46 ; E 7, pp. 70-72 ; E 8, pp. 43-45 ; E 9, p. 33.)

* * *

Pensions for officials. (See E 6, pp. 46-49 ; E 7, pp. 74-75 ; E 8, pp. 45-46.)

¹ In the service of the Court.

² Contract terminated on October 15th, 1940.

³ „ „ „ December 31st, 1939.

⁴ See note 1 on the previous page.

⁵ Contract terminated on December 31st, 1940.

⁶ „ „ „ August 31st, 1940.

⁷ „ „ „ April 2nd, 1940.

* * *

(See E 7, pp. 75-81; E 12, pp. 46-51.)

Staff
Regulations.

* * *

(See E 1, pp. 86-102; E 2, pp. 40-42; E 5, pp. 58-75; E 14, pp. 27-46.)

Instructions
for the
Registry.

* * *

(See E 3, p. 32; E 4, p. 52; E 9, pp. 33-34; E 15, pp. 28-29.)
The terms of office of MM. Eide (Danish), judge, and Havelka (Czechoslovak), deputy-judge, expired at the end of 1939. That of M. Eide was extended for a period of three years as from January 1st, 1940, whereas M. Havelka, being no longer able to sit on the tribunal, was replaced by M. Stavropoulos (Greek), who was appointed for the same term¹.

Administra-
tive Tribunal
of the L. N.

The Supervisory Commission of the League of Nations having noted in 1945 that the terms of office of the judges and deputy-judges, appointed by the Council of the League for three years, had expired in 1940, 1941 and 1942, was of opinion that the judges of the Tribunal might be regarded as remaining in office until such time as it was possible for the competent authority to proceed to new elections².

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

(See E 1, pp. 103-104; E 4, pp. 53-63; E 6, p. 49; E 10, pp. 30-31; E 12, pp. 51-52.)

V.—PREMISES AND LIBRARY.

(See preceding Annual Reports.)

On December 31st, 1945, the number of volumes placed by the Court in the Carnegie Library, in accordance with the agreement of 1931³, was 4285.

VI.—POSTAL COMMUNICATIONS, ETC.

(See E 10, pp. 33-34.)

¹ See *League of Nations, Official Journal*, 1939, p. 495.

² See First Report of the Supervisory Commission for the year 1945, doc. C. 118. M. 118. 1945. X, p. 12.

³ See E 7, pp. 85-97.

CHAPTER II.

THE STATUTE AND RULES OF COURT.

I.—THE STATUTE.

The Statute of the Court attached to the Protocol of Signature of December 16th, 1920, was amended by the Revision Protocol of September 14th, 1929.

The Protocol of Signature of 1920, which was drawn up in accordance with the Resolution adopted by the Assembly on December 13th, 1920¹, had, on December 31st, 1945, been signed on behalf of the following States or Members of the League of Nations: the Union of South Africa, Albania, the United States of America, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, Chile, China, Colombia, Costa Rica², Cuba, Czechoslovakia, Denmark, the Dominican Republic, Egypt, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, Iran, Iraq, Ireland, Italy, Japan, Latvia, Liberia, Lithuania, Luxemburg, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Turkey, Uruguay, Venezuela, Yugoslavia.

The Protocol
of Signature
of 1920.

All the above States had ratified the Protocol of 1920, except: the United States of America, Argentina, Costa Rica, Egypt, Guatemala, Iraq, Liberia, Nicaragua³, Turkey.

The Revision Protocol was adopted by the Assembly of the League of Nations on September 14th, 1929, together with the amendments to the Statute annexed thereto. In accordance with the Assembly's Resolution of September 27th, 1935, and

The Revision
Protocol of
1929.

¹ In accordance with this Resolution, the Protocol may be signed by the States Members of the League of Nations or by those mentioned in the Annex to the Covenant. Of these, the following had not signed the Protocol on December 31st, 1945: Afghanistan, Sa'udi Arabia (Hedjaz), Ecuador, Honduras and Mexico.

² See p. 348, note 4.

³ See however p. 331, n° 3.

the report adopted by the Council on January 23rd, 1936, it came into force on February 1st, 1936¹.

Under the fifth and sixth paragraphs of the Protocol, after its entry into force, the new provisions form part of the Statute adopted in 1920, the provisions of the original articles which have been made the subject of amendment are abrogated, and any acceptance of the Statute of the Court constitutes an acceptance of the Statute as amended.

Since the entry into force of the Protocol, the new text of the Statute governs the activities of the Court; it has been published by the League of Nations under No. C. 80. M. 28. 1936. V, and by the Court in the third edition (March 1936) of Volume No. 1 of Series D. of its publications. A fourth edition was published in April 1940.

II.—THE RULES OF COURT.

The text of the Rules of Court now applied by the Court came into force on March 11th, 1936. It is reproduced in the third edition (March 1936) of Volume No. 1 of Series D. of the Court's Publications.

The Rules of Court had been originally framed at the Court's preliminary session (Jan.-March 1922); they were revised in 1926, amended in 1927 and in 1931, and revised as a whole between 1931 and 1936. The records of the preparatory work in connection with the revision of the Rules have been published in Volume No. 2 of Series D. (1922); for the amendments made in 1926, see the first addendum to this volume; for the amendments made in 1927, see the Fourth Annual Report, pages 72-78, and for the amendments made in 1931 and 1936 respectively, see the second and third addenda to Volume No. 2 of Series D.

With regard to this third addendum to volume No. 2 of Series D., the "fact that the preparation of the new Rules, including the preparatory work of the Committees set up in 1931, had extended over a period of five years and that the actual discussions of the Court had been spread over three years (1934-1936), the volume, which is very bulky and has been prepared chronologically, is unwieldy and somewhat difficult to consult. The suggestion was therefore made that, at a suitable opportunity, a more concise volume containing the relevant extracts from the discussions arranged under the respective articles of the Rules of March 11th, 1936, should be prepared, thus enabling a reader to follow the history of a given article through the various stages of the revision to its final adoption, without constant reference backwards or forwards and consultation of the indexes and annexes.... Thanks

¹ See on this subject Chapter II of the Annual Reports E 6 to E 15.

to the generosity of the Carnegie Endowment, which, in the present juncture, has provided funds to assist the Court to continue the preparation and printing of certain of its publications"¹, it was accordingly possible to publish in 1943, in English, a fourth addendum to No. 2 of Series D. This volume contains, in addition to the essential extracts from the minutes of 1934, 1935 and 1936 arranged under the respective articles of the Rules of 1936, the text of the different draft articles discussed or adopted at the various stages, a comparative table of the Rules (1922-1936), an index to the Rules of March 11th, 1936, and an analytical index to the minutes relating to the preparation and revision of the Rules (1922-1931).

The French edition of this publication is in course of preparation.

III.—PROPOSED REFORMS.

As stated in the Thirteenth Annual Report², the Assembly of the League of Nations decided, on October 10th, 1936, to set up a special committee (the Committee of Twenty-Eight) to study all the proposals made by governments of States Members of the League regarding "the application of the principles of the Covenant and the problems connected therewith".

The proposals submitted by governments in this connection are concerned, *inter alia*, with the pacific settlement of disputes in general and with the Court in particular. Thus the British³ and Swiss⁴ Governments advocated the strengthening and improvement of the methods of pacific settlement provided for in the Covenant, whereas the Estonian and Latvian Governments laid stress on the importance of generalizing the procedure of conciliation and arbitration. The New Zealand Government expressed the view that it would be "improper to enforce a system of preventing war without at the same time setting up adequate machinery for the ventilation and, if possible, rectification of international grievances", and supported "the establishment of an acceptable tribunal for that purpose". The delegation of Panama asserted the right of every Member "to offer its good offices or its mediation independently of League procedure" and asked that the League "should be entitled to conduct enquiries on its own initiative into circumstances from which a conflict might arise, and that any Member

¹ See D 2, fourth addendum, "Introduction".

² See E 13, pp. 80-81.

³ *League of Nations, Records of the Nineteenth Ordinary Session of the Assembly, Plenary Meetings*, p. 43.

⁴ *League of Nations, Official Journal, Special Supplement No. 154*, p. 72.

of the League should be entitled to ask for an enquiry"¹. In the view of the Haitian Government, "the terms" of Articles 12 and 13 of the Covenant relative to arbitration and judicial settlement "should be strengthened by the establishment of a compulsory rule of conduct for Member States which must, in the case of any dispute arising between them, submit it to arbitration or to judicial settlement or examination by the Council". The Peruvian Government proposed that Articles 12 and 13 of the Covenant should be supplemented by "a clause laying down that, failing an agreement between the parties to a dispute as to its political or legal character, the Council shall decide what kind of procedure is to be followed"². Finally, the Government of Iraq wished to see discussed the question of a fuller application of Article 13 of the Covenant, especially as to the disputes generally suitable for submission to arbitration or judicial settlement mentioned in paragraph 2 of that Article³.

With regard more especially to Article 14 of the Covenant, which particularly concerns the Court, the Peruvian Government said: "The first part of this Article, which refers to plans for the establishment of a Permanent Court of International Justice, is now superfluous. In the redrafting of the Article, it would be desirable to add a statement of the fundamental principles underlying the organization of the Court, namely: (a) its elective character; (b) proportional representation of continental groups, without prejudice to the proportional representation of different legal systems or to the personal and non-political qualification of the judges; (c) compatibility between the League Court and any other regional or continental Court that may be established"⁴. In this connection, the Government of Ecuador proposed that "a judicial court of appeal, similar to that now functioning at The Hague, should be established in each continent"⁵. The Haitian Government suggested that the procedure and jurisdiction of the Court should be established "in such a way as to facilitate methods of direct citation so as to compel States to adopt pacific solutions"⁴. Finally, the Colombian Government presented the following proposal: "Any doubts as to the interpretation of the Covenant would be settled, at the request of any Member of the League, by the Permanent Court of International Justice"⁵.

At its first session, held in Geneva from December 14th to 17th, 1936, the Committee of Twenty-Eight drew up a list of

¹ *League of Nations, Official Journal*, Special Supplement No. 154, p. 72.

² *Ibid.*, p. 71.

³ " " " 72.

⁴ " " " 73.

⁵ " " " 97.

the questions to be considered by it and instructed various of its members to present reports prepared on the basis of the informatory memoranda to be submitted by the Secretariat of the League¹. M. Osusky (Czechoslovakia) was appointed rapporteur for the question of the pacific settlement of international disputes². The Committee, however, did not discuss this question at either its second or third (and last) sessions, held in Geneva in September 1937 and January-February 1938, respectively.

For the question of the procedure for voting requests for advisory opinions from the Court, see Chapter III³.

¹ See document C. S. P. 28 (Memorandum No. 6): *The pacific settlement of international disputes*.

² See document C. S. P., First Session, Minutes No. 4.

³ See pp. 62-64.

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 only¹.

CASES SUBMITTED BY SPECIAL AGREEMENT².

No. in Gen. List.	Name of the case.	Parties.	Date of special agreement.
11	Interpretation of paragraph 4 of the Annex following Article 179 of the Treaty of Neuilly	Bulgaria and Greece	18 III 24
24	Case of the S/S <i>Lotus</i>	France and Turkey	12 X 26
32	Free zones of Upper Savoy and the District of Gex	France and Switzerland	30 X 24

¹ It should be mentioned here that on several occasions the Court has recognized, in connection with cases brought before it by unilateral application, that it might derive jurisdiction from an agreement concluded between the parties during the proceedings, since acceptance of the Court's jurisdiction was not, under the Statute, subordinated to the observance of certain forms, such as, for instance, the previous conclusion of a special agreement. See, on this subject, E 10, p. 39, note.

² For the list of cases brought by unilateral application, see pp. 51-54, and for the list of cases for advisory opinion, see pp. 58-60.

44 JURISDICTION "RATIONE MATERIÆ"			
No. in Gen. List.	Name of the case.	Parties.	Date of special agreement.
33	Brazilian Federal loans issued in France	Brazil and France	27 VIII 27
34	Serbian loans issued in France	France and Yugoslavia	19 IV 28
36	Territorial jurisdiction of the International Commission of the River Oder	Czechoslovakia, Denmark, France, Germany, Great Britain, Sweden, and Poland	30 X 28
46	Territorial waters between Castellorizo and Anatolia	Italy and Turkey	30 V 29
59	The Lighthouses' case between France and Greece	France and Greece	15 VII 31
61	The Oscar Chinn case	Belgium and Great Britain	13 IV 34
70	Lighthouses in Crete and Samos	France and Greece	28 VIII 36
72	The Borchgrave case	Belgium and Spain	20 II 37

Treaties and conventions. As regards treaties and conventions in force, those which have come to the knowledge of the Court are collected in a special publication entitled: *Collection of Texts governing the jurisdiction of the Court*, the fourth edition of which, brought up to date and completed, appeared at the beginning of 1932¹. The *Collection* (which also contains the text of instruments which have not yet come into force) 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 the case of instruments for the pacific settlement of disputes, the complete text is reproduced in the *Collection*; in the case of other instruments, only the relevant extracts are given.

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

¹ 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), and the third, December 15th, 1926 (Series D., No. 5). The fourth edition is dated January 31st, 1932 (Series D., No. 6); the Annual Reports, beginning with E 8 and including the present volume, contain addenda to that edition in Chapter X.

clauses relating to the Court's jurisdiction¹. This suggestion had been accepted by the following States (in alphabetical order): Union of South Africa, United States of America, Austria, Belgium, Brazil, United Kingdom of Great Britain and Northern Ireland, Chile, China, Colombia, Czechoslovakia, Denmark, Ecuador, Egypt, Estonia, Finland, France, Germany, Hungary, India, Italy, Latvia, Lithuania, Luxemburg, Mexico, Monaco, the Netherlands, New Zealand, Norway, Panama, Peru, Poland (for Poland and the Free City of Danzig), Siam, Union of Soviet Socialist Republics, Spain, Sweden, Switzerland, Turkey, Venezuela.

The instruments which had come to the knowledge of the Registry on December 31st, 1945², may be divided into several categories³:

A.—*Peace Treaties.* (See E 3, p. 40.)

B.—*Clauses concerning the protection of Minorities.*
(See E 3, pp. 40-42; E 9, p. 67.)

C.—*Mandates for various colonies and territories entrusted to certain Members of the League of Nations under Article 22 of the Covenant of the League of Nations.* (See E 3, pp. 42-43.)

D.—*General International Agreements.* (See E 3, pp. 44-46; E 4, p. 81; E 5, pp. 98-99; E 6, p. 104; E 7, p. 114; E 8, pp. 64-65; E 9, p. 68; E 10, p. 42; E 11, p. 45; E 12, p. 98; E 13, pp. 57-58; E 14, pp. 53-54; E 15, p. 35.)

To the lists which have appeared in preceding Annual Reports, the following conventions are to be added, which were signed at the International Civil Aviation Conference held in Chicago from November 1st to December 7th, 1944⁴:

Convention on international civil aviation.—Chicago, December 7th, 1944.

International air services transit agreement.—Chicago, December 7th, 1944.

International air transport agreement.—Chicago, December 7th, 1944.

¹ On June 5th, 1928, a reminder was sent to those governments which had not yet replied on that date and, on October 5th, 1931, with a view to the preparation of the fourth edition of the *Collection*, a fresh communication was sent to governments (see E 5, p. 97; E 8, p. 63).

² It has not however been possible in the circumstances to adopt the usual procedure for the completion of the list of these instruments. See p. 329.

³ See pp. 414 *et seq.* of the present volume for the list of these instruments in chronological order.

⁴ See Chapter X, Nos. 571 to 573.

Furthermore, at its 25th Session, held in Geneva in June 1939, the International Labour Conference adopted the following conventions¹:

Convention concerning the regulation of written contracts of employment of indigenous workers.—Geneva, June 27th, 1939.

Convention concerning penal sanctions for breaches of contracts of employment by indigenous workers.—Geneva, June 27th, 1939.

Convention concerning the recruitment, placing and conditions of labour of migrants for employment.—Geneva, June 28th, 1939.

Convention concerning the regulation of hours of work and rest periods in road transport.—Geneva, June 28th, 1939².

E.—*Political Treaties (of alliance, commerce, navigation) and others.* (See E 4, pp. 81-85; E 5, pp. 99-100; E 6, pp. 105-106; E 7, pp. 114-115; E 8, pp. 65-67; E 9, pp. 68-69; E 10, p. 43; E 11, p. 46; E 12, p. 98; E 13, p. 58; E 14, p. 54; E 15, p. 36.)

To the lists which have already appeared in the Annual Reports are to be added the following treaties³:

Convention of commerce and navigation between Canada and France.—Ottawa, May 12th, 1933.

Treaty of navigation between Norway and Peru.—Lima, July 27th, 1933.

Treaty of friendship, commerce and navigation between Siam and France.—Bangkok, December 7th, 1937.

Treaty of friendship, commerce and navigation between the Netherlands and Siam.—Bangkok, February 1st, 1938.

Treaty of commerce and navigation between Norway and Salvador.—San Salvador, November 21st, 1938.

Treaty of commerce and navigation between Venezuela and Norway.—Caracas, March 14th, 1940.

Convention between Great Britain and Northern Ireland and Egypt relative to the abolition of the Egyptian *Caisse de la dette publique*.—Cairo, July 17th, 1940.

Convention between Egypt and France relative to the abolition of the Egyptian *Caisse de la dette publique*.—Cairo, August 3rd, 1940.

¹ 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.

² See Chapter X, Nos. 567 to 570.

³ " " " " 574, 575, 578 to 580, 582 to 584.

F.—*Various Instruments and Conventions concerning transit, navigable waterways and communications generally.* (See E 3, pp. 49-50; E 4, p. 85; E 5, p. 100; E 6, p. 106; E 7, p. 115; E 8, p. 67; E 9, p. 69; E 10, pp. 43-44; E 11, p. 47; E 12, p. 99; E 13, p. 59; E 14, p. 54; E 15, p. 37.)

To the lists which have already appeared in the Annual Reports are to be added the following treaties¹:

Modus vivendi regarding navigation on the Rhine.—Strasburg, May 4th, 1936.

Agreement between France and Switzerland regarding the régime of the international road from Grand Lucelle to Klösterli.—Paris, January 29th, 1937.

Convention between Great Britain and Northern Ireland and Greece respecting air transport services.—Athens, May 30th, 1939.

Convention for the regulation of air navigation between Argentina and Chile.—May 8th, 1942.

G.—*Treaties of arbitration and conciliation.* (See E 4, pp. 85-89; E 5, pp. 100-101; E 6, pp. 106-107; E 7, pp. 116-117; E 8, pp. 68-70; E 9, p. 69; E 10, p. 44; E 11, p. 47; E 12, p. 99; E 13, p. 59; E 14, pp. 54-55; E 15, p. 37.)

To the lists which have already appeared in the Annual Reports are to be added the following treaties²:

Treaty for the pacific settlement of disputes between Venezuela and Brazil.—Caracas, March 30th, 1940.

Treaty of non-aggression, conciliation, arbitration and judicial settlement between the United States of Venezuela and the Republic of Colombia.—Caracas, July 10th, 1940.

* * *

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:

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 relations between

¹ See Chapter X, Nos. 576, 577, 581, 585.

² " " " " 565 and 566.

every State adhering to it and all other States which have already adhered or may subsequently adhere to it¹.

*

Optional
Clause.

The first of these instruments, namely the "Optional Clause", is dealt with in paragraphs 2 and 3 of Article 36 of the Statute, which run as follows :

"The Members of the League of Nations and the 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 "Protocol of Signature of the Statute" of December 16th, 1920, is known as the "Optional Clause". This protocol is as follows :

"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 :"

The declaration in which the governments enumerate the conditions under which they recognize the Court's jurisdiction as compulsory is usually affixed or reproduced below the "Optional Clause".

The table included in Chapter X of the present Report (p. 345) indicates the names of the States or Members of the League of Nations which have signed the Optional Clause (or renewed their acceptance of the Court's compulsory jurisdiction), and indicates the conditions of their acceptance (or renewed adherence).

¹ In the fourth 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 for the pacific settlement of disputes". The Council Resolution of May 17th, 1922, is entered under the heading "Constitutional texts determining the jurisdiction of the Court".

The position resulting from this table is indicated below :

A. *States which have signed the Optional Clause*: the Union of South Africa ¹, Albania, Argentina, Australia ², Austria, Belgium, Bolivia, Brazil, the United Kingdom of Great Britain and Northern Ireland ³, Bulgaria, Canada ⁴, China, Colombia, Costa Rica ⁵, Czechoslovakia, Denmark, the Dominican Republic, Egypt, Estonia, Ethiopia, Finland, France ⁶, Germany, Greece, Guatemala, Haiti, Hungary, India ⁷, Iran, Iraq, Ireland, Italy, Latvia, Liberia, Lithuania, Luxemburg, the Netherlands, New Zealand ⁸, Nicaragua, Norway, Panama, Paraguay ⁹, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Turkey, Uruguay, Yugoslavia.

B. *Of these, the following signed, subject to ratification, and ratified their signature*: the Union of South Africa ¹⁰, Albania ¹⁰, Australia ¹⁰, Austria, Belgium, the United Kingdom of Great Britain and Northern Ireland ¹⁰, Canada, Denmark, the Dominican Republic, Finland ¹⁰, France ¹⁰, Germany, Hungary ¹¹, India ¹⁰, Iran, Ireland, Italy, Latvia, New Zealand ¹⁰, Norway ¹⁰, Peru, Roumania ¹⁰, Siam ¹², Switzerland, Yugoslavia.

C. *The following signed subject to ratification but have not ratified*: Argentina, Czechoslovakia, Egypt, Guatemala, Iraq, Liberia, Poland.

D. *The following signed without condition as to ratification*¹³: Bolivia, Brazil, Bulgaria, China, Colombia, Costa Rica ⁵, Estonia, Ethiopia, Greece ⁴, Haiti, Lithuania, Luxemburg, the Netherlands, Nicaragua ¹⁵, Panama, Paraguay ⁹, Portugal, Salvador, Spain, Sweden, Turkey, Uruguay.

¹ See p. 332.

² „ „ 334.

³ „ „ 337.

⁴ „ „ 336.

⁵ „ „ 348, note 4.

⁶ „ „ 337.

⁷ „ „ 341.

⁸ „ „ 342.

⁹ „ „ 358, note 2.

¹⁰ This State signed the Optional Clause subject to ratification, but has renewed its acceptance without this reservation.

¹¹ See p. 340.

¹² „ „ 344.

¹³ Certain of these States have ratified their declarations, although this was not required according to the Optional Clause.

¹⁴ This State renewed its acceptance subject to ratification, and duly ratified it; see also p. 340.

¹⁵ See, however, p. 331, No. 3.

E. *The following signed without condition as to ratification but had not ratified the Protocol of Signature of the Statute*: Costa Rica ¹, Nicaragua ², Turkey.

F. *Acceptances which have expired*: Albania (Sept. 16th, 1940), Belgium (March 9th, 1941), China (May 12th, 1927), Ethiopia (Sept. 17th, 1936), France (April 24th, 1941), Germany (Febr. 28th, 1938), Greece (Sept. 11th, 1944), Hungary (August 12th, 1939), Italy (Sept. 6th, 1936), Lithuania (Jan. 13th, 1940), Peru (March 28th, 1942), Spain (Sept. 20th, 1938), Roumania (June 8th, 1941), Yugoslavia (Nov. 23rd, 1935).

G. *States which have accepted the compulsory jurisdiction of the Court in accordance with Article 36, paragraph 2, of the Statute and the Resolution of the Council of May 17th, 1922*³: Liechtenstein ⁴, Monaco ⁵.

H. *States bound by the Clause*⁶: the Union of South Africa, Australia, Bolivia, Brazil, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, Colombia, Denmark, the Dominican Republic, Estonia, Finland, Haiti, India, Iran, Ireland, Latvia, Luxemburg, the Netherlands, New Zealand, Norway, Panama, Paraguay ⁷, Portugal, Salvador, Siam, Sweden, Switzerland, Uruguay.

*

Resolution of
the Council
of May 17th,
1922.

The second of the three instruments above mentioned is the Resolution adopted by the Council on May 17th, 1922.

According to this Resolution³, the Court is open to a State which is not a Member of the League of Nations or mentioned in the Annex to the Covenant, upon the condition that such State shall have previously deposited with the Registrar a declaration by which it accepts the jurisdiction of the Court, in accordance with the Covenant of the League of Nations, and with the terms and subject to the conditions of the Statute and Rules of the Court, and undertakes to carry out in full good faith the decision or decisions of the Court and not to resort to war against a State complying therewith. The Resolution also provides that this declaration may be either particular or general.

¹ See p. 348, note 4.

² See, however, p. 331, No. 3.

³ For text of Resolution, see E 1, pp. 142-144, and D 1, 3rd edition, pp. 58-59. See also E 5, pp. 138-139; E 8, p. 116.

⁴ See E 15, pp. 49-50. The acceptance expired on March 28th, 1944.

⁵ " E 13, " 71-73. " " " " April 21st, 1942.

⁶ On December 31st, 1945.

⁷ See p. 358, note 2.

The following have filed a general declaration with the Registry of the Court: the Principality of Monaco¹; the Principality of Liechtenstein².

*

The third of these instruments is the General Act of conciliation, judicial settlement and arbitration 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 thereto³. General Act of 1928.

On December 31st, 1945, the States whose names are given below had adhered to the General Act⁴:

Australia ⁵	(A)	21	V	31	Ireland	(A)	26	IX	31
Belgium	(A)	18	V	29	Italy	(A)	7	IX	31
Canada ⁶	(A)	1	VII	31	Latvia	(A)	17	IX	35
Denmark	(A)	14	IV	30	Luxemburg	(A)	15	IX	30
Estonia	(A)	3	IX	31	Netherlands	(B)	8	VIII	30
Ethiopia	(A)	15	III	35	New Zealand ⁶	(A)	21	V	31
Finland	(A)	6	IX	30	Norway ⁷	(A)	11	VI	30
France ⁶	(A)	21	V	31	Peru	(A)	21	XI	31
Great Britain ⁶	(A)	21	V	31	Spain ⁸	(A)	16	IX	30
Greece	(A)	14	IX	31	Sweden	(B)	13	V	29
India ⁶	(A)	21	V	31	Switzerland	(A)	7	XII	34
					Turkey	(A)	26	VI	34

* * *

The following table gives a list of the cases submitted to the Court by means of a unilateral application (or a unilateral request for an interpretation)⁹. The number in the General Cases submitted by unilateral application.

¹ See note 5, p. 50.

² " " 4, " 50.

³ For the text of the Act, see D 6, No. 11, pp. 77 *et seq.*

⁴ 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)."

⁵ The Government of this State made certain reservations (see pp. 334-336.)

⁶ The Government of this State renewed its adherence to the Act with certain reservations (see E 15, pp. 231-234).

⁷ Norway had acceded to Chapters I, II and IV on June 11th, 1929; it extended its accession to include Chapter III on June 11th, 1930.

⁸ The Spanish Government denounced its adherence to the General Act on April 1st, 1939 (see E 15, p. 234).

⁹ For a list of cases submitted by special agreement, see pp. 43-44; for a list of cases for advisory opinion, see pp. 58-60.

List, the parties to the case and the date of the application instituting proceedings are also indicated.

No. in Gen. List.	Name of the case.	Parties to the case.	Date of application.
5	<i>S/S Wimbledon</i>	Great Britain, France, Italy, Japan/ Germany	16 I 23
10	Mavrommatis Palestine Concessions	Greece/Great Britain	12 V 24
14	Interpretation of Judgment No. 3 (Treaty of Neuilly)	Greece/Bulgaria	27 XI 24
18	German interests in Polish Upper Silesia	Germany/Poland	15 V 25
18 <i>bis</i>	German interests in Polish Upper Silesia	Germany/Poland	25 VIII 25
22	Denunciation of the Sino-Belgian Treaty of Nov. 2nd, 1865	Belgium/China	25 XI 26
25	The Factory at Chorzów (claim for indemnity)	Germany/Poland	8 II 27
27	Readaptation of the Mavrommatis Jerusalem Concessions	Greece/Great Britain	28 V 27
30	Interpretation of Judgments Nos. 7 and 8 (Factory at Chorzów)	Germany/Poland	17 X 27
31	Rights of Minorities in Upper Silesia (Minority schools)	Germany/Poland	2 I 28
43	Eastern Greenland	Denmark/Norway	11 VII 31
47	Interpretation of the Statute of Memel	Great Britain, France, Italy, Japan/Lithuania	11 IV 32
49	Prince von Pless	Germany/Poland	18 V 32
51	Appeal against two judgments delivered on Dec. 21st, 1931, by the Hungaro-Czechoslovak M. A. T.	Czechoslovakia/ Hungary	7 VII 32
52	South-Eastern territory of Greenland	Norway/Denmark	18 VII 32
53	South-Eastern Greenland	Denmark/Norway	18 VII 32
54	Appeal against a judgment delivered on April 13th, 1932, by the Hungaro-Czechoslovak M. A. T.	Czechoslovakia/ Hungary	20 VII 32

No. in Gen. List.	Name of the case.	Parties to the case.	Date of application.
58	Appeal against a judgment delivered on Feb. 3rd, 1933, by the Hungaro-Czechoslovak M. A. T.	Czechoslovakia/ Hungary	3 v 33
60	The Polish agrar. reform and the German minority	Germany/Poland	1 VII 33
64	Losinger & Co., S. A.	Switzerland/Yugoslavia	23 XI 35
65	Pajzs, Csáky, Esterházy (judgments delivered on July 22nd, 1935, by Hungaro-Yugoslav M. A. T.)	Hungary/Yugoslavia	6 XII 35
68	Phosphates in Morocco	Italy/France	30 III 36
69	Waters of the Meuse	Netherlands/Belgium	1 VIII 36
74	The railway line Panevezys-Saldutiskis	Estonia/Lithuania	2 XI 37
75	Electricity Company of Sofia	Belgium/Bulgaria	26 I 38
77	<i>Société commerciale de Belgique</i>	Belgium/Greece	5 v 38
79	Gerliczy	Liechtenstein/ Hungary	17 VI 39

These applications were based upon the following instruments :

S/S *Wimbledon* (Gen. List No. 5) Treaty of Versailles (June 28th, 1919), Art. 386

Mavrommatis Concessions (Gen. List Nos. 10 and 27) Mandate for Palestine (July 24th, 1922), Art. 26

German interests in Polish Upper Silesia; Chorzów Factory (Gen. List Nos. 18, 18 *bis* and 25) Geneva Convention concerning Upper Silesia (May 15th, 1922), Art. 23

Rights of Minorities in Upper Silesia; Prince von Pless (Gen. List Nos. 31 and 49) Same Convention, Art. 72

Polish agrarian Reform (Gen. List No. 60) Minorities Treaty concluded with Poland (June 28th, 1919), Art. 12

Interpretation of the Statute of Memel (Gen. List No. 47) Convention concerning Memel (August 8th, 1924), Art. 17

Appeals against judgments of the M. A. T. (Gen. List Nos. 51, 54, 58 and 65) Agreement No. II of Paris (April 28th, 1930), Art. X

Interpretation of Judgment No. 3; interpretation of Judgments Nos. 7 and 8 (Gen. List Nos. 14 and 30) Statute of the Court, Art. 60

Société commerciale de Belgique (Gen. List No. 77) Convention of conciliation, arbitration and judicial settlement concluded between Belgium and Greece (June 25th, 1929)

Electricity Company of Sofia (Gen. List No. 75)	Treaty of conciliation, arbitration and judicial settlement concluded between Belgium and Bulgaria (June 23rd, 1931)
Sino-Belgian Treaty; Eastern Greenland; South-Eastern Greenland; Losinger & Co.; phosphates in Morocco; waters of the Meuse; railway line Panevezys-Saldutiskis (Gen. List Nos. 22, 43, 52 and 53, 64, 68, 69, 74); and the Electricity Company of Sofia (Gen. List No. 75)	Optional Clause of Art. 36 of the Court's Statute
Gerliczy (Gen. List No. 79)	Council Resolution of May 17th, 1922, and Optional Clause of Art. 36 of Court's Statute

*

Jurisdiction as a Court of Appeal. (See E 6, p. 147; E 7, p. 163; E 8, pp. 120-121; E 10, pp. 52-53; E 12, p. 107.)

*

Interim measures of protection. (See E 5, p. 139; E 7, p. 163; E 9, p. 77; E 10, p. 53; E 12, p. 107.)

The following table contains a list of cases brought before the Court in which requests for the indication of interim measures of protection have been submitted:

No. in Gen. List.	Name of the case.	Parties to the case.	Date of application.
22	Denunciation of the Sino-Belgian Treaty of Nov. 2nd, 1865	Belgium/China	26 XI 26
25	Factory at Chorzów (claim for indemnity) (merits)	Germany/Poland	15 XI 27
49	Prince von Pless (merits)	Germany/Poland	3 V 33
52	South-Eastern territory of Greenland	Norway/Denmark	18 VII 32
60	The Polish agrarian reform and the German minority	Germany/Poland	3 VII 33
75	Electricity Company of Sofia	Belgium/Bulgaria	4 VII 38 17 X 39

* * *

Power to determine its own jurisdiction. (See E 5, p. 140; E 7, p. 164; E 8, pp. 121-122; E 9, pp. 77-78; E 10, pp. 53-54; E 12, pp. 107-108; E 13, pp. 67-69; E 14, pp. 64-66; E 15, pp. 45-46.)

The following table contains a list of the cases in which a preliminary objection to the Court's jurisdiction has been raised

and which accordingly have given rise to special proceedings under Article 62 of the Rules.

No. in Gen. List (relating to the objection).	Name of the case.	Parties to the case in which the objection was lodged ¹ .	Date of filing of the preliminary objection.
12	Mavrommatis Palestine Concessions	Greece/Great Britain	3 VI 24
19	German interests in Polish Upper Silesia	Germany/Poland	18 VI 25
26	Claim for indemnity in respect of the Factory at Chorzów	Germany/Poland	8 IV 27
28	Readaptation of the Mavrommatis Jerusalem Concessions	Greece/Great Britain	9 VIII 27
50	Interpretation of the Statute of Memel	France, Great Britain, Italy, Japan/Lithuania	26 V 32
55	Prince von Pless	Germany/Poland	1 X 32
56	Appeal against two judgments delivered on Dec. 21st, 1931, by the Hungaro-Czechoslovak M. A. T.	Czechoslovakia/Hungary	20 X 32
57	Appeal against a judgment delivered on April 13th, 1932, by the Hungaro-Czechoslovak M. A. T.	Czechoslovakia/Hungary	20 X 32
66	Pajzs, Csáky, Esterházy	Hungary/Yugoslavia	4 III 36
67	Losinger & Co.	Switzerland/Yugoslavia	27 III 36
71	Phosphates in Morocco	Italy/France	16 XII 36
72	Borchgrave ²	Belgium/Spain	29 VI 37
76	Panevezys-Saldutiskis Railway	Estonia/Lithuania	15 III 38
78	Electricity Company of Sofia	Belgium/Bulgaria	25 XI 38

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(See E 5, p. 140.)

* * *

Interpretation of judgments.

(2) *Jurisdiction* *ratione personæ*.

Only States or Members of the League of Nations can be parties in cases before the Court (Art. 34 of Statute). The

States to which the Court is open.

¹ In this column, the second State mentioned, i.e., the respondent in the case on the merits, is the one which lodged the preliminary objection.

² This case was submitted by Special Agreement. Preliminary objections were lodged by the Spanish Government. See E 14, page 116, for summary of the Court's judgment on the objections.

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 Nations.

A.—The Court is open to Members of the League of Nations (Art. 35, para. 1, of the Statute).

According to the scale for the apportionment of contributions for the year 1946, the list of Members of the League of Nations is as follows¹: Afghanistan, the Union of South Africa, Albania², the Argentine Republic, Australia, Belgium, Bolivia, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, China, Colombia, Cuba, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, Estonia, Ethiopia, Finland, France, Greece, India, Iran, Iraq, Ireland, Latvia, Liberia, Lithuania, Luxemburg, Mexico, the Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Siam, Sweden, Switzerland, Turkey, Uruguay, Yugoslavia.

B.—The Court is also open to the States mentioned in the Annex to the Covenant which do not belong to the League of Nations (Art. 35, para. 1, of the Statute). Under the fourth paragraph of the Protocol of Signature of the Statute of the Court of December 16th, 1920, that Protocol remains open for signature by these States.

On December 31st, 1945, the States which are mentioned in the Annex to the Covenant but which are not mentioned in the list of Members of the League of Nations given above are the following: the United States of America, Brazil, Chile, Guatemala, Haiti, Hedjaz (which now forms part of Sa'udi Arabia), Honduras, Italy, Japan, Nicaragua, Paraguay, Peru, Roumania, Salvador, Spain and Venezuela.

Of these States, the United States of America, Guatemala and Nicaragua³ have signed the Protocol of Signature of the Statute of December 16th, 1920, but have not ratified it. On the other hand, the following States have ratified the Protocol: Brazil (Nov. 1st, 1921), Chile (July 20th, 1928), Haiti (Sept. 7th, 1921), Italy (June 20th, 1921), Japan (Nov. 16th, 1921), Paraguay

¹ With regard to notices of withdrawal from the League of Nations previous to June 15th, 1939, see in particular E 15, pp. 46, note 6, and 41, notes 2 to 8. It is however to be noted that, in giving notice of withdrawal, the Governments of Chile, Hungary and Peru expressly affirmed their intention of continuing to participate in the Court; see Doc. C. 202. M. 110. 1939. VII; C. 118. M. 72. 1939. VII; C. 117. M. 71. 1939. VII.

Since June 15th, 1939, the Haitian and Roumanian Governments have given notice of withdrawal, the former by a letter received in the Secretariat on April 8th, 1942, and the latter by a telegram received on July 11th, 1940; see Doc. C. 29. M. 29. 1942, and C. 116. M. 506. 1940. VII.

² See however E 15, p. 47, note 1.

³ " " p. 331.

(May 11th, 1933), Peru (March 29th, 1932), Roumania (Aug. 8th, 1921), Salvador (Aug. 29th, 1930), Spain (Aug. 30th, 1921) and Venezuela (Dec. 2nd, 1921). The Hedjaz (Sa'udi Arabia) and Honduras have neither signed nor ratified the Protocol.

*

(See E 2, pp. 84-87; E 3, pp. 92-97; E 4, pp. 124-127; E 5, pp. 142-150; E 6, pp. 149-170; E 7, pp. 165-179; E 8, pp. 123-142; E 9, pp. 79-80; E 10, pp. 55-56; E 11, pp. 56-59; E 12, p. 110; E 15, p. 48.)

*

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 provisions of treaties in force, 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.

Other States to which the Court is open.

In accordance with this Article, the Council, on May 17th, 1922, adopted a Resolution which regulates this matter and which has been referred to above¹.

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(See E 5, p. 150.)

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Contributions towards the expenses of the Court.

(3) *Channels of communications with governments.*

For the position on June 15th, 1939, see E 15, pages 50-53.

II.—JURISDICTION AS AN ADVISORY BODY.

(See E 1, pp. 148-150.)

The twenty-eight 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 tables give a list of the cases submitted to the Court for advisory opinion, divided into these two categories.

¹ See p. 50. For the list of States to which the Council Resolution has been communicated, see E 1, p. 144, and E 12, pp. 110-111. The Principalities of Liechtenstein and Monaco have filed general declarations under the terms of this Resolution; see p. 50, notes 4 and 5.

The number in the General List, the governments or international organizations directly interested in the case and the date of the request for an advisory opinion are also indicated.

Requests from the Council <i>proprio motu.</i>	<i>The following belong to the first category :</i>			
No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.	
6	German settlers in Poland	Germany/Poland	2 III 23	
8	Acquisition of Polish nationality	Germany/Poland	11 VII 23	
16	Polish postal service at Danzig	Danzig/Poland	14 III 25	
17	Expulsion of the Œcu- menical Patriarch		21 III 25	
20	Frontier between Turkey and Iraq (Mosul question)	Great Britain/Turkey	23 IX 25	
29	Jurisdiction of the Danzig Courts	Danzig/Poland	24 IX 27	
39	Railway traffic between Lithuania and Poland	Lithuania/Poland	28 I 31	
41	Customs régime between Germany and Austria (Pro- tocol of March 19th, 1931)	Austria, Germany/ France, Italy and Czechoslovakia	19 V 31	
44	Access to and anchorage in the port of Danzig for Polish war vessels	Danzig/Poland	25 IX 31	
45	Caphandaris-Molloff Agree- ment of Dec. 9th, 1927	Bulgaria/Greece	26 IX 31	
62	Minority Schools in Albania	Albania/Greece	21 I 35	
63	Constitution of the Free City of Danzig	Danzig	27 IX 35	
<i>The following belong to the second category :</i>				
Other requests.	No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.
	I	International Labour Organization and the conditions of agricultural labour	France, Great Britain, Hungary, Italy, Portugal, Sweden, I. L. O., International Agricul- tural Commission, International Federa- tion of Landworkers, Central Association of French Agricultural- ists, International	22 V 22

No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.
		Institute of Agriculture, International Federation of Christian Unions of Landworkers, International Federation of Agricultural Trades Unions	
2	Nomination of the Workers' delegate to the International Labour Conference	Great Britain, Netherlands, Sweden, I. L. O., Netherlands General Confederation of Trades Unions, International Federation of Trades Unions, International Confederation of Christian Trades Unions	22 V 22
3	International Labour Organization and methods of agricultural production	Estonia, France, Haiti, Sweden, I.L.O., International Institute of Agriculture, International Confederation of Agricultural Trades Unions	18 VII 22
4	Nationality Decrees in Tunis and Morocco	France/Great Britain	6 XI 22
7	Status of Eastern Carelia	Finland/Union of Soviet Socialist Republics of Russia	27 IV 23
9	Polish-Czechoslovakian frontier (question of Jaworzina)	Czechoslovakia/Poland	29 IX 23
13	Monastery of Saint-Naoum (Serbian-Albanian frontier)	Albania/Yugoslavia	17 VI 24
15	Exchange of Greek and Turkish populations	Greece, Turkey, Mixed Commission for the exchange of Greek and Turkish populations	18 XII 24
21	International Labour Organization and personal work of the employer	I. L. O., International Organization of Industrial Employers, International Federation of Trades Unions, International	20 III 26

No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.
		Confederation of Christian Trades Unions	
23	Jurisdiction of the European Commission of the Danube	France, Great Britain, Italy/Roumania	18 XII 26
35	Interpretation of the Greco-Turkish Agreement of Dec. 1st, 1926 (Final Protocol, Art. IV)	Greece/Turkey	7 VI 28
37	Greco-Bulgarian "Communities"	Bulgaria/Greece	17 I 30
38	Danzig and the International Labour Organization	Danzig, Poland, I. L. O.	15 V 30
40	Access to German Minority Schools in Polish Upper Silesia	Germany/Poland	31 I 31
42	Treatment of Polish nationals, etc., at Danzig	Danzig/Poland	23 V 31
48	Employment of women during the night	I. L. O., International Federation of Trades Unions, International Federation of Christian Trades Unions, Great Britain, Germany	10 V 32

*

Complaints from former officials of the Governing Commission of the Saar Territory.

An agreement concluded on January 31st, 1935, on the occasion of the union of the Saar Territory to Germany, between the Governing Commission of the Saar Territory and the German Government, provided that German officials appointed by the Committee should either be taken back into service by the German Government or receive a retiring pension or certain payments by way of indemnity. The German Government, however, declined to assume any obligation—in so far as concerned "German emigrants", for the regulation of whose situation the Commission should be directly responsible.

MM. Danzebrink, Machts, Ritzel, Lauriolle and Lehnert, former German officials of the Commission, who were regarded by the German Government as "emigrants", were thus excluded from the operation of the Agreement of January 31st, 1935, and received certain sums by way of gratuity. In the course of the same year, they addressed complaints to the Secretary-General of the League of Nations, alleging that the League,

represented by the Governing Commission, was responsible for the loss suffered by them as a result of their exclusion from the Agreement.

On July 4th, 1936, the Council of the League of Nations, on the proposal of the Secretary-General, decided to have the different aspects of the question examined by a committee of jurists. This Committee, in its report dated September 12th, 1936, came to the conclusion that the League of Nations had not incurred any obligations in the matter. Whilst adopting this report, the Council, on September 26th, 1936, and May 13th, 1938, on the proposal of the representative of France and the Secretary-General, granted certain sums to the five officials above named on grounds of equity. Subsequently, however, the complainants having "contended that they had been condemned without both sides being heard", the Secretary-General, on December 14th, 1939, proposed to the Council that the Court should be asked for an advisory opinion. In his report, the Secretary-General, emphasizing the "gravity of the issues involved", said :

"Enquiry into the validity of the present claims involves the question whether, having regard to its constitution and the principles of international law which are applicable, it is possible that the League of Nations should have incurred financial responsibility by reason of accomplishing a function of the character given it by Section IV of Part III of the Peace Treaty of Versailles. A question of principle involving such grave consequences should, it would seem, be elucidated by a judicial body having the authority and special experience which the Members of the League of Nations, which are all interested in the matter, are entitled to expect for such a purpose. In my opinion, only the Permanent Court of International Justice fully satisfies this condition, and for this reason I propose recourse to the Court."

In accordance with this proposal, the Council, on December 14th, 1939, adopted the following Resolution :

"The Council of the League of Nations,

Being desirous that it should be made clear by the highest judicial authority what is the legal position of the League of Nations in the matter,

Decides as follows :

(1) A period expiring on March 31st, 1940, shall be allowed to M. Danzebrink, M. Lauriolle, M. Lehnert, M. Machts and M. Ritzel for lodging with the Secretariat, jointly or singly, a memorandum or memoranda addressed to the League of Nations, setting out, together with the arguments upon which they rely, the claims which they make against the League of Nations in connection with the cessation of their services as officials of the Governing Commission of the Territory of the Saar Basin.

The complainants shall choose an address at Geneva to which all communications intended for them may validly be addressed.

Within ninety days from April 1st, 1940, the Secretary-General will furnish a statement of the point of view of the League of Nations regarding the memorandum or memoranda lodged before that date.

Within sixty days from the despatch of the Secretary-General's statement, the complainants, if they so desire, may lodge an additional memorandum to elucidate further the questions at issue. If they use this opportunity, the Secretary-General may himself produce another statement within sixty days.

The President of the Council may prolong the periods fixed above.

(2) The above-mentioned documents shall be transmitted to the Permanent Court of International Justice at the same time as the request for an advisory opinion provided for in paragraph 3 of the present Resolution. The Court will, of course, remain free to take account of any other element of fact or law which may be relevant for the purpose of giving the advisory opinion which is requested.

(3) In virtue of the present Resolution, which he will communicate to the Permanent Court of International Justice, the Secretary-General of the League of Nations, on behalf of the Council, shall lay before the Court a request for an advisory opinion of the Court upon the following questions:

(a) Has the League of Nations any legal obligations towards the authors of the memoranda lodged in accordance with Article 1 of the present Resolution in connection with the claims formulated in these memoranda?

If the answer is affirmative, on what basis of law and of facts, duly proved, are these obligations founded?

(b) And further, if the answer is affirmative, what sums are due to each complainant in execution of the obligations in question?

(4) The League of Nations hereby renounces the exercise of the right to present the written and oral statements provided for by Article 66 of the Statute of the Court, if the same possibility cannot be given to the petitioners, since it does not wish to have greater opportunities of furnishing information to the Court than the petitioners themselves¹.

* * *

Procedure for
voting upon
requests for
opinions.

(See E 5, pp. 159-160; E 6, pp. 178-179; E 7, pp. 186-187; E 8, p. 151; E 11, pp. 67-68; E 12, pp. 117-127; E 13, pp. 79-82; E 14, pp. 75-76; E 15, pp. 56-57.)

¹ See *League of Nations, Official Journal*, 1935, p. 484; 1936, pp. 756, 757, 783, 1154, 1240; 1937, p. 923; 1938, pp. 115, 347, 844; 1939, pp. 273, 502, 542.

The Special Committee referred to above¹, set up to study the application of the principles of the Covenant, was invited by the Council of the League of Nations on January 26th, 1937, also to study the question "in what circumstances and subject to what conditions an advisory opinion may be requested under Article 14 of the Covenant". In accordance with this resolution, the Secretary-General of the League communicated to the Committee in question, together with the relevant minutes of the Council meeting, the observations received from governments in reply to the request addressed to them in accordance with the Council's decision of January 23rd, 1936².

These observations received from the governments reveal the same differences of opinion as had prevailed at earlier discussions on the question. Three main currents of opinion are observable: (1) that unanimity is required for any request for an opinion³; (2) that a simple majority suffices in all cases⁴; (3) that the answer to the question whether unanimity is required or a majority vote will suffice depends on the circumstances of the case and particularly on the subject-matter of the request⁵. In support of the first of these opinions and, in principle, also of the third, it was in particular argued that there is, in practice, no difference between the Court's judgments and its advisory opinions from the point of view either of the Court which delivers them, or of the Council or Assembly which ask for them, and that the opinions are in effect binding. Consequently, the rule of unanimity prescribed by Article 5, paragraph 1, of the Covenant in the case of binding decisions, is applicable; for if it were not so, compulsory arbitration would be indirectly introduced and the Court's opinions would be assimilated to those of a committee of enquiry or a committee of jurists, thus detracting from their authority and from the prestige of the Court. If a request for an advisory opinion could be decided upon by a majority vote and was merely a matter of procedure within the meaning of Article 5, paragraph 2, of the Covenant, this would have been expressly indicated in that provision.

The main arguments advanced in support of the second opinion were that, notwithstanding their authority, advisory

¹ See pp. 39 *et seq.*

² See E 12, pp. 124-125; E 13, p. 82, and League of Nations Document C. S. P. 5, pp. 1 and 19 *et seq.*

³ Opinion of the Polish, Roumanian and Turkish Governments; see League of Nations Document C. S. P. 5, pp. 8 *et seq.*, 16, 20 *et seq.*

⁴ Opinion of the Belgian, Chilian, Danish, Ecuadorian, Norwegian, Portuguese, Swedish and Swiss Governments; in principle also of the Finnish Government; see *ibid.*, pp. 4 *et seq.*, 13 *et seq.*, 19; Document C. S. P. 5, Annex, and *Official Journal*, Special Supplement No. 154, p. 73.

⁵ Opinion of the Australian, British, Estonian, Latvian and Dutch Governments; see Document C. S. P. 5, pp. 4, 6 *et seq.*

opinions are not legally binding, that, accordingly, there is no question of compulsory arbitration and that requests for opinions are merely matters of procedure. Furthermore, the point of law submitted to the Court may relate only to one factor of the dispute referred to the Council, whose report, even if unanimous, is not binding on the parties. Moreover, a State against whose will an opinion affecting its interests was asked, would be entirely free to uphold its own interpretation of the Covenant and to defend its rights before the Court. With regard to the third opinion, its holders were prepared to admit exceptions to the general unanimity rule, in particular, when the question at issue was in reality merely a matter of procedure, when the opinion would not prejudice the solution of the whole case or would not involve political consequences, and when the Council was competent, in virtue of special provisions, to take a decision on the merits by a majority vote.

The International Labour Office also presented a memorandum in which it submitted that, whatever solution might be adopted with regard to other cases, there was no need for unanimity in the Council or the Assembly for the purpose of transmitting to the Court a request, under Article 37 of the Constitution of the International Labour Organization, for an advisory opinion concerning the interpretation of that Constitution or of conventions adopted thereunder¹.

Like the general problem of the pacific settlement of international disputes, this question as to the conditions of voting requests for advisory opinions was not discussed by the Committee for the study of the application of the principles of the Covenant².

III.—OTHER ACTIVITIES.

On several occasions the Court or its President have been entrusted with certain missions—the appointment under certain conditions of arbitrators, experts or of presidents of conciliation commissions—either under an international legal instrument or under a contract of private law. In general, the parties to these instruments or contracts ask the consent of the Court or of the President to the inclusion of a clause to this effect, before they sign the agreement which they are asked to conclude.

¹ See *ibid.*, pp. 17-18. It is to be noted that the Director of the International Labour Office sent to the Secretary-General of the League of Nations on June 2nd, 1944, a communication the main object of which was to present a suggestion that the International Labour Organization should be given a right of direct access to the Court for the purpose of obtaining advisory opinions. See League of Nations Document C. 20. M. 20. 1944. V.

² See pp. 39 *et seq.*

Or again, they notify the agreement directly it has been concluded, drawing attention to the clause and asking if there are any objections to undertaking the mission in question.

The cases of this kind which had come to the knowledge of the Registry up to June 15th, 1939, have been mentioned and classified in the lists given in Part III of Chapter III of preceding Annual Reports¹.

To these lists the following additions are to be made in respect of the period June 15th, 1939, to December 31st, 1945 :

(a) APPOINTMENTS BY THE COURT. (See E 3, pp. 104-105 ; E 4, p. 136 ; E 6, p. 180 ; E 7, pp. 188-189 ; E 10, p. 65 ; E 11, p. 69 ; E 12, p. 127 ; E 15, p. 57.)

(b) APPOINTMENTS BY THE PRESIDENT (THE VICE-PRESIDENT OR THE SENIOR JUDGE OF THE COURT).

1.—*Under an instrument of public international law.* (See E 3, pp. 105-108 ; E 4, pp. 136-137 ; E 5, pp. 160-162 ; E 6, pp. 180-181 ; E 7, pp. 189-190 ; E 8, pp. 153-156 ; E 9, p. 85 ; E 10, pp. 65-66 ; E 11, pp. 69-70 ; E 12, p. 128 ; E 13, pp. 83-84 ; E 14, p. 77 ; E 15, p. 58.)

Convention of commerce and navigation between France and Roumania.—Paris, August 27th, 1930.

Commercial *modus vivendi* between France and Italy.—Rome, March 4th, 1932.

Treaty of commerce and navigation between Italy and Costa Rica.—San José de Costa Rica, June 14th, 1933.

Treaty of commerce and navigation between Italy and Salvador.—San Salvador, March 19th, 1934.

Convention regulating the reciprocal railway communications between Bulgaria and Roumania via Boteni-Oborischté.—Varna, July 26th, 1935.

Convention concerning the regulation of ferry-boat communications between the Kingdom of Bulgaria and the Kingdom of Roumania through the points Russe-harbour and Giurgiu-harbour and *vice versa*.—Varna, July 20th, 1937.

Treaty of friendship between Greece and Mexico.—Washington, March 17th, 1938.

Articles of agreement of the International Monetary Fund.—Bretton Woods, July 22nd, 1944.

Articles of agreement of the International Bank for Reconstruction and Development.—Bretton Woods, July 22nd, 1944².

¹ See also the synopsis given at the beginning of the third edition (1926) of the *Collection of Texts governing the jurisdiction of the Court*, which contains an analysis and classification of those of these clauses which were known at the time.

² See Chapter X, Nos. 586 to 594.

2.—*Under a contract of private law.* (See E 1, p. 155; E 2, pp. 95-96; E 5, p. 162; E 7, p. 190; E 8, pp. 156-157; E 9, pp. 85-86; E 10, pp. 66-67; E 11, pp. 70-71; E 12, p. 126.)

* * *

Applications from private persons against a government. 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. In response to such applications the Registrar 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".

¹ For examples, see E 1, pp. 155 *et seq.*; E 3, pp. 109 *et seq.*; E 5, pp. 162 *et seq.*; E 7, pp. 191 *et seq.*; E 9, pp. 86-88; E 11, pp. 72-75; E 13, pp. 84 *et seq.*; E 15, pp. 59-60.

CHAPTER IV.

SESSIONS AND DECISIONS OF THE COURT ;
GENERAL LIST.

PERIODS DURING WHICH THE COURT HAS BEEN SITTING.

Order number.		Year.	Date of opening.	Date of closure.
<i>Preliminary</i>	—	1922	Jan. 30th	March 24th
First	O ¹	"	June 15th	Aug. 12th
Second	E	1923	Jan. 8th	Feb. 7th
Third	O	"	June 15th	Sept. 15th
Fourth	E	"	Nov. 12th	Dec. 6th
Fifth	O	1924	June 16th	Sept. 4th
Sixth	E	1925	Jan. 12th	March 26th
Seventh	E	"	April 14th	May 16th
Eighth	O	"	June 15th	June 19th
			July 15th	Aug. 25th
Ninth	E	"	Oct. 22nd	Nov. 21st
Tenth	E	1926	Feb. 2nd	May 25th
Eleventh	O	"	June 15th	July 31st
Twelfth	O	1927	June 15th	Dec. 16th
Thirteenth	E	1928	Feb. 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	Aug. 26th
Nineteenth	E	"	Oct. 23rd	Dec. 6th
Twentieth	O	1931	Jan. 15th	Feb. 21st
Twenty-First	E	"	April 20th	May 15th
Twenty-Second	E	"	July 16th	Oct. 15th
Twenty-Third	E	1931-32	Nov. 5th	Feb. 4th
Twenty-Fourth	O	1932	Feb. 1st	March 8th
Twenty-Fifth	E	"	April 18th	Aug. 11th
Twenty-Sixth	E	1932-33	Oct. 14th	April 5th
Twenty-Seventh	O	1933	Feb. 1st	April 19th

¹ O : Ordinary Session.—E : Extraordinary Session.

68 PERIODS DURING WHICH COURT HAS BEEN SITTING

Order number.		Year.	Date	
			of opening.	of closure.
Twenty-Eighth	E	1933	May 10th	May 16th
Twenty-Ninth	E	"	July 10th	July 29th
Thirtieth	E	"	Oct. 20th	Dec. 15th
Thirty-First	O	1934	Feb. 1st	March 22nd
Thirty-Second	E	"	May 15th	June 1st
Thirty-Third	E	"	Oct. 22nd	Dec. 12th
Thirty-Fourth	O	1935	Feb. 1st	April 10th
Thirty-Fifth	E	"	Oct. 28th	Dec. 4th

	From	to
Judicial Year 1936 ¹	Feb. 1st April 28th June 3rd Oct. 26th	March 17th May 19th June 25th Dec. 16th
Judicial Year 1937	May 3rd Sept. 20th	July 9th Nov. 6th
Judicial Year 1938	April 29th July 13th Nov. 28th	June 30th July 14th Dec. 1st
Judicial Year 1939	Jan. 19th May 15th Nov. 28th	April 4th June 15th Dec. 5th
Judicial Year 1940	Feb. 19th	Feb. 26th ²
Judicial Year 1945	Oct. 26th	Oct. 31st

¹ Entry into force of the revised Statute: February 1st, 1936 (see p. 38).

² A meeting fixed for May 16th, 1940, could not be held in the circumstances prevailing at that date.

LIST OF JUDGMENTS, ORDERS AND OPINIONS.

Name of case.	Summary.	Short report.	Relevant documents.
Nomination of the workers' delegate to the International Labour Conference. Date : 31 VII 22. Gen. list : 2. (Opin. No. 1.)	International Labour Conferences. Nomination of non-government delegates ; duties of governments. Art. 389, para. 3, of Treaty of Versailles.	E 1, p. 179	B 1 ; C 1.
International Labour Organization and the conditions of agricultural labour. Date : 12 VIII 22. Gen. list : 1. (Opin. No. 2.)	International Labour Organization. Its competence in regard to agriculture. "Industry" (Part XIII, Treaty of Versailles) includes agriculture. Sources for the interpretation of a text : the manner of its application and the work done in preparation of it.	E 1, p. 183	B 2 and 3 ; C 1.
International Labour Organization and the methods of agricultural production. Date : 12 VIII 22. Gen. list : 3. (Opin. No. 3.)	International Labour Organization. Its competence in regard to production (agricultural or otherwise).	E 1, p. 183	B 2 and 3 ; C 1.
Nationality decrees in Tunis and Morocco. Date : 7 II 23. Gen. list : 4. (Opin. No. 4.)	Council of L. N. Domestic jurisdiction of a Party to a dispute (Art. 15, para. 8, of Covenant). Questions of nationality are in principle of domestic concern. But a question which involves the interpretation of international instruments is not of domestic concern.	E 1, p. 188	B 4 ; C 2, and supplem. vol.
Status of Eastern Carelia. Date : 23 VII 23. Gen. list : 7. (Opin. No. 5.)	Dispute between a Member and a non-Member of L. N. (Art. 17 of Covenant). The consent of States as a condition for the legal settlement of a dispute. Refusal by the Court to give an opinion for which it is asked. Grounds for this refusal.	E 1, p. 200	B 5 ; C 3, vols. I and II.
S.S. <i>Wimbledon</i> . Date : 17 VIII 23. Gen. list : 5. (Judgm. No. 1.)	Admissibility of the suit. Régime of the Kiel Canal ; inland waterways and maritime canals ; time of peace and of war ; belligerents and neutrals. Restrictive interpretation. Neutrality and sovereignty.—The right of intervention under Art. 63 of the Court Statute.	E 1, p. 163	A 1 ; C 3, vols. I, II, and supplem. vol.

Name of case.	Summary.	Short report.	Relevant documents.
German Settlers in Poland. Date : 10 IX 23. Gen. list : 6. (Opin. No. 6.)	Council of L. N. Its competence in minority questions. Private law contracts and State succession. Determination of the date of the transfer of sovereignty over a ceded territory. Polish Treaty of Minorities. Treaty of Versailles, Art. 256.	E 1, p. 204	B 6 ; C 3, vols. I, III I and III II.
Acquisition of Polish nationality. Date : 15 IX 23. Gen. list : 8. (Opin. No. 7.)	Council of L. N. Its competence under Minority Treaties. Effect of the transfer of a territory upon the nationality of the inhabitants. Conditions for the acquisition of nationality: origin, domicile (Treaty of Minorities with Poland, Art. 4).	E 1, p. 210	B 7 ; C 3, vols. I, III I and III II.
Polish-Czechoslovakian frontier (question of Jaworzina). Date : 6 XII 23. Gen. list : 9. (Opin. No. 8.)	Conference of Ambassadors. Arbitral character of its decisions. Its competence to interpret its decisions. The fixing of a frontier line. Powers of delimitation commissions.	E 1, p. 215	B 8 ; C 4.
The Mavrommatis Palestine concessions (jurisdiction). Date : 30 VIII 24. Gen. list : 12. (Judgm. No. 2.)	Nature of an objection to the jurisdiction of the Court. Negotiations a condition precedent to judicial proceedings. The notion of "public control". International obligations accepted by the Mandatory. What concessions are maintained by Protocol XII of Lausanne. Retroactivity and considerations of form in international law.	E 1, p. 169	A 2 ; C 5.
The Monastery of Saint-Naoum (Servian-Albanian frontier). Date : 4 IX 24. Gen. list : 13. (Opin. No. 9.)	Conference of Ambassadors. Definitive character of certain of its decisions. Its competence to revise them. Existence of a material error or a new fact.	E 1, p. 221 ; E 2, p. 137	B 9 ; C 5—II.
Interpretation of para. 4 of the Annex following Art. 179 of the Treaty of Neuilly. Date : 12 IX 24. Gen. list : 11. (Judgm. No. 3.)	Scope of the application of para. 4 as regards persons and territory. Relations between said paragraph and reparations.	E 1, p. 180	A 3 ; C 6.

LIST OF JUDGMENTS, ORDERS AND OPINIONS

71

Name of case.	Summary.	Short report.	Relevant documents.
Exchange of Greek and Turkish populations. Date : 21 II 25. Gen. list : 15. (Opin. No. 10.)	Establishment and domicile. National legislation as a means for the interpretation of international instruments. Mixed Commission : concurrent jurisdiction of national courts.	E I, p. 226	B 10 ; C 7—I.
Interpretation of Judgment No. 3 (interpretation of para. 4 of the Annex following Art. 179 of the Treaty of Neuilly). Date : 26 III 25. Gen. list : 14. (Judgm. No. 4.)	Request for an interpretation under Art. 60 of the Statute.	E I, p. 180	A 3 and 4 ; C 6, supplem. vol.
The Mavromatis Palestine concessions (merits). Date : 26 III 25. Gen. list : 10. (Judgm. No. 5.)	The conditions for the validity of the Mavromatis Jerusalem concessions. A partial and transient violation of international obligations suffices to establish responsibility. Indemnity not payable when no causal relation between violation and damage proved. Protocol XII : right to readaptation of valid concessions.	E I, p. 176	A 5 ; C 7—II
The Polish Postal Service in Danzig. Date : 16 V 25. Gen. list : 16. (Opin. No. 11.)	Final character of a decision under international law. Binding effect of motives and of operative part of an award. Relative value of the text of an award and the intention of the arbitrator. Restrictive interpretation of a text : conditions.	E I, p. 231 ; E 2, p. 139	B 11 ; C 8.
German interests in Polish Upper Silesia (jurisdiction). Date : 25 VIII 25. Gen. list : 19. (Judgm. No. 6.)	Diplomatic negotiations as a condition precedent to the institution of proceedings. Interpretation of Art. 23 of the Upper Silesian Convention. Power of the Court to base its judgment on objections upon elements belonging to the merits of the suit. Its competence incidentally to construe for the same purpose instruments other than the Convention relied upon. Litispendency : The Court and the Mixed Arbitral Tribunals. Notice of intention to expropriate constitutes a restriction on rights of ownership.	E 2, p. 100	A 6 ; C 9—I
Frontier between Turkey and Irak (the Mosul question). Date : 21 XI 25.	Council of L. N. Nature of its powers under Art. 3 of Treaty of Lausanne ; arbitral award, recommendation, mediation. The common consent of the Parties, source of competence. In case of doubt, decisions of Council, other than those on matters of procedure, must be	E 2, p. 140	B 12 ; C 10.

Name of case.	Summary.	Short report.	Relevant documents.
Gen. list : 20. (Opin. No. 12.)	unanimous (Art. 5 of Covenant), the votes of interested Parties not being taken into account (Art. 15 of Covenant).		
German interests in Polish Upper Silesia (merits). Date : 25 v 26. Gen. list : 18 and 18 <i>bis</i> . (Judgm. No. 7.)	The Court may give declaratory judgments. Compatibility of the Polish law of July 14th, 1920, and the Upper Silesian Convention. Derogations from the principle of respect for vested rights are in the nature of exceptions. Right of Poland to avail herself of the Armistice Convention and the Protocol of Spa of Dec. 1st, 1918. Germany's capacity to alienate property after the Treaty of Versailles.—Form of notice of expropriation. Interpretation of Art. 9 of the Upper Silesian Convention: the conception of "subsidence". The conception of "control" in the Upper Silesian Convention. Proofs of the acquisition of nationality. For questions of liquidation, a municipality may be assimilated to a person. The conception of domicile.	E 2, p. 109	A 7 ; C 11, vols. I, II and III.
The International Labour Organization and the personal work of the employer. Date : 23 VII 26. Gen. list : 21. (Opin. No. 13.)	The International Labour Organization. Its incidental competence in regard to work done by the employer. Parallel with Opinion No. 3. Discretionary powers of the Organization and their limit ; Art. 423 of the Treaty of Versailles.	E 3, p. 131	B 13 ; C 12.
Denunciation of the Treaty of Nov. 2nd, 1865, between China and Belgium. Date : 8 I 27. Gen. list : 22. (Order.)	The necessity for interim measures of protection in this particular case. The purpose of interim measures of protection is to safeguard the rights of the Parties pending the decision of the Court, in order to prevent any injury arising from an infringement of such rights becoming irremediable. The Court indicates these interim measures.	E 3, p. 125	A 8 ; C 16—I.
The rescission, on the request of the Applicant, of the interim measures indicated by the Order of 8 I 27. Date : 15 II 27. Gen. list : 22. (Order.)	Owing to the conclusion between the Parties of a <i>modus vivendi</i> including a provisional settlement of the situation, independently of the rights at issue, the Applicant could not be subsequently allowed to claim that one of his rights had been infringed ; the previous order being intended to safeguard these rights, it thenceforward ceases to have any purpose.	E 3, p. 129	A 8 ; C 16—I.
Claim for indemnity in respect of the factory at	Meaning and scope of the Geneva Convention, and particularly of Art. 23. By virtue of this Article, the Court takes cognizance of disputes	E 4, p. 155	A 9 ; C 13—I.

Name of case.	Summary.	Short report.	Relevant documents.
Chorzów (jurisdiction). Date : 26 VII 27. Gen. list : 26. (Judgm. No. 8.)	relating to the application as well as to the applicability of Arts. 6-22 of that Convention ; the meaning of "application" in relation to failure to apply, and jurisdiction as regards application in relation to jurisdiction over suits for compensation for injury based on a failure to apply. Conflicts of jurisdiction in the international sphere.		
Case of the S.S. <i>Lolus</i> . Date : 7 IX 27. Gen. list : 24. (Judgm. No. 9.)	The terms of the Special Agreement. The "principles of international law" within the meaning of Art. 15 of the Convention of Lausanne. The sovereignty of States, the basis of international law, as a criterion for the jurisdiction of the tribunals of one of those States : claim to jurisdiction based on (1) the nationality of the victim ; (2) the flag flown by the ship on which the victim was present at the time. The principle of the freedom of the seas. The indivisible character of the elements constituting a wrongful act as giving rise to concurrent jurisdictions.	E 4, p. 166	A 10 ; C 13—II
Readaptation of the Mavrommatis Jerusalem concessions (jurisdiction). Date : 10 X 27. Gen. list : 28. (Judgm. No. 10.)	Mandate for Palestine (Art. 26). The Court has jurisdiction to consider an alleged violation of the terms of the Protocol of Lausanne in all those cases—but only in those—where the violation would arise from an exercise of the full powers to provide for "public control of the natural resources of the country" (Art. 11). This condition not being present in the case, there was no need to consider the other arguments of the Defendant.	E 4, p. 176	A 11 ; C 13— III.
Claim for indemnities in respect of the factory at Chorzów (indemnities). Date : 21 XI 27. Gen. list : 25. (Order.)	Request for interim measures of protection and submissions as regards the merits. Composition of the Court.	E 4, p. 163	A 12 ; C 15—II
Jurisdiction of the European Commission of the Danube. Date : 8 XII 27. Gen. list : 23. (Opin. No. 14.)	The law in force on the Danube. As regards the jurisdiction of the E. C. D., the Definitive Statute confirms the <i>de facto</i> situation existing prior to the war. This situation defined. Principles of freedom of navigation and equality of flags ; these principles, the application of which the Commission has to ensure, allow of a delimitation between the jurisdiction of the Commission and that of the territorial State.	E 4, p. 201 ; E 5, p. 223	B 14 ; C 13—IV (4 vols.).
Interpretation of Judgments Nos. 7 and 8 (the Chorzów factory).	Conditions requisite in order that a request for interpretation should be admissible (Art. 60 of Statute) ; the meaning of interpretation. Meaning and scope of the point at issue in Judgment No. 7. The Court in that particular case had not rendered a conditional decision ;	E 4, p. 184	A 13 ; C 13—V.

Name of case.	Summary.	Short report.	Relevant documents.
Date : 16 XII 27. Gen. list : 30. (Judgm. No. 11.)	the principle of <i>res judicata</i> (Art. 59 of Statute).		
Denunciation of the Treaty of Nov. 2nd, 1865, between China and Belgium. Date : 21 II 28. Gen. list : 22. (Order.)	Extension of time-limits.	E 4, p. 151	A 14 ; C 16—I.
Jurisdiction of the Courts of Danzig. Date : 3 III 28. Gen. list : 29. (Opin. No. 15.)	An international instrument does not constitute a direct source for rights or obligations in regard to persons subject to municipal law unless a contrary intention of the Parties appears (1) from the terms of the instrument itself, and (2) from the facts relating to its application. Basis of the jurisdiction of the tribunals of Danzig. Duty to carry out judgments rendered, subject to a right of recourse of an international character. A Party before the Court cannot base its claim on its own failure to carry out its international undertakings.	E 4, p. 213	B 15 ; C 14—I.
Rights of minorities in Upper Silesia (minority schools). Date : 26 IV 28. Gen. list : 31. (Judgm. No. 12.)	Plea to the jurisdiction : stage of the proceedings at which it may be raised. The jurisdiction of the Court rests on the consent of the Parties, either express, tacit or implicit. The fact of pleading to the merits showed an intention of obtaining a judgment on the merits. Inadmissibility of the suit (<i>fin de non-recevoir</i>) : Nature of the jurisdiction of the Council of L. N. and that of the Court. Interpretation of the German-Polish Convention : Conditions to which children entering the minority schools are subject.	E 4, p. 191	A 15 ; C 14—II.
Denunciation of the Treaty of Nov. 2nd, 1865, between China and Belgium. Date : 13 VIII 28. Gen. list : 22. (Order.)	Extension of time-limits.	E 5, p. 203	A 16 ; C 16—I.
Interpretation of the Greco-Turkish Agreement of Dec. 1st, 1926 (Final Protocol, Art. IV). Date : 28 VIII 28. Gen. list : 35. (Opin. No. 16.)	Analysis of the request submitted to the Court. Formulation of the question to which the Court's opinion is intended to reply. Powers of the Mixed Commission of Exchange as regards the settlement of disputes. Interpretation of the relevant instruments ; spirit of these instruments.	E 5, p. 227	B 16 ; C 15—I.

Name of case.	Summary.	Short report.	Relevant documents.
Claim for indemnities in respect of the factory at Chorzów (merits). Date : 13 IX 28. Gen. list : 25. (Judgm. No. 13.)	Import of the Application. A violation of a right involves an obligation to make reparation. Reparation at international law : injury suffered by a State ; injury suffered by a private person. Relevance of Art. 256 of the Treaty of Versailles in this case. Establishment of the fact that the Companies concerned have suffered injury. Appraisal of this injury: determination of principles and institution of an expert enquiry. Method of payment ; set-off under international law.	E 5, p. 183	A 17 ; C 15—II.
<i>Idem.</i> Date : 13 IX 28. Gen. list : 25. (Order.)	Institution of an expert enquiry. Determination of the subject-matters of the enquiry. Composition of the Committee of experts ; its procedure. Allocation of expenses.	E 5, p. 196	A 17 ; C 15—II.
Denunciation of the Treaty of Nov. 2nd, 1865, between China and Belgium. Date : 25 V 29. Gen. list : 22. (Order.)	Termination of proceedings by withdrawal of suit.	E 5, p. 203	A 18 ; C 16—I.
Claim for indemnities in respect of the factory at Chorzów (merits). Date : 25 V 29. Gen. list : 25. (Order.)	Termination of proceedings by agreement.	E 5, p. 200	A 19 ; C 16—II.
Serbian loans issued in France. Date : 12 VII 29. Gen. list : 34. (Judgm. No. 14.)	Jurisdiction of the Court : admissibility of the suit, capacity of the Parties, subject-matter of the dispute. Interpretation of contracts: the preliminary documents and the execution of the contracts. Existence of the gold clause : its significance ; whether effective. Law applicable to the loans.	E 5, p. 205	A 20 ; C 16— III.
Brazilian Federal loans issued in France. Date : 12 VII 29. Gen. list : 33. (Judgm. No. 15.)	Jurisdiction of the Court. Interpretation of the contracts : the preliminary documents and the execution of the contract. Existence of the gold clause : its significance ; whether effective The law applicable to the loans ; estimation by the Court of the weight to be attached to the doctrine of the French courts under the terms of the Special Agreement.	E 5, p. 216	A 21 ; C 16— IV.
Territorial jurisdiction of the International Commission of the River Oder. Date : 15 VIII 29. Gen. list : 36. (Order.)	In a case submitted by Special Agreement, a Party cannot confine itself to making oral submissions only in regard to one of the questions put.	E 6, p. 217	A 23 ; C 17—II.

Name of case.	Summary.	Short report.	Relevant documents.
Free zones of Upper Savoy and the District of Gex. Date : 19 VIII 29. Gen. list : 32. (Order.)	The Parties to a case before the Court may not depart from the terms of the Statute. Interpretation of the Special Agreement : ascertainment of the common intention of the Parties and the construction which will render it possible to comply with that intention, whilst keeping within the terms of the Statute. Definition of the Court's task. Interpretation of Art. 435 of the Treaty of Versailles. Fixing of a time-limit.	E 6, p. 201	A 22 ; C 17—I (4 vols.)..
Territorial jurisdiction of the International Commission of the River Oder. Date : 20 VIII 29. Gen. list : 36. (Order.)	Inadmissibility in evidence of preliminary work in which all Parties to a case have not participated.	E 6, p. 217	A 23 ; C 17—II.
Territorial jurisdiction of the International Commission of the River Oder. Date : 10 IX 29. Gen. list : 36. (Judgm. No. 16.)	The provisions applicable in this case. Jurisdiction of the Commission under the Treaty of Versailles. Conditions governing the interpretation of a text in the sense most favourable to the freedom of States. Basis of the fluvial law of the Treaty of Versailles.	E 6, p. 218	A 23 ; C 17—II.
The Greco-Bulgarian "Communities". Date : 31 VII 30. Gen. list : 37. (Opin. No. 17.)	Interpretation of the Convention between Greece and Bulgaria respecting Reciprocal Emigration, dated Nov. 27th, 1919 : the communities, their rights, their dissolution ; the powers of the Mixed Commission.	E 7, p. 245	B 17 ; C 18—I.
Danzig and the International Labour Organization. Date : 26 VIII 30. Gen. list : 38. (Opin. No. 18.)	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 L. N.	E 7, p. 255	B 18 ; C 18—II.
Free zones of Upper Savoy and the District of Gex (2nd phase). Date : 6 XII 30. Gen. list : 32. (Order.)	Interpretation of Art. 435 of the Treaty of Versailles : the Order of Aug. 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.	E 7, p. 233	A 24 ; C 19, vols. I, II, III, IV and V.

Name of case.	Summary.	Short report.	Relevant documents.
Access to German Minority Schools in Polish Upper Silesia. Date : 15 V 31. Gen. list : 40. (Opinion.)	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, Arts. 69, 74, 131, 132 and 149. Resolutions of the Council of L. N. of March 12th and Dec. 8th, 1927, institution by way of exception of language tests. Judgment of P. C. I. J. of April 26th, 1928, the German Govt. v. the Polish Govt., 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.	E 7, p. 261	A/B 40 ; C 52.
Customs régime between Germany and Austria (Protocol of March 19th, 1931). Date : 5 IX 31. Gen. list : 41. (Opinion.)	Treaty of Peace of Saint-Germain of Sept. 10th, 1919, Art. 88, and Geneva Protocol No. 1 of Oct. 4th, 1922. Inalienability of the independence of Austria. Acts calculated to compromise this independence. Projected Austro-German Customs Union. Question of compatibility.	E 8, p. 216	A/B 41 ; C 53.
Railway traffic between Lithuania and Poland. Date : 15 X 31. Gen. list : 39. (Opinion.)	Transit by railway. Covenant of L. N., Art. 23 (e) ; Convention of Paris concerning Memel of 1924, Annex III, Art. 3 ; Convention of Barcelona of 1921 on Transit ; Statute, Arts. 2 and 7. Relations between Lithuania and Poland : Resolutions of the Council of L. N. of Dec. 10th, 1927, and Dec. 14th, 1928.	E 8, p. 221	A/B 42 ; C 54.
Access to and anchorage in the port of Danzig for Polish war vessels. Date : 11 XII 31. Gen. list : 44. (Opinion.)	Relations between Poland and the Free City of Danzig : free and secure access to the sea for Poland through the port of Danzig ; protection of Danzig by L. N. (defence of the Free City). Treaty of Versailles, Arts. 102-104. Danzig-Polish Convention of Nov. 9th, 1920, Arts. 20, 26, 28. Resolutions of the Council of L. N. of Nov. 17th, 1920, and June 22nd, 1921.	E 8, p. 226	A/B 43 ; C 55.
Treatment of Polish nationals, etc., in Danzig. Date : 4 II 32. Gen. list : 42. (Opinion.)	Legal status of the Free City of Danzig. Treaty of Versailles of June 28th, 1919 ; Convention of Paris between Poland and the Free City of Danzig of Nov. 9th, 1920 ; Constitution of the Free City ; guarantee of the Constitution by L. N. The right of Poland to submit to the High Commissioner of L. N. at Danzig disputes concerning the Constitution (Treaty of Versailles, Art. 103 ; Convention of Paris, Art. 39). Interpretation of Art. 104 : 5 of the	E 8, p. 232	A/B 44 ; C 56.

Name of case.	Summary.	Short report.	Relevant documents.
	Treaty of Versailles ; relation between that provision and Art. 33, para. 1, of the Convention of Paris ; interpretation of the latter provision.		
Caphandaris-Molloff Agreement of Dec. 9th, 1927. Date : 8 III 32. Gen. list : 45. (Opinion.)	Interpretation of the Caphandaris-Molloff Agreement. Competence of the Council of L. N. under Art. 8 of the aforesaid Agreement. Bulgarian reparations debt (Treaty of Peace of Neuilly of Nov. 27th, 1919, Art. 121 ; Agreement of The Hague of Jan. 20th, 1930 ; Trust Agreement of March 5th, 1931). Greek debt to Bulgaria for reciprocal and voluntary emigration (Convention of Neuilly of Nov. 27th, 1919 ; Emigration Regulation of March 6th, 1922 ; Plan of Payments of Dec. 8th, 1922 ; Caphandaris-Molloff Agreement of Dec. 9th, 1927). Application of the Hoover proposal of June 20th, 1931, to the aforesaid debts (Report of the Committee of Experts of Aug. 11th, 1931 ; Resolutions of the Council of L. N. of Sept. 19th, 1931 ; Greco-Bulgarian Arrangement of Nov. 11th, 1931). Jurisdiction of the Court in advisory procedure (Art. 14 of the Covenant of L. N.).	E 8, p. 238	A/B 45 ; C 57.
Free zones of Upper Savoy and the District of Gex. Date : 7 VI 32. Gen. list : 32. (Judgment.)	Interpretation of Art. 435, para. 2, of Treaty of Versailles with its Annexes (Swiss note of May 5th, 1919 ; French note of May 18th, 1919) : has this provision abrogated, or is it intended to lead to the abrogation, of "the old stipulations" regarding the following free zones : the zone of the Pays de Gex ; the "Sardinian" zone ; the zone of Saint-Gingolph and the "Lake" zone ? (Treaties of Paris of May 30th, 1814, and Nov. 20th, 1815 ; Act of the Congress of Vienna of June 9th, 1815 ; declarations of the Powers of March 20th and 29th and Nov. 20th, 1815 ; Protocol of Nov. 3rd, 1815 ; Acts of Accession of the Helvetic Diet of May 27th and Aug. 12th, 1815 ; Treaty of Turin of March 16th, 1816 ; Manifesto, etc., of Sept. 9th, 1829.) Settlement of the "new régime" for the free zones : New pleas submitted in the last phase of the proceedings (the <i>rebus sic stantibus</i> clause) ; admissibility of these pleas. Importations free of duty : power of the Court to regulate this matter ; power of the Court, having declared that it has no jurisdiction to undertake a part of the task entrusted to it, to deliver a judgment. Limitations upon the Court's jurisdiction resulting from the sovereignty of the States concerned in the case. Customs cordon and control cordon.	E 8, p. 191	A/B 46 ; C 58.

LIST OF JUDGMENTS, ORDERS AND OPINIONS

79

Name of case.	Summary.	Short report.	Relevant documents.
Interpretation of the Statute of Memel (jurisdiction). Date : 24 VI 32. Gen. list : 50. (Judgment.)	Convention of May 8th, 1924, concerning Memel, Art. 17 : jurisdiction of the Council of L. N. and of the Court ; is the jurisdiction of the Court conditional on prior consideration of the dispute by the Council ?	E 8, p. 207	A/B 47 ; C 59.
South-Eastern territory of Greenland. Date : 2 VIII 32. Gen. list : 52 and 53. (Order.)	Joinder of the two Applications.	E 9, p. 119	A/B 48 ; C 69.
South-Eastern territory of Greenland. Date : 3 VIII 32. Gen. list : 52 and 53. (Order.)	Dismissal of a request for indication of interim measures of protection ; Art. 41 of the Statute : indication of interim measures of protection at the request of the Parties or <i>proprio motu</i> ; possible future indication of interim measures of protection reserved.	E 9, p. 119	A/B 48 ; C 69.
Interpretation of the Statute of Memel. Date : 11 VIII 32. Gen. list : 47. (Judgment.)	Convention of May 8th, 1924, concerning Memel ; Statute of the Memel Territory annexed to the aforesaid Convention. Interpretation, in particular, of Arts. 1, 2 and 17 of the Convention, and of Arts. 2, 6, 7, 10, 12, 16 and 17 of the Statute. Powers of the Governor of the Territory in respect of : (a) the dismissal of the President and members of the Directorate of the Territory ; (b) the constitution of a Directorate ; (c) the dissolution of the Chamber of Representatives of the Territory. Conditions governing the exercise of these powers.	E 9, p. 122	A/B 49 ; C 59.
Employment of women during the night. Date : 15 XI 32. Gen. list : 48. (Opinion.)	Convention of Washington (1919) concerning "the employment of women during the night" : applicability to certain categories of women, other than those employed in manual work. Principles of interpretation. Influence of the fact that this is a Labour Convention (Part XIII of Treaty of Versailles). Influence of the origin and antecedents of the Convention (Convention of Berne of 1906). Preparatory work and provisions of conventions adopted at the same time as the Convention concerning the employment of women during the night (the "eight-hour day" Convention).	E 9, p. 131	A/B 50 ; C 60.

Name of case.	Summary.	Short report.	Relevant documents.
Territorial waters between Castellorizo and Anatolia. Date : 26 I 33. Gen. list : 46. (Order.)	Withdrawal of the suit. Termination of the proceedings.	E 9, p. 136	A/B 51 ; C 61.
Prince von Pless. Date : 4 II 33. Gen. list : 49. (Order.)	Joinder of the preliminary objection to the merits of the case and fixing of new time-limits.	E 9, p. 138	A/B 52 ; C 70.
Eastern Greenland. Date : 5 IV 33. Gen. list : 43. (Judgment.)	Norwegian declaration of occupation of July 1915 ; its legality and validity.—Danish title to sovereignty over Greenland resulting from a continuous and peaceful exercise of the authority of the State. Facts establishing the will and intention to act as sovereign and the display or effective exercise of such authority (before 1915 ; after 1921). Influence on this title of the steps taken by Denmark between 1915 and 1921 to obtain from the Powers recognition of her sovereignty over all Greenland.—Engagements on the part of Norway involving recognition of Danish sovereignty over Greenland, or an obligation not to dispute that sovereignty or not to occupy territory in Greenland : express renunciation ; conclusion of international agreements implying recognition of Danish sovereignty : the "Ihlen declaration" (July 1919).—Meaning of the term "Greenland" : colonized area or Greenland as a whole. Burden of proof. Treaty of Kiel of Jan. 14th, 1814.—Convention of Stockholm of Sept. 1st, 1819. Convention of Copenhagen of July 9th, 1924, and notes signed the same day by the Parties to the Convention.	E 9, p. 141	A/B 53 ; C 62 to 67, and annexed vol. (maps).
Prince von Pless (interim measures of protection). Date : 11 V 33. Gen. list : 49 and 55. (Order.)	Application for the indication of interim measures of protection. Note taken of the declarations of the Parties concerning this application. The application ceases to have any object.	E 9, p. 152	A/B 54 ; C 70.

LIST OF JUDGMENTS, ORDERS AND OPINIONS

81

Name of case.	Summary.	Short report.	Relevant documents.
South-Eastern territory of Greenland. Date : 11 V 33. Gen. list : 52 and 53. (Order.)	Withdrawal of the suit. Termination of the proceedings.	E 9, p. 155	A/B 55 ; C 69.
Appeals from certain judgments of the Hungaro-Czechoslovak M. A. T. Date : 12 V 33. Gen. list : 51, 54, 56, 57. (Order.)	Withdrawal of the suit. Termination of the proceedings.	E 9, p. 156	A/B 56 ; C 68.
Case concerning the Administration of the Prince von Pless. Date : 4 VII 33. Gen. list : 49 and 55. (Order.)	Extension of time-limits.	E 10, p. 134	A/B 57 ; C 70.
Case concerning the Polish agrarian reform and the German minority. Date : 29 VII 33. Gen. list : 60. (Order.)	Request for interim measures of protection. Dismissal of the request on the ground that it is not regarded as solely designed to protect the subject of the dispute.	E 10, p. 130	A/B 58 ; C 71.
Case concerning the Administration of the Prince von Pless. Date : 2 XII 33. Gen. list : 49 and 55. (Order.)	Withdrawal of the suit by the Applicant ; acquiescence of Respondent in this withdrawal. Termination of the proceedings.	E 10, p. 134	A/B 59 ; C 70.
Case concerning the Polish agrarian reform and the German minority. Date : 2 XII 33. Gen. list : 60. (Order.)	Withdrawal of the suit by the Applicant ; acquiescence of Respondent in this withdrawal. Termination of the proceedings.	E 10, p. 133	A/B 60 ; C 71.

Name of case.	Summary.	Short report.	Relevant documents.
Appeal from a judgment of the Hungaro-Czechoslovak M. A. T. (the Peter Pázmány University v. the State of Czechoslovakia). Date: 15 XII 33. Gen. list: 58. (Judgment.)	Award of the Hungaro-Czechoslovak M. A. T. of Feb. 3rd, 1933; its correctness in regard to the question of jurisdiction and on the merits.—The "right of appeal" to the P. C. I. J. under Art. X of Agreement No. II signed at Paris on April 28th, 1930.—Art. 250 of the Treaty of Trianon: conditions governing its application.—The University of Budapest, a juridical person of Hungarian nationality (Art. 246 of the Treaty of Trianon). The University's right of ownership in respect of certain estates situated in transferred territory. Character of these estates as private property within the meaning of the Treaty. Nature of the measures referred to in Art. 250 of the Treaty of Trianon; cf. Art. 232 and the Annex following Art. 233: question of "discrimination". Subjection of the property in question to discriminatory measures in the form of compulsory administration and supervision within the meaning of the Article. Right of the University to the restitution of this property freed from the said measures. Arts. 249 and 256 of the Treaty of Trianon; Protocol signed at Paris on April 26th, 1930.	E 10, p. 135	A/B 61; C 72, 73.
Lighthouses case between France and Greece. Date: 17 III 34. Gen. list: 59. (Judgment.)	Concessionary contract entered into in 1913 between the Ottoman Govt. and a French firm, covering, <i>inter alia</i> , territories subsequently ceded to Greece.—Interpretation of the Special Agreement, having regard to Protocol XII of Lausanne (July 24th, 1923) and to the discussions preceding the conclusion of the former.—Scope of the contract, having regard to the intention of the Parties.—Validity of the concessionary contract, according to Ottoman law; Art. 36 of the Turkish Constitution of 1876 (amended in 1909); the Turkish law of 1910 concerning concessions.—Enforceability of the contract against Greece, having regard to the military occupation of certain territories at the time when the contract was entered into, and to Protocol XII of Lausanne.	E 10, p. 143	A/B 62; C 74.
Oscar Chinn case. Date: 12 XII 34. Gen. list: 61. (Judgment.)	Ministerial decision imposing upon a fluvial transport company in the Belgian Congo under governmental supervision a reduction of its rates, in consideration of a promise of repayment—which might be temporary only—of its losses.—Convention of Saint-Germain of Sept. 10th, 1919, revising the General Act of Berlin of Feb. 26th, 1885, and the General Act and Declaration of Brussels of July 2nd, 1890. Principles of freedom of navigation, of freedom of trade and of equality of treat-	E 11, p. 129	A/B 63; C 75.

Name of case.	Summary.	Short report.	Relevant documents.
	ment.—General international law: the principle of respect for vested rights. A " <i>de facto</i> monopoly"; special situation accorded to a company under government supervision; commercial competition. Discrimination based on nationality. Interests as opposed to vested rights.		
Minority schools in Albania. Date: 6 IV 35. Gen. list: 62. (Opinion.)	The Albanian Declaration of Oct. 2nd, 1921, concerning the protection of minorities.—General principles of the Minorities Treaties.—The conception of "equality in law" and "equality in law and in fact".—Obligation to allow minorities to establish and maintain private schools.	E II, p. 136; E 12, p. 161	A/B 64; C 76.
Constitution of the Free City of Danzig. Date: 4 XII 35. Gen. list: 63. (Opinion.)	The international element in the question raised as to the constitutionality of the decrees of August 29th, 1935 (Ishii report of Nov. 17th, 1920; Advisory Opinion of the Court of Feb. 4th, 1932).—Changes made by these decrees in the penal law previously in force.—Principles of the Constitution of Danzig: the Free City is a <i>Rechtsstaat</i> (State governed by the rule of law); the Constitution guarantees the fundamental rights of individuals (Arts. 71, 74, 75 and 79).—Inconsistency of the decrees with this latter principle and with the provisions which express it.	E 12, p. 169	A/B 65; C 77.
The Pajzs, Csáky, Esterházy case (preliminary objection). Date: 23 V 36. Gen. list: 65 and 66. (Order.)	Joinder of objections to the merits, and fixing of further time-limits.	E 12, p. 174	A/B 66; C 79, 80.
The Losinger & Co. case (preliminary objection). Date: 27 VI 36. Gen. list: 64 and 67. (Order.)	Joinder of objection to the merits, and fixing of further time-limits.	E 12, p. 179	A/B 67; C 78.
The Pajzs, Csáky, Esterházy case. Date: 16 XII 36. Gen. list: 65 and 66. (Judgment.)	Agrarian reform in Yugoslavia. The Paris Agreements of April 28th, 1930.—Judgments rendered by the Hungaro-Yugoslav M. A. T. on July 22nd, 1935. Appeal to the P. C. I. J. from these judgments under Art. X of Agreement II of Paris; conditions in which such appeal can be entertained; meaning of the expressions "proceedings referred to in Article I" of	E 13, p. 129	A/B 68; C 79, 80.

Name of case.	Summary.	Short report.	Relevant documents.
The Losinger & Co. case. Date : 14 XII 36. Gen. list : 64 and 67. (Order.)	Agreement II of Paris and "proceedings in regard to the agrarian reform".—Difference as to the interpretation and application of Agreements II and III of Paris ; alternative request on this subject presented on the basis of Art. XVII of Agreement II and Art. 22 of Agreement III. Alleged refusal of the Yugoslav Government to pay the so-called "local" indemnities for expropriation direct to Hungarian nationals affected by the agrarian reform in Yugoslavia. Régime established by the Paris Agreements with regard to such nationals.	E 13, p. 127	A/B 69 ; C 78.
Diversion of water from the Meuse. Date : 28 VI 37. Gen. list : 69. (Judgment.)	Interpretation of the Treaty of May 12th, 1863, between Belgium and the Netherlands concerning the régime of diversions of water from the Meuse : this Treaty did not invest either contracting Party with a right of control which the other Party might not exercise.—The obligation to take water solely through the feeder at Maestricht is imposed on both contracting Parties ; the normal use by the Parties of locks is not inconsistent with the Treaty, provided that such use does not prejudice the régime instituted by the Treaty ; subject to the same condition, each Party is entitled to alter or enlarge the canals coming under the Treaty, so far as concerns canals which are situated in its territory and do not leave it.—The Netherlands were within their rights in altering the level of the Meuse at Maestricht, without the consent of Belgium, since the régime set up by the Treaty was not thereby prejudiced.—The Juliana Canal cannot be considered as a canal below Maestricht, within the meaning of the Treaty.	E 13, p. 135	A/B 70 ; C 81.
Case concerning lighthouses in Crete and Samos. Date : 8 X 37. Gen. list : 70. (Judgment.)	Application, in a particular case, of a judgment already rendered by the Court (see Series A./B., No. 62).—Period at which the islands of Crete and Samos are to be regarded as having been "detached from the Ottoman Empire". Meaning of this expression.—Application of Art. 9 of Protocol XII signed at the same time as the Treaty of Lausanne of July 24th, 1923.—Character of the autonomy enjoyed, prior to 1913, by the islands of Crete and Samos. Its scope determined by the international treaties and by the Cretan and Samian Constitutions.	E 14, p. III	A/B 71 ; C 82.

LIST OF JUDGMENTS, ORDERS AND OPINIONS

85

Name of case.	Summary.	Short report.	Relevant documents.
The Borchgrave case (preliminary objections). Date : 6 XI 37. Gen. list : 72. (Judgment.)	Interpretation of a special agreement ; analysis of the notes preceding the conclusion of this special agreement.—Rejection of a first preliminary objection ; a second objection, having subsequently been withdrawn, cannot be joined to the merits.	E 14, p. 116	A/B 72 ; C 83.
The Borchgrave case. Date : 30 IV 38. Gen. list : 72. (Order.)	Withdrawal of the suit. Removal of the case from the list.	E 14, p. 118	A/B 73 ; C 83.
Phosphates in Morocco case. Date : 14 VI 38. Gen. list : 71. (Judgment.)	Declaration affixed by France to the optional clause relating to the acceptance of the jurisdiction of the Court (Art. 36, para. 2, of the Statute) as compulsory. Limitation <i>ratione temporis</i> .—Import of the words : "in any disputes which may arise after the ratification of the present declaration with regard to situations or facts subsequent to such ratification".—A situation prolonged beyond the crucial date ; priority in date of the acts which led to this situation. Lack of jurisdiction.—Allegation of an unlawful international act prior to the crucial date and resulting from a violation of vested rights placed under the protection of international conventions. Allegation of a denial of justice subsequent to that date. Absence of influence of the denial of justice upon the accomplishment of the unlawful international act and upon the responsibility ensuing from it. Lack of jurisdiction.	E 14, p. 119	A/B 74 ; C 84, 85.
The Panevezys-Saldutiskis Railway case (preliminary objections). Date : 30 VI 38. Gen. list : 74, 76. (Order.)	Joinder of the preliminary objections to the merits and fixing of new time-limits.	E 15, p. 94	A/B 75 ; C 86.
The Panevezys-Saldutiskis Railway case. Date : 28 II 39. Gen. list : 74, 76. (Judgment.)	1. Preliminary objection based on the rule that a claim must be a national claim not only at the time of its presentation, but also at the time when the injury was suffered. This objection not held to constitute a preliminary objection within the meaning of Art. 62 of the Rules ; impossibility in this case of adjudicating on this objection without adjudicating on the merits.—2. Preliminary objection based on the local remedies rule. This objection held to be well-founded.	E 15, p. 91	A/B 76 ; C 86.

Name of case.	Summary.	Short report.	Relevant documents.
The Electricity Company of Sofia and Bulgaria (preliminary objection). Date : 4 IV 39. Gen. list : 75. (Judgment.)	Two grounds of jurisdiction : the Treaty of conciliation, arbitration and judicial settlement of June 23rd, 1931, between Belgium and Bulgaria ; the Declarations of Belgium and Bulgaria recognizing the compulsory jurisdiction of the Court. Examination of the preliminary objection with reference to each of these two grounds of jurisdiction. Objections raised to the jurisdiction of the Court under the Treaty : the argument <i>ratione materiæ</i> ; the local remedies rule. Objections raised to the jurisdiction of the Court under the Declarations : the limitation <i>ratione temporis</i> ; the limitation <i>ratione materiæ</i> .—Inadmissibility of one part of the Applicant's claims, because the existence of a dispute prior to the filing of the Application has not been established.	E 15, p. 98	A/B 77 ; C 88.
The <i>Société commerciale de Belgique</i> . Date : 15 VI 39. Gen. list : 77. (Judgment.)	Change in the nature of a dispute owing to changes in the Parties' submissions. Unless authorized by the Parties, the Court will not confirm or invalidate arbitral awards that are "final and without appeal". Agreement by the Parties to recognize these awards as <i>res judicata</i> . The Court places this agreement on record. Consequences and effects of such agreement on certain of the Parties' submissions.	E 15, p. 105	A/B 78 ; C 87.
The Electricity Company of Sofia and Bulgaria. Date : 4 X 39. Gen. list : 75. (Order.)	Extension of time-limit.	E 16, p. 149	
The Gerliczy case. Date : 18 X 39. Gen. list : 79. (Order.)	Fixing of time-limits.	E 16, p. 154	
The Electricity Company of Sofia and Bulgaria. Date : 5 XII 39. Gen. list : 75. (Order.)	Indication of interim measures of protection.	E 16, p. 149	A/B 79.

LIST OF JUDGMENTS, ORDERS AND OPINIONS

87

Name of case.	Summary.	Short report.	Relevant documents.
The Electricity Company of Sofia and Bulgaria. Date : 26 II 40. Gen. list : 75. (Order.)	Written proceedings regarded as terminated. Fixing of date for commencement of oral proceedings.	E 16, p. 153	A/B 80.
The Gerliczy case. Date : 7 III 40. Gen. list : 79. (Order.)	Fixing of new time-limits.	E 16, p. 157	

ORDERS BY THE COURT AND BY THE PRESIDENT.

(June 15th, 1939—December 31st, 1945.)

I.—CHRONOLOGICAL INDEX.

(Supplement.)

1939.*October 4th :*

Electricity Company of Sofia and Bulgaria case. Extension of time-limit for filing the rejoinder.

October 18th :

Gerliczy case. Time-limits fixed for filing the Memorial and the Counter-Memorial; a subsequent order to fix time-limits for the Reply and Rejoinder.

*December 5th :*Electricity Company of Sofia and Bulgaria case. Indication of interim measures of protection: **A./B. 79.****1940.***February 26th :*Electricity Company of Sofia and Bulgaria case. Fixing the date for the commencement of the oral proceedings on the merits: **A./B. 80.***March 7th :*

Gerliczy case. New time-limits for filing the Memorial and Counter-Memorial; a subsequent order to fix time-limits for the Reply and Rejoinder.

II.—SUBJECT INDEX TO ORDERS.
(June 15th, 1939—December 31st, 1945.)

AGENTS :

Absence of an agent from oral proceedings on a request for the indication of interim measures of protection ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

Notification of appointment (cases submitted by application) ; Gerliczy case, 18 X 39.

APPLICATIONS INSTITUTING PROCEEDINGS ; provision on which applicant founds the jurisdiction of the Court ; Gerliczy case, 18 X 39.

BELGIUM : Electricity Company of Sofia and Bulgaria case.

BULGARIA : Electricity Company of Sofia and Bulgaria case.

CIRCUMSTANCES OF "FORCE MAJEURE", see *Force majeure* (Circumstances of—).

ELECTRICITY COMPANY OF SOFIA AND BULGARIA CASE :

4 X 39 (extension of time-limit for filing Rejoinder).

5 XII 39 (indication of interim measures of protection) : **A./B. 79.**

26 II 40 (fixing date for commencement of oral proceedings on the merits) : **A./B. 80.**

"FORCE MAJEURE" (Circumstances of—invoked by a party) :

As facts alleged by party concerned do not constitute a situation of *force majeure* justifying the non-presentation of a rejoinder, written proceedings considered as terminated and case ready for hearing ; Electricity Company of Sofia case, 26 II 40 : **A./B. 80.**

Submissions of the opposing party in regard to— ; Electricity Company of Sofia case : **A./B. 80.**

To justify absence of agent and judge *ad hoc* from oral proceedings on request for indication of interim measures of protection ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

To justify non-presentation of rejoinder ; Electricity Company of Sofia case, 4 X 39 ; 26 II 40 : **A./B. 80.**

To justify non-presentation of written observations on a request for indication of interim measures of protection ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

GERLICZY CASE :

18 X 39 (time-limits for filing Memorial and Counter-Memorial ; a subsequent order to fix time-limits for Reply and Rejoinder).

7 III 40 (new time-limits fixed for filing Memorial and Counter-Memorial ; a subsequent order to fix time-limits for Reply and Rejoinder).

HUNGARY : Gerliczy case.

INTERIM MEASURES OF PROTECTION :

Absence of judge *ad hoc* and agent of a party from oral proceedings on request for indication of—, the party concerned having invoked circumstances of *force majeure* ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

Indication of— ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

Non-presentation of written observations on request for indication of—, circumstances of *force majeure* having been invoked by agent of party concerned ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

Principle universally accepted in regard to the indication of— ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

Request for indication of— ("Second incidental Request for indication of —") ; Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

INTERIM MEASURES OF PROTECTION (*cont.*):

Submissions of applicant party concerning circumstances of *force majeure* invoked by respondent party to justify its opposition to continuation of proceedings; Electricity Company of Sofia case, 26 II 40: **A./B. 80.**

JUDGE "AD HOC":

Absence of a—from oral proceedings on a request for indication of interim measures of protection; Electricity Company of Sofia case, 5 XII 39: **A./B. 79.**
Appointment of a—; Electricity Company of Sofia case, 5 XII 39: **A./B. 79.**

LIECHTENSTEIN: Gerliczy case.

OFFICIAL LANGUAGES; orders drawn up in French, the parties having agreed that the case be conducted in French; Electricity Company of Sofia case, 5 XII 39: **A./B. 79**; 26 II 40: **A./B. 80.**

OPTIONAL CLAUSE (Art. 36 (2) of the Statute of the Court); references to applications citing—; Gerliczy case, 18 X 39.

ORAL PROCEEDINGS:

Absence of judge *ad hoc* and agent of a party from—on request for indication of interim measures of protection; Electricity Company of Sofia case, 5 XII 39: **A./B. 79.**

Fixture of date for commencement of—, facts invoked by respondent party not constituting a situation of *force majeure* to justify the non-presentation of a Rejoinder, and case being therefore ready for hearing; Electricity Company of Sofia case, 26 II 40: **A./B. 80.**

PARTIES TO CASES:

Agents of—, see *Agents*.

Circumstances of *force majeure* invoked by a party, see *Force majeure*, etc.

Non-representation of a party during the oral proceedings, see *Force majeure*, etc.

Reservation made by respondent party concerning time-limit for filing Counter-Memorial if extension of time-limit for filing Memorial is granted; Gerliczy case, 7 III 40.

Views of—ascertained by President (Art. 37 (1) of Rules), see *President*.

PRESIDENT OF THE COURT:

Orders made by—:

Electricity Company of Sofia case, 4 X 39.

Gerliczy case, 18 X 39; 7 III 40.

Views of parties concerning procedure ascertained by—; Gerliczy case, 18 X 39.

RESERVATION OF COURT'S RIGHT to fix time-limits under a subsequent order; Reply and Rejoinder; Gerliczy case, 18 X 39; 7 III 40.

RULES OF COURT:

Art. 32:

Gerliczy case, 18 X 39.

Art. 35:

Gerliczy case, 18 X 39.

Art. 37:

Electricity Company of Sofia case, 4 X 39; 26 II 40: **A./B. 80.**

Gerliczy case, 18 X 39; 7 III 40.

Art. 38:

Electricity Company of Sofia case, 4 X 39.

Gerliczy case, 18 X 39; 7 III 40.

Art. 41:

Electricity Company of Sofia case, 4 X 39.

Gerliczy case, 18 X 39; 7 III 40.

RULES OF COURT (*cont.*):

- Art. 42 :
Electricity Company of Sofia case, 26 II 40 : **A./B. 80.**
- Art. 45 :
Electricity Company of Sofia case, 26 II 40 : **A./B. 80.**
- Art. 47 :
Electricity Company of Sofia case, 26 II 40 : **A./B. 80.**
- Art. 61 :
Electricity Company of Sofia case, 5 XII 39 : **A./B. 79.**

STATES TO WHICH ORDERS APPLY: Belgium, Bulgaria, Hungary, Liechtenstein.

STATUTE OF THE COURT :

- Art. 36 :
Gerliczy case, 18 X 39.
- Art. 40 :
Gerliczy case, 18 X 39.
- Art. 41 :
Electricity Company of Sofia case, 5 X 39 : **A./B. 79.**
- Art. 43 :
Electricity Company of Sofia case, 26 II 40 : **A./B. 80.**
- Art. 48 :
Electricity Company of Sofia case, 4 X 49 ; 5 XII 39 : **A./B. 79 ; 26 II 40 :
A./B. 80.**
Gerliczy case, 18 X 39 ; 7 III 40.

TIME-LIMITS FOR WRITTEN PROCEEDINGS :

- Extension of— :
New time-limits fixed for filing of Memorial and Counter-Memorial at request of applicant Government ; Gerliczy case, 7 III 40.
Rejoinder ; agent of respondent party, having invoked circumstances of *force majeure* to justify non-presentation of this document, and agent of applicant party raising no objection to a reasonable— ; Electricity Company of Sofia case, 4 X 39.
Reservation made by respondent party concerning time-limit for filing of Counter-Memorial if extension of time-limit is granted for filing Memorial ; Gerliczy case, 7 III 40.
- Fixture of—in contentious procedure (applications) ; Memorial and Counter-Memorial, with reservation regarding Reply and Rejoinder ; Gerliczy case, 18 X 39 ; 7 III 40.
- Non-presentation of a document of written proceedings within time-limit fixed ; Electricity Company of Sofia case, 4 X 39 ; 26 II 40 : **A./B. 80.**
- Reservation of Court's right to fix—under a subsequent order, see *Reservation*, etc.

WRITTEN PROCEEDINGS :

- Rejoinder (Non-presentation of—) :
Agent of party concerned having invoked circumstances of *force majeure*, Rejoinder not filed within time-limit originally fixed, nor within time-limit as subsequently extended ; Electricity Company of Sofia case, 4 X 39 ; 26 II 40 : **A./B. 80.**
- As facts alleged by party concerned do not constitute a situation of *force majeure* to justify the—, written proceedings are considered as terminated ; Electricity Company of Sofia case, 26 II 40 : **A./B. 80.**
- Reply and Rejoinder ; reservation of Court's right to fix time-limits by subsequent order ; Gerliczy case, 18 X 39 ; 7 III 40.

GENERAL LIST OF THE COURT.

In the Seventh Annual Report were reproduced the particulars given in the General List with regard to the cases submitted to the Court up to July 12th, 1931. These particulars were completed in Annual Reports Nos. 8 to 15¹.

The following tables reproduce the folios of the General List in respect of all cases submitted to the Court, including those in respect of which new entries have been made since the last Annual Report.

The General List is arranged under 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.*
 - XIV. *Postponements.*
 - XV. *Date of the beginning of the hearing (1st 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.*

¹ See E 7, pp. 199-231 ; E 8, pp. 178-189 ; E 9, pp. 105-113 ; E 10, pp. 86-89 ; E 11, p. 128 ; E 12, pp. 157-160 ; E 13, pp. 119-125 ; E 14, pp. 106-110 ; E 15, pp. 88-90.

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., „ 1.
 „ E., „ 1, 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. 69I.
- 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., " I.
" E., " I, 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. | Notes. |
| 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 II 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. | XIV. |
| V. F. c. VII. 1. | XV. 22 VI 23. |
| VI. Advisory opinion. | XVI. 3rd (ordinary) Session. |
| VII. <i>Members, States and Organizations</i> | XVII. |
| (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> | XVIII. Advisory Opinion No. 5: 23 VII 23. |
| (b) <i>which submitted written statements to the Court:</i>
Finland; | XIX. |
| (c) <i>accorded a hearing by the Court:</i>
Finland. | XX. Series B., Vol. 5.
,, C., ,, 3—I and II.
Series E., ,, 1, p. 200. |
| VIII. | |
| IX. Request signed by the Secretary-General of the League of Nations. | |
| X. 27 IV 23. (Council's Resolution, 21 IV 23.) | |

Notes.

- (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.

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: Germany;</i> |
| III. 16 VII 23. | (b) <i>accorded a hearing by the Court: Germany, Poland.</i> |
| 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. II VII 23. (Council's Resolution, 7 VII 23.)
- XI.
- XII.
- XIII. II 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. I, p. 210.

Fol. No. 9.

- I. 9. X. 29 IX 23. (Council's Resolution, 27 IX 23.)
- II. **Polish-Czechoslovakian frontier (question of Jaworzina).** XI.
- III. 2 X 23. XII.
- IV. I. 3222. XIII. 12 X 23 (the President's decision fixing the date of the first hearing).
- V. F. c. IX. 1. XIV.
- VI. Advisory opinion. XV. 13 XI 23.
- VII. *Members, States and Organizations*
 (a) *which submitted written statements to the Court:*
 Czechoslovakia, Poland;
 (b) *accorded a hearing by the Court:*
 Czechoslovakia, Poland. XVI. 4th (extraordinary) Session.
- VIII. XVII.
- IX. Request signed by the Secretary-General of the League of Nations. 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., ,, 1, 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. <i>First prolongation</i> :
19 VII 24 (Memorials).
<i>Second prolongation</i> :
31 VII 24 (Memorials).
25 VII 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., „ I, 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., „ I, p. 169.

Fol. No. 13.

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| I. 13. | XI. |
| II. The Monastery of Saint-Naoum (Serbian-Albanian frontier). | XII. |
| III. 19 VI 24. | XIII. 21 VII 24. |
| IV. I. 4179. | XIV. |
| V. F. c. X. 1. | 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. II. |
| 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. I, 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. | |
| III. 20 XII 24. | X. 18 XII 24. (Council's Resolution, 13 XII 24.) |
| IV. I. 4910. | XI. 10 I 25 (Memorials). |
| V. F. c. XI. 7. | XII. |
| VI. Advisory opinion. | XIII. 10 I 25. |
| VII. <i>Members, States and Organizations</i> | XIV. |
| (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> | XV. 16 I 25. |
| (b) <i>which submitted written statements to the Court : Greece, Turkey ;</i> | XVI. 6th (extraordinary) Session. |
| (c) <i>accorded a hearing by the Court : Greece, Turkey.</i> | XVII. |
| VIII. | XVIII. Advisory Opinion No. 10 : 21 II 25. |
| | XIX. |
| | XX. Series B., Vol. 10.
,, C., ,, 7—I.
,, E., ,, I, 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., " I, 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 Œcumenical 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> |
| XI. 12 VI 25 (written Observations). | (1) <i>The following were notified that they were entitled to furnish information to the Court either orally or in writing : Greece, Turkey.</i> |

Fol. No. 18.

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| I. 18. | VII. <i>Applicant :</i>
Germany. |
| II. German interests in Polish Upper Silesia (merits). | <i>Respondent :</i>
Poland. |
| III. 16 V 25. | VIII. |
| IV. I. 5695. | IX. Application of the German Government. |
| V. E. c. VI. 1.
E. c. VII. 1.
E. c. VIII. 1. | X. 15 V 25. |
| VI. Contentious case. | XI. 26 VI 25 (Case).
31 VII 25 (Counter-Case).
21 VIII 25 (Reply).
11 IX 25 (Rejoinder). |

- 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).
 3 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., „ II—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. 18 bis.

- I. 18 *bis*.
- II. **German interests in Polish Upper Silesia.**
- III. 25 VIII 25.
- IV. I. 6158.
- V. E. c. VIII. 1.
- VI. Contentious case.
- VII. *Applicant* :
 Germany.
Respondent :
 Poland.
- VIII.
- IX. Second application of the German Government.
- X. 25 VIII 25.
- XI. 16 IX 25 (Case).
 28 X 25 (Counter-Case).
 25 XI 25 (Reply).
 23 XII 25 (Rejoinder).
- XII. 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. 18, 19, 25, 26 and 30.
- 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.

XIX.

XX. Series A., Vol. 7.
 „ C., „ II—I, II
 and III.
 Series E., „ 2, p. 109.

Fol. No. 19.

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| I. 19. | XI. 10 VII 25 (Reply to objections). |
| II. German interests in Polish Upper Silesia (jurisdiction). | XII. |
| III. 20 VI 25. | XIII. 10 VII 25. |
| IV. I. 5866. | XIV. |
| V. E. c. VI. 23. | XV. 16 VII 25. |
| VI. Contentious case. | XVI. 8th (ordinary) Session. |
| VII. <i>Applicant</i> :
Germany.
<i>Respondent</i> :
Poland. | XVII. Nos. 18, 18 <i>bis</i> , 25, 26 and 30. |
| VIII. | XVIII. Judgment No. 6 : 25 VIII 25. |
| IX. Preliminary objections raised by the Polish Government. | XIX. |
| X. 18 VI 25. | XX. Series A., Vol. 6.
„ C., „ 9—I.
„ E., „ 2, p. 100. |

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. I. | |
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- (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 Employ-
- ers, International Federation of Trades Unions, International Confederation of Christian 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).
 I IV 28 (Reply).
 15 V 28 (Rejoinder).
Fourth prolongation :
 25 II 28 (Counter-Case).
Fifth prolongation :
 15 VIII 28 (Counter-Case).
 I X 28 (Reply).
 15 XI 28 (Rejoinder).
Sixth prolongation :
 15 II 29 (Counter-Case).
 I 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.
<i>Respondent</i> :
Poland. |
| II. Claim for indemnities in respect of the factory at Chorzów (merits). | VIII. |
| III. 8 II 27. | IX. Request of the German Government. |
| IV. I. 8756. | X. 8 II 27. |
| V. E. c. XI. 1.
E. c. XIII. 1.
E. c. XIII <i>bis</i> 1.
E. I. 27. 1.
E. c. 19. 1. | XI. 3 III 27 (Case).
14 IV 27 (Counter-Case).
5 V 27 (Reply).
14 VI 27 (Rejoinder). |
| VI. Contentious case. | |

- 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 Chor-zów (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.

- XVI. 12th (ordinary) Session. XIX.
 XVII. Nos. 18, 19, 18 *bis*, 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.

- I. 27. XI. 7 VI 27 (Case).
 5 VII 27 (Counter-Case).
 2 VIII 27 (Reply).
 30 VIII 27 (Rejoinder).
 II. **Readaptation of the Mavromatis Jerusalem concessions (merits).** XII. 15 VIII 27 (Counter-Case).
 III. 28 v 27. XIII.
 IV. I. 9375. XIV.
 V. E. c. XII. 2. XV.
 VI. Contentious case. XVI.
 VII. *Applicant* : XVII. Nos. 10, 12 and 28.
 Greece. XVIII.
Respondent : XIX. By its Judgment No. 10,
 Great Britain. given on 10 X 27, the Court
 upheld the preliminary
 objection to the jurisdiction
 raised by the Respondent ;
 see No. 28.
 VIII. XX. Series A., Vol. 11.
 IX. Application of the Greek „ C., „ 13—III.
 Government. „ E., „ 4, p. 176.
 X. 28 v 27.

Fol. No. 28.

- I. 28. VI. Contentious case.
 II. **Readaptation of the Mavromatis Jerusalem concessions (jurisdiction).** VII. *Applicant* :
 Greece.
Respondent :
 Great Britain.
 III. 11 VIII 27.
 IV. I. 9791. VIII.
 V. E. c. XII. 98. IX. Objection to jurisdiction
 raised by Great Britain.

- X. 9 VIII 27.
- XI. 26 VIII 27 (Reply to the preliminary objection).
- XII. 1 IX 27 (Reply to the preliminary objection).
- XIII. 1 IX 27.
- XIV.
- XV. 8 IX 27.
- XVI. 12th (ordinary) Session.
- XVII. Nos. 10, 12 and 27.
- XVIII. Judgment No. 10 : 10 X 27.
- XIX.
- XX. Series A., Vol. II.
 „ C., „ 13—III.
 „ E., „ 4, p. 176.

Fol. No. 29.

- I. 29.
- II. **Jurisdiction of the Courts of Danzig.**
- III. 26 IX 27.
- IV. I. 10155.
- V. F. c. XVII. 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 :*
 Danzig, Poland ;
- (b) *which submitted written statements to the Court :*
 Danzig, Poland ;
- (c) *accorded a hearing by the Court :*
 Danzig, Poland.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 24 IX 27. (Council's Resolution, 22 IX 27.)
- 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.
- XII. 5 XII 27 (written statements).
- XIII. 5 XII 27.
- XIV.
- XV. 7 II 28.
- XVI. 13th (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion No. 15 :
 3 III 28.
- XIX.
- XX. Series B., Vol. 15.
 „ C., „ 14—I.
 „ E., „ 4, p. 213.

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. I.</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.
Third phase :
 30 IX 31.
- XIV.
 XV. *First phase* :
 9 VII 29.
Second phase :
 23 X 30.
Third phase :
 19 IV 32.
 XVI. *First phase* :
 17th (ordinary) Session.
Second phase :
 19th (extraordinary) Session.
Third phase :
 25th (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.
Third phase :
 Judgment : 7 VI 32.
 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.

Third phase :

- Series A./B., Vol. 46.
 „ C., „ 58.
 „ E., „ 8, p. 191.

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.
 (3) By letters dated 29 VII 31 (I. II. 2024) and 30 VII 31 (I. II. 2037), the Parties informed the Court of the break-down of the negotiations provided for by the Order of 6 XII 30.

Fol. No. 33.

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| I. 33. | XI. 30 VI 28 (the French Government's Case). |
| II. Brazilian Federal Loans issued in France. | 31 VII 28 (the Brazilian Government's Case). |
| III. 27 IV 28. | 1 X 28 (the French Government's Counter-Case). |
| IV. I. 11571. | 31 X 28 (The Brazilian Government's Counter-Case). |
| V. E. c. XVII. 1. | XII. |
| VI. Contentious case. | XIII. 31 X 28. |
| VII. Brazil, France. | XIV. |
| VIII. | XV. 25 V 29. |
| IX. Special arbitration agreement. | XVI. 16th (extraordinary) Session. |
| 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. | XVII. |

XVIII. Judgment No. 15: 12 VII
29.

XIX.

XX. Series A., Vol. 21.

„ C., „ 16—IV.

„ E., „ 5, p. 216.

Fol. No. 34.

I. 34.

II. **Serbian Loans issued in France.**

III. 25 v 28.

IV. I. 11775.

V. E. c. XVIII. 1.

VI. Contentious case.

VII. France, Serb-Croat-Slovene State.

VIII.

IX. Special arbitration agreement.

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.

XI. 25 VII 28 (Cases).
25 IX 28 (Counter-Cases).

XII.

XIII. 25 IX 28.

XIV.

XV. 15 v 29.

XVI. 15th (extraordinary) Session.
16th („ „) „ .

XVII.

XVIII. Judgment No. 14: 12 VII
29.

XIX.

XX. Series A., Vol. 20.

„ C., „ 16—III.

„ E., „ 5, p. 205.

Notes.

- (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.

Fol. No. 35.

I. 35.

II. **Interpretation of the Greco-Turkish Agreement of December 1st, 1926 (Final Protocol, Article IV).**

III. 9 VI 28.

IV. I. 11891.

V. F. c. XVIII. 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:*

Greece, Turkey;

(b) *which submitted written statements to the Court:*

Greece, Turkey;

(c) *accorded a hearing by the Court:*
Greece, Turkey.

VIII.

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| IX. Request signed by the Secretary-General of the League of Nations. | XV. 6 VIII 28. |
| X. 7 VI 28. (Council's Resolution, 5 VI 28.) | XVI. 14th (ordinary) Session. |
| XI. 10 VII 28 (written statements). | XVII. |
| XII. | XVIII. Advisory Opinion No. 16 : 28 VIII 28. |
| XIII. 10 VII 28. | XIX. |
| XIV. | XX. Series B., Vol. 16.
,, C., ,, 15—I.
,, E., ,, 5, p. 227. |

Fol. No. 36.

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| I. 36. | Date of the document notifying the special agreement, 29 XI 28. |
| II. Territorial jurisdiction of the International Commission of the River Oder. | XI. I III 29 (Cases).
I V 29 (Counter-Cases).
I VI 29 (Replies). |
| III. 29 XI 28. | XII. <i>First prolongation</i> :
I IV 29 (Cases).
I VI 29 (Counter-Cases).

<i>Second prolongation</i> :
15 IV 29 (Cases).
10 VI 29 (Counter-Cases). |
| IV. I. 13138. | XIII. 17 VIII 29. |
| V. E. b. XX. 1. | XIV. |
| VI. Contentious case. | XV. 20 VIII 29. |
| VII. <i>Between</i> :
Czechoslovakia, Denmark,
France, Germany, Great
Britain and Northern
Ireland, Sweden
<i>and</i>
Poland. | XVI. 17th (ordinary) Session. |
| VIII. | XVII. |
| IX. Special arbitration agreement. | XVIII. Judgment No. 16 : 10 IX 29. |
| X. Date of special agreement, 30 X 28. (The special agreement came into force 30 X 28.) | 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 addressed 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.

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| I. 39. | XIII. 20 VII 31. |
| II. Railway traffic between
Lithuania and Poland. | XIV. |
| III. 31 I 31. | XV. 16 IX 31. |
| IV. I. II. 268. | XVI. 22nd (extraordinary) Ses-
sion. |
| V. F. b. XXI. 1. | XVII. |
| VI. Advisory opinion. | XVIII. Advisory Opinion: 15 X 31. |
| VII. <i>Members, States and Organ-
izations</i> | XIX. |
| (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 ; | XX. Series A./B., Vol. 42.
" C., " 54.
" E., " 8, p. 221. |
| (b) <i>which submitted written statements
to the Court:</i>
Lithuania, Poland ; | <i>Notes.</i> |
| (c) <i>accorded a hearing by the Court:</i>
Lithuania, Poland, Advisory
and Technical Committee
for Communications and
Transit. | (1) <i>In connection with the case, a
communication was address-
ed to the following, drawing
their attention to the terms
of Article 73, No. 1, para-
graph 3, of the Rules of Court:</i>
States parties to the Coven-
ant of the League of Nati-
ons ; to the Convention and
Statute relating to Freedom
of Transit, signed at Barce-
lona on April 20th, 1921 ; to
the Convention and transi-
tory provision relating to
Memel, signed at Paris on
May 8th, 1924, and to the
Treaty of Commerce and
Navigation between Ger-
many and Lithuania of
October 30th, 1928. |
| VIII. | (2) The second written state-
ment of the Polish Govern-
ment was filed on 20 VII
31. The Court decided to
accept it, although filed
after the expiration of the
time-limit fixed. |
| 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. | |

Fol. No. 40.

- I. 40.
- II. **Access to German Minority schools in Polish Upper Silesia.**
- III. 2 II 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.

Entry approved on 3 II 31.

- IX. Request signed by the Secretary-General of the League of Nations.
- X. 31 I 31. (Council's Resolution, 24 I 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.
- 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.

- I. 41.
- II. **Customs Régime between Germany and Austria (Protocol of March 19th, 1931).**
- III. 21 V 31.
- IV. I. II. 1184.
- V. F. c. XXIII. 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:* Union of South Africa, Aus-

Entry approved on 21 V 31.

- tralia, Austria, Belgium, Canada, China, Great Britain, Cuba, Czechoslovakia, France, Germany, Greece, Italy, New Zealand, Nicaragua, Poland, Portugal, Roumania, Spain, Siam, Yugoslavia ;
- (b) *which submitted written statements to the Court:* Austria, Czechoslovakia, France, Germany, Italy ;
- (c) *accorded a hearing by the Court:* Austria, Czechoslovakia, France, Germany, Italy.
- VIII.

- IX. Request signed by the Secretary-General of the League of Nations.
- X. 19 v 31. (Council's Resolution, 19 v 31.)
- XI. 1 VII 31 (written statements).
- XII.
- XIII. 1 VII 31.
- XIV.
- XV. 20 VII 31.
- XVI. 22nd (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion: 5 IX 31.
- XIX.
- XX. Series A./B., Vol. 41.
 " C., " 53.
 " E., " 8, p. 216.

Fol. No. 42.

- I. 42.
- II. **Treatment of Polish nationals, etc., in Danzig.**
- III. 28 v 31.
- IV. I. II. 1237.
- V. F. c. XXIV. 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:*
 Danzig, Poland;
- (b) *which submitted written statements to the Court:*
 Danzig, Poland;
- (c) *accorded a hearing by the Court:*
 Danzig, Poland.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 23 v 31. (Council's Resolution, 22 v 31.)
- XI. Time-limit fixed for the filing of the first written statement: 17 IX 31.
 Time-limit for the filing of
- Entry approved on 28 v 31.
 a second written statement, in case the Court or its President should order or authorize its submission: 15 X 31.
- XII. Time-limit fixed for the filing of the first written statement: 1 X 31.
 Time-limit for the filing of a second written statement, in case the Court or its President should order or authorize its submission: 29 X 31.
- XIII. 29 X 31.
- XIV. On 14 X 31, the Court, under Article 28, paragraph 2, of the Rules of Court, gave priority over this case to that bearing the number 44 in the General List.
- XV. 7 XII 31.
- XVI. 23rd (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion: 4 II 32.
- XIX.
- XX. Series A./B., Vol. 44.
 " C., " 56.
 " E., " 8, p. 232.

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:*

- The Parties to the Treaty of Versailles of June 28th, 1919.
 (2) At the request of the Agent for the Senate of the Free City of Danzig, the Court, on 14 X 31, authorized that Agent to file a second written statement.

Fol. No. 43.

- I. 43.
 II. **Eastern Greenland.**
 III. 12 VII 31.
 IV. I. II. 1808.
 V. E. c. XXI. 1.
 VI. Contentious case.
 VII. *Applicant*: Denmark.
 Respondent: Norway.
 VIII.
 IX. Application of Danish Govt.
 X. 11 VII 31.
 XI. 1 XI 31 (Case).
 15 III 32 (Counter-Case).
 1 VII 32 (Reply).
 1 IX 32 (Rejoinder).
 XII. 22 VII 32 (Reply).
 14 X 32 (Rejoinder).
 XIII.
 XIV.
 XV. 21 X 32.
 XVI. 26th (extraordin.) Session.

Entry approved on 13 VII 31.

- XVII.
 XVIII. Judgment: 5 IV 33.
 XIX.
 XX. Series A./B., Vol. 53.
 " C., " 62-67.
 " E., " 9, p. 141.

Notes.

- (1) By Order dated 18 VI 32, the Court, at the instance of the Danish Govt., extended the time-limit for the submission of the Reply until 22 VII 32. At the same time, the time-limit for the submission of the Rejoinder was extended until 23 IX 32, should the Norwegian Govt. not submit any request for an extension of this time-limit, and until 14 X 32, should that Govt. submit such a request. As a request to this effect was made, the date was automatically fixed for 14 X 32.

Fol. No. 44.

- I. 44.
 II. **Access to and anchorage in the port of Danzig for Polish war vessels.**
 III. 28 IX 31.
 IV. I. II. 2583.
 V. F. c. XXV. 1.

Entry approved on 29 IX 31.

- 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:*
 Danzig, Poland;

- (b) *which submitted written statements to the Court* :
Danzig, Poland ;
- (c) *accorded a hearing by the Court* :
Danzig, Poland.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 25 IX 31. (Council's Resolution, 19 IX 31.)
- XI. 20 X 31 (first written statement).
5 XI 31 (second written statement).
- XII.
- XIII. 5 XI 31.
- XIV. On 14 X 31, the Court, under Article 28, paragraph 2, of the Rules of Court, gave priority to this case
- over that bearing the number 42 in the General List.
- XV. 9 XI 31.
- XVI. 23rd (extraordinary) Session.
- XVII.
- XVIII. Advisory Opinion : II XII 31.
- XIX.
- XX. Series A./B., Vol. 43.
" C., " 55.
" E., " 8, p. 226.
- Notes.
- (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* :
The Parties to the Treaty of Versailles of June 28th, 1919.

Fol. No. 45.

- I. 45.
- II. **Caphandaris-Molloff Agreement of December 9th, 1927.**
- III. 28 IX 31.
- IV. I. II. 2584.
- V. F. c. XXVI. I.
- 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* :
Bulgaria, Greece ;
- (b) *which submitted written statements to the Court* :
Bulgaria, Greece ;
- (c) *accorded a hearing by the Court* :
Bulgaria, Greece.
- Entry approved on 29 IX 31.
- VIII.
- IX. Request signed by the Secretary-General of the League of Nations.
- X. 26 IX 31. (Council's Resolution, 19 IX 31.)
- XI. 15 XII 31 (first written statement).
1 II 32 (second written statement).
- XII. 5 I 32 (first written statement).
10 II 32 (second written statement).
- XIII. 8 II 32.
- XIV.
- XV. 12 II 32.
- XVI. 24th (ordinary) Session.

- XVII.
 XVIII. Advisory Opinion : 8 III 32.
 XIX.
- XX. Series A./B., Vol. 45.
 „ C., „ 57.
 „ E., „ 8, p. 238.

Fol. No. 46.

- I. 46.
 II. **Territorial waters between
 Castellorizo and Anatolia.**
 III. 18 XI 31.
 IV. I. II. 3153.
 V. E. c. XXII. 1.
 VI. Contentious case.
 VII. Italy, Turkey.
 VIII.
 IX. Special Agreement.
 X. Date of Special Agree-
 ment, 30 v 29. (Came into
 force 3 VIII 31.)
 Date of the document
 notifying the Special Agree-
 ment, 18 XI 31.
 XI. 1 IV 32 (Cases).
 1 VII 32 (Counter-Cases).
 2 IX 32 (Replies).

Entry approved on 19 XI 31.

- XII. *First prolongation* :
 1 VII 32 (Cases).
 1 IX 32 (Counter-Cases).
 1 XII 32 (Replies).
Second prolongation :
 3 I 33 (Cases).
 1 IV 33 (Counter-Cases).
 1 VI 33 (Replies).
 XIII-XV.
 XVI. 26th (extraordin.) Session.
 XVII.
 XVIII. Order of Court recording the
 fact that the Parties intend
 to break off the proceedings,
 26 I 33.
 XIX. Struck off the Gen. List :
 26 I 33.
 XX. Series A./B., Vol. 51.
 „ C., „ 61.
 „ E., „ 9, p. 136.
Notes.
 (1) Declaration of Turkish
 Govt. accepting the Court's
 jurisdiction in the case, 18
 XI 31.

Fol. No. 47.

- I. 47.
 II. **Interpretation of the Statute
 of Memel (merits).**
 III. 11 IV 32.
 IV. I. II. 4386.
 V. E. c. XXIII. 1.
 VI. Contentious case.

Entry approved on 11 IV 32.

- VII. *Applicants* :
 Great Britain, France,
 Italy, Japan.
Respondent :
 Lithuania.
 VIII.
 IX. Application of the British,
 French, Italian and Japan-
 ese Governments.

- X. II IV 32.
- XI. 2 v 32 (Cases).
30 v 32 (Counter-Case).
See note 2.
- XIII. 31 v 32.
See note 2.
- XIV.
- XV. 8 vi 32.
See note 2.
- XVI. 25th (extraordinary) Session.
- XVII. No. 50.
- XVIII. Judgment: II VIII 32.
- XIX.
- XX. Series A./B., Vol. 49.
" C., " 59.
Notes.
- (1) The Counter-Case of the Lithuanian Government was filed on 31 v 32. The President of the Court decided to accept it, although filed after the expiration of the time-limit fixed.
- (2) In regard to points 5 and 6 of the Application: Time-limit for filing of Counter-Case, 9 VII 32. Date of termination of written proceedings, 2 VII 32. Date of the beginning of the hearing, II VII 32.

Fol. No. 48.

- I. 48.
- II. **Employment of women during the night.**
- III. 12 v 32.
- IV. I. II. 4725.
- V. F. a. XXVII. I.
- VI. Advisory Opinion.
- VII. *Members, States and Organizations*
- (a) *to which a communication was addressed under Art. 73, No. 1, paragraph 2, of the Rules of Court:*
I. L. O., International Organization of Industrial Employers, International Federation of Trades Unions, International Confederation of Christian Trades Unions ;
- (b) *which submitted written statements to the Court:*
Great Britain, I. L. O., International Federation of Trades Unions, International Confederation of Christian Trades Unions, Germany ;
- Entry approved on 12 v 32.
- (c) *accorded a hearing by the Court:*
Great Britain, Germany, I. L. O., International Confederation of Christian Trades Unions, International Federation of Trades Unions.
- VIII.
- IX. Request signed by the Secretary-General of L. N.
- X. 10 v 32. (Council's Resolution, 9 v 32.)
- XI. Time-limit for filing of written statements: I VIII 32. Time-limit for filing of second written statements, if in due course admitted: 12 IX 32.
- XII. 20 IX 32. *See note 4.*
- XIII. 21 IX 32.
- XIV.
- XV. 14 X 32.
- XVI. 26th (extraordin.) Session.
- XVII.
- XVIII. Advisory Opinion: 15 XI 32.

XIX.

- XX. Series A./B., Vol. 50.
 „ C., „ 60.
 „ E., „ 9, p. 131.

Notes.

- (1) *In connection with the case, a communication was addressed to the following, drawing their attention to the terms of Art. 73, No. 1, para. 3, of the Rules of Court: States which have ratified the Convention of 1919 concerning employment of women during the night.*
- (2) On 4 VIII 32, the Court decided to allow the filing of a second written statement.
- (3) The written statement of the International Confederation of Christian Trades Unions was filed on 12 VIII 32. The President of the Court decided to accept it,

although filed after the expiration of the time-limit.

- (4) The President of the Court, by an Order dated 6 IX 32, fixed 20 IX 32 as the date of expiry of the time-limit by which written statements might be filed by States or organizations which had submitted first written statements, and by which written statements might be filed by States and organizations to which the Request had been notified but which had not filed statements within the first time-limit fixed for that purpose.
- (5) The written statement of the German Govt. was filed on 21 IX 32. The President of the Court decided to accept it, although filed after the time-limit fixed by the Order of 6 IX 32.

Fol. No. 49.

- I. 49.
 II. **Prince von Pless (merits).**
 III. 18 v 32.
 IV. I. II. 4777.
 V. E. c. XXIV. 1.
 VI. Contentious case.
 VII. *Applicant*: Germany.
Respondent: Poland.
 VIII.
 IX. Application of German Government.
 X. 18 v 32.
 XI. 15 VII 32 (Case).
 I IX 32 (Counter-Case).

Entry approved on 18 v 32.

- I x 32 (Reply).
 I XI 32 (Rejoinder).

XII. *First prolongation*:

- 22 VII 32 (Case).
 7 IX 32 (Counter-Case).
 7 x 32 (Reply).
 7 XI 32 (Rejoinder).

Second prolongation:

- 10 x 32 (Counter-Case).
 10 XI 32 (Reply).
 10 XII 32 (Rejoinder).

Third prolongation:

- 15 VIII 33 (Counter-Case).
 15 IX 33 (Reply).
 15 x 33 (Rejoinder).

Fourth prolongation:

- 29 XII 33 (Counter-Case).
 31 I 34 (Reply).
 28 II 34 (Rejoinder).

XIII-XV.

- XVI. 30th (extraordin.) Session. Applicant, in accordance with Art. 40, para. 1, No. 4, of the Rules, to submit, by 8 VIII 32 at latest, a volume designed to complete the documents in the case. This time-limit was subsequently extended until 31 VIII 32.
- XVII. No. 55.
- XVIII. Order of Court recording the German Govt.'s withdrawal of the suit and the Polish Govt.'s acquiescence in this withdrawal, 2 XII 33.
- XIX. Struck off the Gen. List :
2 XII 33.
- XX. Series A./B., Vol. 52, 54, 57,
59.
,, C., ,, 70.
,, E., ,, 9, p. 138.
,, ,, ,, 10, ,, 134.
- Notes.*
- (1) On 25 VII 32, the Court decided to call upon the
- (2) By Order dated 4 II 33, the Court joined the prelim. objection raised by the Polish Govt. to the merits.
- (3) Request of German Govt. asking for the indication of a measure of interim protection, dated 2 V 33, filed 3 V 33. Order of Court declaring that the above Request has ceased to have any object, 11 V 33.

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- Fol. No. 50.** Entry approved on 31 V 32.
- I. 50. X. 26 V 32.
- II. **Interpretation of the Statute of Memel (jurisdiction).** XI. 13 VI 32 (Reply to objection).
- III. 31 V 32. XII.
- IV. I. II. 4927. XIII. 10 VI 32.
- V. E. c. XXIII. 7. XIV.
- VI. Contentious case. XV. 14 VI 32.
- VII. *Applicants* : XVI. 25th (extraordinary) Session.
Great Britain, France,
Italy, Japan.
- Respondent* : XVII. No. 47.
Lithuania.
- VIII. XVIII. Judgment : 24 VI 32.
- IX. Preliminary objection raised by the Lithuanian Government (points 5 and 6 of the Application of 11 IV 32). XIX.
- XX. Series A./B., Vol. 47.
,, C., ,, 59.
,, E., ,, 8, p. 207
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Fol. No. 51.

- I. 51.
- II. **Appeal against two judgments delivered on Dec. 21st, 1931, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal (merits).**
- III. 11 VII 32.
- IV. I. II. 5430.
- V. E. c. XXV. 1.
- VI. Contentious case.
- VII. *Applicant*: Czechoslovakia.
Respondent: Hungary.
- VIII.
- IX. Application of Czechoslovak Govt.
- X. Date of document notifying Application: 7 VII 32.
- XI. 9 XI 32 (Case).
28 X 32 (Counter-Case).
- XII.
- XIII. 9 IX 32.
- XIV-XV.
- XVI. 28th (extraordin.) Session.
- XVII. No. 56.

Entry approved on 11 VII 32.

- XVIII. Order of Court recording the Czechoslovak Govt.'s withdrawal of the suit and the Hungarian Govt.'s acquiescence in this withdrawal, 12 V 33.
- XIX. Struck off the Gen. List: 12 V 33.
- XX. Series A./B., Vol. 56.
" C., " 68.
" E., " 9, p. 156.

Notes.

- (1) In an Order made on 18 VII 32, the Court stated that it would subsequently fix, if necessary, the time-limits for the filing of the Reply and Rejoinder.
- (2) In accordance with Art. 63 of the Statute and Art. 60 of the Rules, the Parties to the Treaty of Trianon of 4 VI 20 and to Agreement No. II of Paris of 28 IV 30, other than the States concerned in the case, were notified of the filing of the Application.

Fol. No. 52.

- I. 52.
- II. **South-Eastern territory of Greenland.**
- III. 18 VII 32.
- IV. I. II. 5502.
- V. E. c. XXVI. 1.
- VI. Contentious case.
- VII. *Applicant*: Norway.
Respondent: Denmark.
- VIII.
- IX. Application of Norwegian Govt.
- X. 18 VII 32.

Entry approved on 18 VII 32.

- XI. 1 II 33 (Cases).
15 III 33 (Counter-Cases).
- XII. *First prolongation*:
1 IV 33 (Cases).
15 V 33 (Counter-Cases).
Second prolongation:
1 VI 33 (Cases).
15 VII 33 (Counter-Cases).
- XIII-XV.
- XVI. 28th (extraordin.) Session.
- XVII. No. 53.
- XVIII. Order of Court recording the withdrawal by the Parties of their respective Applications, 11 V 33.

XIX. Struck off the Gen. List :
II v 33.

XX. Series A./B., Vol. 48, 55.
" C., " 69.
" E., " 9, p. 155.

Notes.

(1) In its Application, the Norwegian Govt. asked for the indication of interim measures of protection. After hearing the Parties on 28 VII 32, the Court gave its decision on this request

by means of an Order dated 3 VIII 32.

(2) By Order dated 2 VIII 32, the Court joined the suits concerning South-Eastern Greenland, filed on 18 VII 32 by the Norwegian Govt. and by the Danish Govt. respectively.

(3) By the same Order of 2 VIII 32, the Court stated that it would subsequently and if necessary fix the time-limits for the filing of any written Replies and Rejoinders.

Fol. No. 53.

I. 53.
II. **South-Eastern Greenland.**
III. 18 VII 32.
IV. I. II. 5503.
V. E. c. XXVII. I.
VI. Contentious case.
VII. *Applicant* : Denmark.
Respondent : Norway.
VIII.
IX. Application of Danish Govt.
X. 18 VII 32.
XI. I II 33 (Cases).
15 III 33 (Counter-Cases).
XII. *First prolongation* :
I IV 33 (Cases).
15 V 33 (Counter-Cases).
Second prolongation :
I VI 33 (Cases).
15 VII 33 (Counter-Cases).
XIII-XV.
XVI. 28th (extraordin.) Session.
XVII. No. 52.

Entry approved on 18 VII 32.

XVIII. Order of Court recording the withdrawal by the Parties of their respective Applications, II v 33.

XIX. Struck off the Gen. List :
II v 33.

XX. Series A./B., Vol. 48, 55.
" C., " 69.
" E., " 9, p. 155.

Notes.

(1) By Order dated 2 VIII 32, the Court joined the suits concerning South-Eastern Greenland, filed on 18 VII 32 by the Danish Govt. and by the Norwegian Govt. respectively.

(2) In the same Order of 2 VIII 32, the Court stated that it would subsequently and if necessary fix the time-limits for the filing of any written Replies and Rejoinders.

Fol. No. 54.

- I. 54.
- II. Appeal against a judgment delivered on April 13th, 1932, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal (merits).
- III. 25 VII 32.
- IV. I. II. 5595.
- V. E. c. XXVIII. 1.
- VI. Contentious case.
- VII. *Applicant*: Czechoslovakia.
Respondent: Hungary.
- VIII.
- IX. Application of Czechoslovak Govt.
- X. 20 VII 32.
- XI. 9 IX 32 (Case).
28 X 32 (Counter-Case).
- XII.
- XIII. 9 IX 32.
- XIV-XV.
- XVI. 28th (extraordin.) Session.
- XVII. No. 57.

Entry approved on 25 VII 32.

- XVIII. Order of Court recording the Czechoslovak Govt.'s withdrawal of the suit and the Hungarian Govt.'s acquiescence in this withdrawal, 12 V 33.
- XIX. Struck off the Gen. List: 12 V 33.
- XX. Series A./B., Vol. 56.
" C., " 68.
" E., " 9, p. 156.

Notes.

- (1) In an Order made on 28 VII 32, the Court stated that it would subsequently fix, if necessary, the time-limits for the filing of the Reply and Rejoinder.
- (2) In accordance with Art. 63 of the Statute and Art. 60 of the Rules, the Parties to the Treaty of Trianon of 4 VI 20, and to Agreement No. II of Paris of 28 IV 30, other than the States concerned in the case, were notified of the filing of the Application.

Fol. No. 55.

- I. 55.
- II. Prince von Pless (jurisdiction).
- III. 8 X 32.
- IV. I. II. 6241.
- V. E. c. XXIV. 10.
- VI. Contentious case.
- VII. *Applicant*: Germany.
Respondent: Poland.
- VIII.
- IX. Prelim. objection raised by Polish Govt.
- X. 1 X 32.

Entry approved on 8 X 32.

- XI. 31 X 32 (Reply to objection).
- XII.
- XIII. 31 X 32.
- XIV.
- XV. 7 XI 32.
- XVI. 26th (extraordin.) Session.
30th (extraordin.) Session.
- XVII. No. 49.
- XVIII. Order of Court recording the German Govt.'s withdrawal of the suit and the Polish Govt.'s acquiescence in this withdrawal, 2 XII 33.

XIX. Struck off the Gen. List :
2 XII 33.

XX. Series A./B., Vol. 52, 59.
" C., " 70.
" E., " 9, p. 138.
" " " 10, " 134.

Notes.

(1) By Order dated 4 II 33, the Court joined the prelim. objection raised by the Polish Govt. to the merits of the suit.

Fol. No. 56.

I. 56.

II. **Appeal against two judgments delivered on Dec. 21st, 1931, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal (jurisdiction).**

III. 24 x 32.

IV. I. II. 6393.

V. E. c. XXV. 3.

VI. Contentious case.

VII. *Applicant* : Czechoslovakia.
Respondent : Hungary.

VIII.

IX. Prelim. objection raised by Hungarian Govt.

X. 20 x 32.

XI. 16 I 33 (Reply to objection).

XII.

XIII. 28 II 33.

XIV-XV.

XVI. 28th (extraordin.) Session.

XVII. Nos. 51, 57.

XVIII. Order of Court recording the Czechoslovak Govt.'s withdrawal of the suit and the Hungarian Govt.'s acquiescence in this withdrawal, 12 V 33.

Entry approved on 24 x 32.

XIX. Struck off the Gen. List :
12 V 33.

XX. Series A./B., Vol. 56.
" C., " 68.
" E., " 9, p. 156.

Notes.

(1) By Order dated 26 x 32, the Court joined the prelim. objections submitted by documents filed with the Registry on 24 x 32 (Gen. List, Nos. 56, 57).

(2) On 26 x 32, the Court decided to call upon the two Parties to explain, before 16 I 33, their respective views as to the scope of Art. X of Agreement No. II, signed at Paris on 28 IV 30, in relation to the statutory provisions which govern the jurisdiction and working of the Court. This time-limit was subsequently extended until 28 II 33.

(3) In accordance with Art. 63 of the Statute and Art. 60 of the Rules, the Parties to Agreement No. II of Paris of 28 IV 30, other than the States concerned in the case, were notified of the prelim. objection raised by the Hungarian Govt.

- Fol. No. 57.**
- I. 57. Entry approved on 24 x 32.
- II. **Appeal against a judgment delivered on April 13th, 1932, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal (jurisdiction).** XI. 16 I 33 (Reply to objection).
- III. 24 x 32. XII.
- IV. I. II. 6394. XIII. 28 II 33.
- V. E. c. XXVIII. 3. XIV-XV.
- VI. Contentious case. XVI. 28th (extraordin.) Session.
- VII. *Applicant* : Czechoslovakia. *Respondent* : Hungary. XVII. Nos. 54, 56.
- VIII. XVIII. Order of Court recording the Czechoslovak Govt.'s withdrawal of the suit and the Hungarian Govt.'s acquiescence in this withdrawal, 12 v 33.
- IX. Prelim. objection raised by Hungarian Govt. XIX. Struck off the Gen. List : 12 v 33.
- X. 20 x 32. XX. Series A./B., Vol. 56.
 " C., " 68.
 " E., " 9, p. 156.
- Notes.* [See notes to Fol. No. 56.]

- Fol. No. 58.**
- I. 58. Entry approved on 9 v 33.
- II. **Appeal against a judgment delivered on Feb. 3rd, 1933, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal (Peter Pázmány University v. the State of Czechoslovakia).** XII. 12 IX 33 (Rejoinder).
- III. 9 v 33. XIII. 12 IX 33.
- IV. I. II. 8067. XIV.
- V. E. c. XXX. 2. XV. 23 x 33.
- VI. Contentious case. XVI. 30th (extraordin.) Session.
- VII. *Applicant* : Czechoslovakia. *Respondent* : Hungary. XVII.
- VIII. XVIII. Judgment : 15 XII 33.
- IX. Application of Czechoslovak Govt. XIX.
- X. 3 v 33. XX. Series A./B., Vol. 61.
 " C., " 72, 73.
 " E., " 10, p. 135.
- XI. 15 VI 33 (Case).
 14 VII 33 (Counter-Case).
 7 VIII 33 (Reply).
 1 IX 33 (Rejoinder).
- Notes.*
 (1) In accordance with Art. 63 of the Statute and Art. 60 of the Rules, the Parties to the Treaty of Trianon of 4 VI 20 and to Agreement No. II of Paris of 28 IV 30, other than the States concerned in the case, were notified of the filing of the Application.

Fol. No. 59.

- I. 59.
- II. **Lighthouses case between France and Greece.**
- III. 23 v 33.
- IV. I. II. 8155.
- V. E. c. XXXI. I.
- VI. Contentious case.
- VII. France, Greece.
- VIII.
- IX. Special Agreement.
- X. Date of Special Agreement, 15 VII 33.
- XI. 27 x 33 (Cases).
26 I 34 (Counter-Cases).
- XII.

Entry approved on 23 v 33.

- XIII. 26 I 34.
 - XIV.
 - XV. 5 II 34.
 - XVI. 31st (ordinary) Session.
 - XVII.
 - XVIII. Judgment : 17 III 34.
 - XIX.
 - XX. Series A./B., Vol. 62.
" C., " 74.
" E., " 10, p. 143.
- Notes.*

- (1) By Order dated 28 VII 33, the Court reserved its right, if necessary, subsequently to order the presentation of written Replies.

Fol. No. 60.

- I. 60.
- II. **The Polish agrarian reform and the German minority.**
- III. 3 VII 33.
- IV. I. II. 8446.
- V. E. c. XXXII. I.
- VI. Contentious case.
- VII. *Applicant* : Germany.
Respondent : Poland.
- VIII.
- IX. Application of German Govt.
- X. I VII 33.
- XI. I IX 33 (Case).
27 x 33 (Counter-Case).
- XII. *First prolongation* :
2 x 33 (Case).
22 XII 33 (Counter-Case).
Second prolongation :
I XI 33 (Case).
3 I 34 (Counter-Case).
- XIII-XV.
- XVI. 29th (extraordin.) Session.
30th (extraordin.) Session.

Entry approved on 3 VII 33.

- XVII.
 - XVIII. Order of Court recording the German Govt.'s withdrawal of the suit and the Polish Govt.'s acquiescence in this withdrawal, 2 XII 33.
 - XIX. Struck off the Gen. List : 2 XII 33.
 - XX. Series A./B., Vol. 58, 60.
" C., " 71.
" E., " 10, p. 130.
- Notes.*

- (1) Application by German Govt. for indication of interim measures of protection, dated 1 VII 33, fixed 3 VII 33. Hearing fixed for 11 VII 33; subsequently postponed to 19 VII 33. Order by the Court, 29 VII 33.
- (2) By Order dated 4 VII 33, the Acting President of the Court reserved the right of the Court subsequently to fix the dates for the filing of the Reply and Rejoinder.

- (3) In accordance with Art. 63 of the Statute and Art. 60 of the Rules, the Parties to the Treaty between the Principal Allied and Associated Powers and Poland,

signed at Versailles on 28 VI 19, other than the States concerned in the case, were notified of the filing of the Application.

Fol. No. 61.

- I. 6r.
 II. **Oscar Chinn.**
 III. 1 v 34.
 IV. I. II. 10326.
 I. II. 10327.
 V. E. c. XXXIII. 1.
 E. c. XXXIII. 2.
 VI. Contentious case.
 VII. Belgium, Great Britain.
 VIII.
 IX. Special Agreement.
 X. 13 IV 34.
 XI. 15 v 34 (Case by the Govt. of the United Kingdom).
 26 VI 34 (Counter-Case by the Belgian Govt.).
 7 VIII 34 (Reply, if any, by the Govt. of the United Kingdom).
 4 IX 34 (Rejoinder, if any, by the Belgian Govt.).
 XII. 17 VIII 34 (Reply).
 24 IX 34 (Rejoinder).
 XIII. 24 IX 34.

Entry approved on 2 v 34.

- XIV.
 XV. 23 x 34.
 XVI. 33rd (extraordin.) Session.
 XVII.
 XVIII. Judgment: 12 XII 34.
 XIX.
 XX. Series A./B., Vol. 63.
 " C., " 75.
 " E., " 11, p. 129.

Notes.

- (1) In accordance with Art. 63 of the Statute and Art. 60 of the Rules, the Parties to the Convention revising the General Act of Berlin, 26 II 1885, and the General Act and the Declaration of Brussels, 2 VII 1890, signed at Saint-Germain-en-Laye, 10 IX 1919, other than the States concerned in the case, were notified of the filing of the Special Agreement.

Fol. No. 62.

- I. 62.
 II. **Minority schools in Albania.**
 III. 23 I 35.
 IV. I. II. 11985.
 V. F. c. XXVIII. 1.
 VI. Advisory Opinion.
 VII. *Members, States and Organizations*

Entry approved on 23 I 35.

- (a) *to which a communication was addressed under Art. 73, No. 1, paragraph 2, of the Rules of Court:*
 Albania, Greece;
 (b) *which submitted written statements to the Court:*
 Albania, Greece;
 (c) *accorded a hearing by the Court:*
 Albania, Greece.

VIII.

- | | |
|--|------------------------------------|
| IX. Request signed by the Secretary-General of L. N. | XV. 11 III 35. |
| X. 21 I 35. (Council's Resolution, 18 I 35.) | XVI. 34th (ordin.) Session. |
| XI. 1 III 35 (written statements). | XVII. |
| XII. | XVIII. Advisory Opinion : 6 IV 35. |
| XIII. 1 III 35. | XIX. |
| XIV. | XX. Series A./B., Vol. 64. |
| | " C., " 76. |
| | " E., " 11, p. 136. |

Fol. No. 63.

- I. 63.
- II. **Constitution of Danzig.**
- III. 30 IX 35.
- IV. I. II. 13289.
- V. F. c. XXIX. I.
- VI. Advisory Opinion.
- VII. *Members, States and Organizations*
 - (a) *to which a communication was addressed under Art. 73, No. 1, paragraph 2, of the Rules of Court :*
Danzig ;
 - (b) *which submitted written statements to the Court :*
Danzig ;
 - (c) *accorded a hearing by the Court :*
Danzig.

Entry approved on 30 IX 35.

- VIII.
- IX. Request signed by the Secretary-General of L. N.
- X. 27 IX 35. (Council's Resolution, 23 IX 35.)
- XI. 22 X 35 (written statement).
- XII. 26 X 35 (written statement).
- XIII. 26 X 35.
- XIV.
- XV. 30 X 35.
- XVI. 35th (extraordin.) Session.
- XVII.
- XVIII. Advisory Opinion : 4 XII 35.
- XIX.
- XX. Series A./B., Vol. 65.
- " C., " 77.
- " E., " 12, p. 169.

Fol. No. 64.

- I. 64.
- II. **Losinger & Co. (merits).**
- III. 23 XI 35.
- IV. I. II. 13717.
- V. E. c. XXXIV. I.
- VI. Contentious case.
- VII. *Applicant* : Switzerland.
Respondent : Yugoslavia.
- VIII.
- IX. Application of the Swiss Govt.
- X. 21 XI 35.

Entry approved on 23 XI 35.

- XI. 15 I 36 (Memorial).
17 II 36 (Counter-Memorial).
- XII. *First prolongation* :
2 III 36 (Counter-Memorial).
18 III 36 (Reply).
3 IV 36 (Rejoinder).
Second prolongation :
27 III 36 (Counter-Memorial).
10 IV 36 (Reply).
24 IV 36 (Rejoinder).
Third prolongation :
3 VIII 36 (Counter-Memorial).
21 VIII 36 (Reply).
11 IX 36 (Rejoinder).

Fourth prolongation :

15 x 36 (Reply).

Fifth prolongation :

1 XII 36 (Reply).

- XIII.
 XIV.
 XV.
 XVI. Judicial Year 1936.
 XVII. No. 67.
 XVIII. Order of Court recording the discontinuance of the proceedings, 14 XII 36.
 XIX. Struck off the General List, 14 XII 36.
 XX. Series A./B., Vol. 69.
 " C., " 78.
 " E., " 12, p. 182.
 " " " 13, " 127.

Fol. No. 65.

- I. 65.
 II. **Pajzs, Csáky, Esterházy (merits).**
 III. 6 XII 35.
 IV. I. II. 13795.
 V. E. c. XXXV. 1.
 VI. Contentious case.
 VII. *Applicant* : Hungary.
 Respondent : Yugoslavia.
 VIII.
 IX. Application of the Hungarian Govt.
 X. 1 XII 35.
 XI. 20 I 36 (Memorial).
 24 II 36 (Counter-Memorial).
 24 III 36 (Reply).
 28 IV 36 (Rejoinder).
 XII. *First prolongation* :
 5 III 36 (Counter-Memorial).
 3 IV 36 (Reply).
 8 V 36 (Rejoinder).

Notes.

- (1) By Order dated 11 XII 35, the Court, when fixing the time-limits for the filing of the Memorial and the Counter-Memorial, reserved to itself to fix the time-limits for the filing of the Reply and the Rejoinder in a subsequent order.
 (2) By Order dated 27 VI 36, the Court joined the prelimin. objection raised by the Yugoslav Govt. to the merits.
 (3) By Order dated 11 VIII 36, the Acting President of the Court extended the time-limit for the filing of the Rejoinder and stated that he would make a subsequent order fixing the date by which this document was to be filed.

Entry approved on 6 XII 35.

Second prolongation :

3 VII 36 (Reply).
 14 VIII 36 (Rejoinder).

- XIII. 14 VIII 36.
 XIV.
 XV. 26 x 36.
 XVI. Judicial Year 1936.
 XVII. No. 66.
 XVIII. Judgment : 16 XII 36.
 XIX.
 XX. Series A./B., Vol. 68.
 " C., " 79, 80.
 " E., " 12, p. 177.
 " " " 13, " 129.

Notes.

- (1) In accordance with Art. 63 of the Statute and Art. 66 of the Rules, the Parties to the Treaty of Trianon of 4 VI 20 and to Agree-

ments (Nos. II and III) of Paris of 28 IV 30 other than the States concerned in the case were notified of the filing of the Application.

(2) By Order dated 23 v 36, the Court joined the preliminary objection raised by the Yugoslav Govt. to the merits.

Fol. No. 66.

- I. 66.
 II. **Pajzs Csáky, Esterházy (preliminary objection).**
 III. 4 III 36.
 IV. I. II. 14453.
 V. E. c. XXXV. 3.
 VI. Contentious case.
 VII. *Applicant*: Hungary.
 Respondent: Yugoslavia.
 VIII.
 IX. Prelimin. objection raised by the Yugoslav Govt.
 X. 29 II 36.
 XI. 3 IV 36 (reply to the preliminary objection).
 XII.
 XIII. 3 IV 36.
 XIV.

- Entry approved on 4 III 36.
 XV. 29 IV 36.
 XVI. Judicial Year 1936.
 XVII. No. 65.
 XVIII. By Order dated 23 v 36, the Court joined the preliminary objection raised by the Yugoslav Govt. to the merits.
 XIX.
 XX. Series A./B., Vol. 66.
 „ C., „ 79, 80.
 „ E., „ 12, p. 174.
 „ „ „ 13, „ 129.

Notes.

- (1) In accordance with Art. 63 of the Statute and Art. 66 of the Rules, the Parties to Agreements (Nos. II and III) of Paris of 28 IV 30 other than the States concerned in the case were notified of the filing of the objection.

Fol. No. 67.

- I. 67.
 II. **Losinger & Co. (preliminary objection).**
 III. 27 III 36.
 IV. I. II. 14654.
 V. E. c. XXXIV. 3.

- Entry approved on 27 III 36.
 VI. Contentious case.
 VII. *Applicant*: Switzerland.
 Respondent: Yugoslavia.
 VIII.
 IX. Prelimin. objection raised by the Yugoslav Govt.

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| X. 27 III 36. | XVII. No. 64. |
| XI. 24 IV 36 (reply to the objection). | XVIII. By Order dated 27 VI 36, the Court joined the preliminary objection raised by the Yugoslav Govt. to the merits. |
| XII. | |
| XIII. 24 IV 36. | XIX. |
| XIV. | XX. Series A./B., Vol. 67. |
| XV. 3 VI 36. | " C., " 78. |
| XVI. Judicial Year 1936. | " E., " 12, p. 179. |
| | " " " 13, " 127. |
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- Fol. No. 68.**
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|---|--|
| I. 68. | Entry approved on 30 III 36. |
| II. Phosphates in Morocco (merits). | XIX. By its Judgment given on 14 VI 38, the Court decided that the Application of the Italian Govt. could not be entertained; see No. 71. |
| III. 30 III 36. | XX. Series A./B., Vol. 74. |
| IV. I. II. 14688. | " C., " 84, 85. |
| V. E. c. XXXVI. I. | " E., " 14, p. 119. |
| VI. Contentious case. | <i>Notes.</i> |
| VII. <i>Applicant</i> : Italy.
<i>Respondent</i> : France. | (1) In accordance with Art. 63 of the Statute and Art. 66 of the Rules, the United States of America, Belgium, Great Britain, the Netherlands, Portugal, Spain and Sweden, as being signatories of the General Act of Algeciras of 7 IV 06, certain of these Powers having also acceded to the Convention of 4 XI 11 concerning Morocco, were notified of the filing of the Application. |
| VIII. | (2) By Order dated 18 VI 36, the Court, when fixing the time-limits for the filing of the Memorial and Counter-Memorial, reserved to itself to fix the time-limits for the filing of the Reply and the Rejoinder in a subsequent order. |
| IX. Application of the Italian Govt. | |
| X. 30 III 36. | |
| XI. 15 VII 36 (Memorial).
15 X 36 (Counter-Memorial). | |
| XII. 17 XII 36 (Counter-Memorial). | |
| XIII. | |
| XIV. | |
| XV. | |
| XVI. | |
| XVII. No. 71. | |
| XVIII. | |
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Fol. No. 69.	Entry approved on 1 VIII 36.
I. 69.	XII.
II. Water of the Meuse.	XIII. 12 IV 37.
III. 1 VIII 36.	XIV.
IV. I. II. 15512.	XV. 4 V 37.
V. E. c. XXXVII. 1.	XVI. Judicial Year 1937.
VI. Contentious case.	XVII.
VII. <i>Applicant</i> : Netherlands. <i>Respondent</i> : Belgium.	XVIII. Judgment : 28 VI 37.
VIII.	XIX.
IX. Application of the Netherlands Govt.	XX. Series A./B., Vol. 70. " C., " 81. " E., " 13, p. 135.
X. 1 VIII 36.	<i>Notes.</i>
XI. 2 XI 36 (Memorial). 1 II 37 (Counter-Memorial). 8 III 37 (Reply). 12 IV 37 (Rejoinder).	(1) By Order dated 13 V 37, the Court decided to carry out an inspection on the spot.

Fol. No. 70.	Entry approved on 27 X 36.
I. 70.	XI. 17 III 37 (Memorials). 17 VI 37 (Counter-Memorials).
II. Lighthouses in Crete and Samos.	XII.
III. 27 X 36.	XIII. 10 VI 37.
IV. I. II. 16065.	XIV.
V. E. c. XXXVIII. 1.	XV. 28 VI 37.
VI. Contentious case.	XVI. Judicial Year 1937.
VII. France. Greece.	XVII. No. 59.
VIII.	XVIII. Judgment : 8 X 37.
IX. Special Agreement.	XIX.
X. Date of Special Agreement, 28 VIII 36. Date of the document notifying the Special Agreement, 23 X 36.	XX. Series A./B., Vol. 71. " C., " 82. " E., " 14, p. III.

Fol. No. 71.

- I. 71.
- II. **Phosphates in Morocco (preliminary objections).**
- III. 16 XII 36.
- IV. I. II. 16394.
- V. E. c. XXXVI. 4.
- VI. Contentious case.
- VII. *Applicant* : Italy.
Respondent : France.
- VIII.
- IX. Prelimin. objections raised by the French Govt.
- X. 14 XII 36.
- XI. 23 IV 37 (Written Statement by the Italian Govt.).
- XII. 15 VII 37 (Written Statement by the Italian Govt.).
17 XI 37 (Written Answer by the French Govt.).
21 II 38 (Written Observations by the Italian Govt.).
- XIII. 21 II 38.
- XIV.
- XV. 2 v 38.

Entry approved on 16 XII 36.

- XVI. Judicial Year 1938.
- XVII. No. 68.
- XVIII. Judgment : 14 VI 38.
- XIX.
- XX. Series A./B., Vol. 74.
" C., " 84, 85.
" E., " 14, p. 119.

Notes.

- (1) In accordance with Art. 63 of the Statute and Art. 66 of the Rules, the United States of America, Belgium, Great Britain, the Netherlands, Portugal, Spain and Sweden, as being signatories of the General Act of Algeciras of 7 IV 06, certain of these Powers having also acceded to the Convention of 4 XI 11 concerning Morocco, were notified of the filing of the objections.
- (2) By Order dated 20 IX 37, the Court, when fixing the time-limit for the filing of the Written Answer by the French Govt., decided, if need be, to make a subsequent order fixing a time-limit for the filing of Written Observations by the Italian Govt.

Fol. No. 72.

- I. 72.
- II. **Borchgrave (merits).**
- III. 5 III 37.
- IV. I. II. 16896.
- V. E. c. XXXIX. 1.
- VI. Contentious case.

Entry approved on 5 III 37.

- VII. Belgium.
Spain.
- VIII.
- IX. Special Agreement.
- X. Date of Special Agreement, 20 II 37.
Date of the document notifying the Special Agreement, 4 III 37.

- XI. 15 v 37 (Memorial of the Belgian Govt.).
 1 VII 37 (Counter-Memorial of the Spanish Govt.).
 14 VIII 37 (Reply of the Belgian Govt.).
 30 IX 37 (Rejoinder of the Spanish Govt.).
- XII. *First prolongation* :
 21 XII 37 (Counter-Memorial of the Spanish Govt.).
 4 II 38 (Reply of the Belgian Govt.).
 21 III 38 (Rejoinder of the Spanish Govt.).
Second prolongation :
 4 I 38 (Counter-Memorial of the Spanish Govt.).
- XIII.
- XIV.
- XV.
- XVI. Judicial Year 1938.
- XVII. No. 73.
- XVIII. Order of Court recording the discontinuance of the proceedings, 30 IV 38.
- XIX. 30 IV 38.
- XX. Series A./B., Vol. 73.
 „ C., „ 83.
 „ E., „ 14, p. 116.
- Notes.*
- (1) By Order dated 4 I 38, the President of the Court suspended the written proceedings in the case.

Fol. No. 73.

- I. 73.
- II. **Borchgrave (preliminary objections).**
- III. 29 VI 37.
- IV. I. II. 17588.
- V. E. c. XXXIX. 3.
- VI. Contentious case.
- VII. Belgium.
 Spain.
- VIII.
- IX. Prelimin. objections raised by the Spanish Govt.
- X. 28 VI 37.
- Entry approved on 29 VI 37.
- XI. 2 VIII 37 (Reply to the objections).
- XII.
- XIII. 2 VIII 37.
- XIV.
- XV. 18 X 37.
- XVI. Judicial Year 1937.
- XVII. No. 72.
- XVIII. Judgment : 6 XI 37.
- XIX.
- XX. Series A./B., Vol. 72.
 „ C., „ 83.
 „ E., „ 14, p. 116.

Fol. No. 74.

- I. 74.
- II. **Panevezys-Saldutiskis Railway (merits).**
- III. 2 XI 37.
- IV. I. II. 18252.
- V. E. c. XL. I.
- VI. Contentious case.
- VII. *Applicant* : Estonia.
Respondent : Lithuania.
- VIII.
- IX. Application of the Estonian Govt.
- X. 25 x 37.
- XI. 15 I 38 (Memorial).
15 III 38 (Counter-Memorial).
30 IV 38 (Reply).
15 VI 38 (Rejoinder).

Entry approved on 2 XI 37.

- XII. I IX 38 (Counter-Memorial).
14 x 38 (Reply).
25 XI 38 (Rejoinder).
- XIII. 25 XI 38.
- XIV.
- XV. 19 I 39.
- XVI. Judicial Year 1939.
- XVII. No. 76.
- XVIII.
- XIX. By its Judgment given on 28 II 39, the Court declared that the claim of the Estonian Govt. could not be entertained.
- XX. Series A./B., Vol. 76.
" C., " 86.
" E., " 15, p. 91.

Fol. No. 75.

- I. 75.
- II. **The Electricity Company of Sofia and Bulgaria (merits).**
- III. 26 I 38.
- IV. I. II. 18694.
- V. E. c. XLI. I.
- VI. Contentious case.
- VII. *Applicant* : Belgium.
Respondent : Bulgaria.
- VIII.
- IX. Application of the Belgian Govt.
- X. 25 I 38.
- XI. I VI 38 (Memorial).
12 IX 38 (Counter-Memorial).
- XII. *First prolongation* :
31 x 38 (Counter-Memorial).
Second prolongation :
30 XI 38 (Counter-Memorial).
Third prolongation :
4 VII 39 (Counter-Memorial).
19 VIII 39 (Reply).
4 x 39 (Rejoinder).
- XIII.
- XIV.

Entry approved on 26 I 38.

- XV.
- XVI.
- XVII. No. 78.
- XVIII.
- XIX.
- XX. Series A./B., Vol. 79, 80.
" C., " 88.
" E., " 16, p. 149.

Notes.

- (1) By Order dated 28 III 38, the President of the Court, when fixing the time-limits for the filing of the Memorial and the Counter-Memorial, decided to leave the time-limits for the filing of the Reply and the Rejoinder to be fixed by a subsequent order.
- (2) Request by Belgian Govt. for indication of interim measures of protection, dated 2 VII 38, filed 4 VII 38. Hearing, 13 VII 38. Order of President of Court placing on record the withdrawal by Belgian Govt. of this request, 27 VIII 38.

(3) On 3 IX 45, the Registrar wrote to the Belgian Government asking what action that Government intended to take in regard to the proceedings instituted by it on 26 I 38. The Belgian Government in reply informed the Registrar on 24 X 45 that it withdrew its application and requested that the case be removed from the list.

On 2 XI 45, the Registrar forwarded a copy of the above-mentioned correspondence to the Bulgarian Government and fixed I XII 45 as the time-limit for the respondent to oppose the withdrawal of the case. No reply to this letter has been received from the Bulgarian Government.

Fol. No. 76.

- I. 76.
- II. **Panevezys-Saldutiskis Railway (preliminary objections).**
- III. 15 III 38.
- IV. I. II. 18913.
- V. E. c. XL. 3.
- VI. Contentious case.
- VII. *Applicant*: Estonia.
Respondent: Lithuania.
- VIII.
- IX. Prelimin. objections raised by the Lithuanian Govt.
- X. 12 III 38.
- XI. 30 IV 38 (Reply to the objections).

Entry approved on 15 III 38.

- XII.
- XIII. 30 IV 38.
- XIV.
- XV. 13 VI 38.
- XVI. Judicial Year 1938.
- XVII. No. 74.
- XVIII. By Order dated 30 VI 38, the Court joined the preliminary objections raised by the Lithuanian Govt. to the merits.
- XIX.
- XX. Series A./B., Vol. 75.
" C., " 86.
" E., " 15, p. 94.

Fol. No. 77.

- I. 77.
- II. **"Société commerciale de Belgique".**
- III. 5 V 38.
- IV. I. II. 19138.
- V. E. c. XLII. 1.
- VI. Contentious case.
- VII. *Applicant*: Belgium.
Respondent: Greece.
- VIII.
- IX. Application of the Belgium Govt.
- X. 4 V 38.
- XI. 15 VII 38 (Memorial).
30 IX 38 (Counter-Memorial).

Entry approved on 5 V 38.

- 1 XI 38 (Reply).
- 1 XII 38 (Rejoinder).
- XII. 20 XII 38 (Rejoinder).
- XIII. 20 XII 38.
- XIV.
- XV. 15 V 39.
- XVI. Judicial Year 1939.
- XVII.
- XVIII. Judgment: 15 VI 39.
- XIX.
- XX. Series A./B., Vol. 78.
" C., " 87.
" E., " 15, p. 105.

Notes.

- (1) By Order dated 3 vi 38, the Court, when fixing the time-limits for the filing of the Memorial and the Coun-

ter-Memorial, decided to leave the time-limits for the filing of the Reply and Rejoinder to be fixed by a subsequent order.

Fol. No. 78.

- I. 78.
 II. **The Electricity Company of Sofia and Bulgaria (preliminary objection).**
 III. 25 xi 38.
 IV. I. II. 20017.
 V. E. c. XLI. 7.
 VI. Contentious case.
 VII. *Applicant* : Belgium.
 Respondent : Bulgaria.
 VIII.
 IX. Preliminary objection raised by the Bulgarian Govt.

- Entry approved on 25 xi 38.
 X. 10 xi 38.
 XI. 25 i 39 (Reply to objection).
 XII.
 XIII. 25 i 39.
 XIV.
 XV. 27 ii 39.
 XVI. Judicial Year 1939.
 XVII. No. 75.
 XVIII. Judgment : 4 iv 39.
 XIX.
 XX. Series A./B., Vol. 77.
 " C., " 88.
 " E., " 15, p. 98.

Fol. No. 79.

- I. 79.
 II. **Gerliczy.**
 III. 17 vi 39.
 IV. I. II. 20906.
 V. E. c. XLIII. 1.
 VI. Contentious case.
 VII. *Applicant* : Liechtenstein.
 Respondent : Hungary.
 VIII.
 IX. Application of the Govt. of Liechtenstein.
 X. 9 v 39.
 XI. 15 iii 40 (Memorial).
 15 x 40 (Counter-Memorial).
 XII. 15 vi 40 (Memorial).
 15 i 41 (Counter-Memorial).
 XIII.
 XIV.
 XV.
 XVI.
 XVII.
 XVIII.

- Entry approved on 17 vi 39.
 XIX.
 XX. Series E., Vol. 16, p. 154.

Notes.

- (1) By Order dated 18 x 39, the President of the Court, when fixing the time-limits for the filing of the Memorial and the Counter-Memorial, decided to leave the time-limits for the filing of the Reply and the Rejoinder to be fixed by a subsequent order.
 (2) On 3 ix 45, the Registrar sent a letter to the Govt. of Liechtenstein, asking what were the intentions of the Princely Government in regard to the proceedings instituted on 14 vi 39. No reply to this letter has been received from the Liechtenstein Govt.

CHAPTER V.

JUDGMENTS, ORDERS
AND ADVISORY OPINIONS.THE ELECTRICITY COMPANY OF SOFIA
AND BULGARIA.

This case was brought before the Court on January 26th, 1938, by an application filed by the Belgian Government praying the Court to declare that the State of Bulgaria had failed in its international obligations by putting into force a coal tariff in 1934, by decisions rendered in 1936 and 1937 by the Bulgarian judicial authorities and by the institution of a special tax in 1936. The Court was asked to order the requisite reparation to be made in respect of these acts.

On November 25th, 1938, the Bulgarian Government filed a preliminary objection; the Court accordingly suspended the proceedings on the merits and, on April 4th, 1939, gave judgment on this objection. The decision reached by the Court was that it had jurisdiction in so far as concerned the first two grounds of complaint, but that the Belgian Government's application could not be entertained in respect of the third grant of complaint, namely, the taxation law¹.

By an Order dated the same day (April 4th, 1939) concerning the resumption of the proceedings on the merits, the Court fixed July 4th, August 19th and October 4th respectively as the dates for the filing of the Counter-Memorial, the Reply and the Rejoinder on the merits. The first two of these were filed by the dates thus fixed. With regard to the third, the Agent of the Bulgarian Government informed the Registrar of the Court, on October 2nd, 1939, that recent events had prevented him from collaborating with Counsel for the Bulgarian defence and that, owing to circumstances of *force majeure* resulting from the war, he was unable to file the Rejoinder.

¹ See E 15, pp. 98 *et seq.*

As the Belgian Government made no objection to a reasonable extension of the time-limit in question, the President of the Court (since the latter was not sitting) made the following Order on October 4th, 1939 :

“The President of the Permanent Court of International Justice,
 Having regard to Article 48 of the Statute of the Court,
 Having regard to Articles 37, 38 and 41 of the Rules of Court,

Makes the following Order :

Having regard to the Application filed with the Registry of the Court on January 26th, 1938, whereby the Belgian Government instituted proceedings before the Court against the Bulgarian Government concerning the Electricity Company of Sofia and Bulgaria ;

Having regard to the preliminary objection raised by the Bulgarian Government on November 25th, 1938 ;

Having regard to the judgment of April 4th, 1939, whereby the Court adjudicated upon this objection ;

Having regard to the Order of the same date, whereby the Court fixed July 4th, August 19th and October 4th, 1939, as the respective dates for the filing of the Counter-Memorial, Reply and Rejoinder on the merits ;

Having regard to the Counter-Memorial of the Bulgarian Government and the Reply of the Belgian Government, which were filed by the dates thus fixed ;

Whereas, on October 2nd, 1939, the Agent for the Bulgarian Government sent to the Registrar of the Court the following telegram :

‘Have honour inform Court that recent events have prevented my collaboration with advocate for Bulgarian defence, the French Professor Gilbert Gidel, and that owing to circumstances of *force majeure* resulting from the war am unable file Bulgarian Rejoinder.’

Whereas the Agent for the Belgian Government, to whom the terms of this telegram were communicated, stated that his Government would have no objection to a reasonable extension of the time-limit for the filing of the Rejoinder ;

Whereas the circumstances alleged by the Agent for the Bulgarian Government should be taken into account ;

The President of the Court, as the Court is not sitting,
 extends until Thursday, January 4th, 1940, the time-limit for the filing of the Bulgarian Rejoinder which had been fixed to expire on October 4th, 1939.

Done in French and English, the French text being authoritative, at the Peace Palace, The Hague, this fourth day of October, one thousand nine hundred and thirty-nine, in three copies, of which one will be placed in the archives of the Court

and the others will be transmitted to the Belgian and Bulgarian Governments respectively.

(Signed) J. G. GUERRERO,
President.

(Signed) J. LÓPEZ OLIVÁN,
Registrar."

On October 17th, 1939, however, the Belgian Agent filed with the Registry of the Court a "Second incidental Request of the Belgian Government for the indication of interim measures of protection", dated October 14th, 1939. The reason given for this request was the fact that the Municipality of Sofia, on August 1st, 1939, had brought a "petitory action" against the Electricity Company "based on the previous decisions of the Bulgarian courts", and that the measures of execution with which the Company was threatened were "such as would not only seriously prejudice the Company's position, but also impede the restoration of its rights by the Municipality, if the Court were to uphold the Belgian Government's claim". This request was communicated to the Agent for the Bulgarian Government, who was at the same time requested to let the Registry of the Court have any written observations which he might desire to present by November 24th, 1939. By a telegram dated November 18th, 1939, the Bulgarian Agent informed the Court that, owing to the war, it was impossible for him to collaborate with foreign counsel on the preparation of the Bulgarian defence and that his Government forbade the departure for The Hague of himself and of the national judge, in view of the serious risks to their personal safety involved by the journey, and did not consider it incumbent upon it to submit the observations asked for upon the request which, however, it declared should be rejected. On November 24th, 1939, the President of the Court, in accordance with Article 61, paragraph 8, of the Rules of Court, fixed December 4th, 1939, as the date of a public sitting for the hearing of the Parties.

At this sitting, the Court heard M. J. G. de Ruelle, Agent for the Belgian Government, and Maître Henri Rolin, Counsel, the Bulgarian Government not being represented before the Court. For this sitting the Court was composed as follows: M. GUERRERO, *President*; Sir CECIL HURST, *Vice-President*; MM. FROMAGEOT, ANZILOTTI, NEGULESCO, Jonkheer VAN EYSINGA, MM. CHENG, DE VISSCHER, ERICH, *Judges*. The judge *ad hoc* nominated by the Bulgarian Government had been duly summoned to attend, but announced in a telegram dated November 25th, 1939, that it was impossible for him, owing to circumstances of *force majeure*, to come to The Hague. The Court held that the action brought as demandant by the Municipality of Sofia

against the Belgian Company constituted, according to the statement made on July 27th, 1938, by the Bulgarian Agent himself, the precise course to be adopted in order to obtain payment of the sums claimed by the Municipality from the Company and thus to enable the former to resort to measures of compulsion. Furthermore, Article 41, paragraph 1, of the Statute simply applied the principle universally accepted by international tribunals and laid down in many conventions to which Bulgaria had been a party—to the effect that the parties to a case must abstain from any measure capable of exercising a prejudicial effect in regard to the execution of the decision to be given and, in general, not allow any steps to be taken which might aggravate or extend the dispute. In this case, the existing conditions and the successive postponements and resulting delays justified in the view of the Court the indication of interim measures calculated to prevent, for the duration of the proceedings, the performance of acts likely to prejudice, for either of the Parties, the respective rights which might result from the impending judgment. By an Order made on December 5th, 1939, the Court accordingly indicated as an interim measure, in accordance with Article 41, paragraph 1, of the Statute and Article 61, paragraph 4, of the Rules of Court, “that, pending the final judgment of the Court in the suit..., the State of Bulgaria should ensure that no step of any kind is taken capable of prejudicing the rights claimed by the Belgian Government or of aggravating or extending the dispute submitted to the Court”¹.

In a telegram addressed to the Court on January 2nd, 1940, the Bulgarian Agent once more invoked the existence of circumstances of *force majeure*, in consequence of which his Government did not consider itself bound to present its Rejoinder by the date fixed. In his reply, dated January 24th, 1940, to the communication informing him of this telegram, the Belgian Agent opposed the suspension of the proceedings, holding that the argument of *force majeure* was unreasonable and could not be invoked. The Court held that it was for the Bulgarian Government to select some advocate, whose collaboration could in the circumstances be effectively secured, and that in actual fact there was nothing to impede travelling and communications between Bulgaria and the seat of the Court. The facts alleged did not therefore constitute a situation of *force majeure*. By abstaining from presenting its Rejoinder by the date fixed, the Bulgarian Government could not, of its own volition, prevent the continuation of the proceedings instituted and the due exercise of the powers of the Court. Having regard to the contents of the Belgian Memorial and the Bulgarian

¹ See Series A./B., No. 79.

Counter-Memorial, the Court held that the written proceedings must be regarded as terminated and the case ready for hearing. Accordingly, by an Order made on February 26th, 1940, the Court, under Article 47, paragraph 1, of the Rules, fixed May 16th, 1940, as the date for the commencement of the oral proceedings. On this occasion it was composed as follows: M. GUERRERO, *President*; Sir CECIL HURST, *Vice-President*; MM. FROMAGEOT, ALTAMIRA, ANZILOTTI, NEGULESCO, Jonkheer VAN EYSINGA, MM. CHENG, HUDSON, DE VISSCHER, ERICH, *Judges*. The judge *ad hoc* nominated by the Bulgarian Government had been duly convoked for February 19th, 1940¹. In consequence of the invasion of the Netherlands, it was impossible for oral proceedings to take place.

In prospect of the meeting of the Court in October 1945, the Registrar, on September 3rd, 1945, wrote to the Belgian Government, referring to the succession of events since May 10th, 1940, which had rendered communications with that Government impossible, and asking what course it proposed to adopt with regard to the proceedings which it had instituted. The Belgian Minister for Foreign Affairs, in a letter dated October 24th, 1945, replied as follows: "As present circumstances warrant the hope that there will no longer be any occasion for the Belgian Government to exercise its right to protect the Belgian Company the Belgian Government does not intend to go on with the proceedings instituted before the Court and asks that the case should be struck out of the Court's list". This notice of discontinuance was notified to the Respondent Party by a communication dated November 2nd, 1945. The Registrar informed the latter at the same time that the President of the Court, in accordance with Article 69, paragraph 2, of the Rules, fixed December 1st, 1945, as the date by which it might enter an objection to the discontinuance of the proceedings. No objection on the part of the Respondent Party was received by the Registry.

¹ See Series A./B., No. 80.

GERLICZY CASE.

The Head of the Princely Government of Liechtenstein, in a letter of June 14th, 1939, filed in the Court's Registry on June 17th, informed the Registrar that his Government had decided to refer to the Court a dispute with the Royal Hungarian Government concerning the application of the Hungaro-Roumanian Convention of April 16th, 1924, regarding the release of deposits and the settlement of debts and credits in former Austrian or Hungarian crowns.

Maître F. Donker Curtius, Advocate at the Netherlands Court of Cassation at The Hague, was appointed as Agent of the Princely Government, and, on June 17th, 1939, handed in to the Registry the Application instituting proceedings in the affair. This Application invoked the declaration of the Liechtenstein Government accepting the Court's jurisdiction and recognizing it as compulsory *ipso facto* and without special convention, in conformity with Article 36, paragraph 2, of the Statute, as well as the declaration of the Hungarian Government adhering to the Optional Clause provided for in the same article, and relied on the following facts :

Dr. Félix Gerliczy, a Liechtenstein national, had been condemned by a judgment of the Royal Hungarian Curia of April 20th, 1932, to pay to Baroness Marguerite Gerliczy, wife of Count Christophe Degenfeld Schonburg, the sum of 268,027.43 pengös with interest for delay at 5 %, and costs. This judgment revalorized in pengös for the benefit of Countess von Degenfeld Schonburg the payment of a claim against Dr. Gerliczy for 275,000 crowns, in virtue of a deed of February 17th, 1914, subject to the deduction of a sum of 43,650 gold crowns. The same judgment condemned Dr. Gerliczy to pay Baroness Félicie Gerliczy a sum of 186,564.93 pengös with interest for delay at 5 %, and costs, and thus revalorized in pengös, for the benefit of the Baroness, a claim of 175,000 crowns against Dr. Gerliczy, in virtue of a deed of March 5th, 1915, and subject to a deduction of 13,975 gold crowns. A judgment of the same Court, dated October 5th, 1933, condemned Dr. Gerliczy to pay Baroness Gerliczy 30,000 pengös, with interest for delay at 5 %, and costs, thus revalorizing in pengös, for the benefit of the Baroness, the payment of a claim of 750,000 crowns against Dr. Gerliczy in virtue of the same deed of March 5th, 1915. Under the judgment of April 20th, 1932, Dr. Gerliczy had thus been "obliged to repeat the payments which, under the claims established by the deeds of February 17th, 1914, and March 5th, 1915, he was bound to make" and had made

“under the conditions and in the manner prescribed by law”; whilst, under the judgment of October 5th, 1933, he had been obliged to pay a debt contracted in former Hungarian crowns revalorized in pengös. Dr. Gerliczy had been compelled, firstly, to repeat the payments and, secondly, to do so in pengös under conditions so onerous as to involve his ruin. The Applicant Government undertook to furnish proof of the damage thus suffered by him. The terms of the above-mentioned judgments “disregarded or alternatively misconstrued” the Convention of April 16th, 1924, between Roumania and Hungary, governing *inter alia* the revalorization of the payment of debts and claims in former Hungarian crowns, Dr. Gerliczy having been a Roumanian national at the date of coming into force of the convention (December 3rd, 1924). This “disregard or misinterpreting” of the convention was an act contrary to international law and placed Hungary under a pecuniary liability to Dr. Gerliczy. Alternatively, the Applicant Government espoused the claim of Dr. Gerliczy in respect of these damages and asked the Court to adjudge and declare that the above-mentioned judgments were contrary to international law, and in particular to the Convention between Hungary and Roumania, and that the Hungarian Government was “under an obligation to make good the damage thus caused to the Applicant Government, or alternatively to Dr. Félix Gerliczy, and to reserve to the latter Government all its rights regarding the subsequent indication of the amount of this indemnity”.

The Government of Hungary was informed on June 19th, 1939, of the filing of this Application, and appointed as its Agent in the affair M. Ladislav Gajzago, Envoy Extraordinary and Minister Plenipotentiary.

On October 18th, 1939, as the Court was not sitting, the President made the following order :

“The President of the Permanent Court of International Justice,
having regard to Articles 36, 40 and 48 of the Statute of the Court,
having regard to Articles 32, 35, 37, 38 and 41 of the Rules of Court,

Makes the following Order :

Whereas by a letter dated June 14th, 1939, and filed in the Registry of the Court on June 17th, the Head of the Princely Government of Liechtenstein informed the Registrar that his Government, having decided to refer to the Court a dispute with the Royal Hungarian Government concerning the application of the Hungaro-Roumanian Convention of April 16th, 1924, regarding the release of deposits and the settlement of debts and credits in former Austrian or Hungarian crowns, had

appointed as its Agent for this purpose Maître F. Donker Curtius, advocate at the Netherlands Court of Cassation, at The Hague, and that the latter had been instructed to hand to the Registrar the Application instituting proceedings in this case ;

Whereas the Application above mentioned was filed with the Registry of the Court on June 17th, 1939, and whereas it bears the duly legalized signature of Maître Donker Curtius ;

Whereas the Application invokes the declaration of the Government of Liechtenstein accepting the jurisdiction of the Court and recognizing the jurisdiction of the Court as compulsory, *ipso facto* and without special convention, in conformity with Article 36, paragraph 2, of the Statute, and the declaration of the Hungarian Government adhering to the Optional Clause provided for by Article 36, paragraph 2, of the Statute ;

Whereas, on June 19th, 1939, the Hungarian Government was informed of the filing of the Application, of which a certified true copy was dispatched to it the same day ;

Whereas the Hungarian Government has appointed as its Agent in this case M. Ladislav Gajzago, Envoy Extraordinary and Minister Plenipotentiary, Professor of international law at the University of Budapest ;

Whereas the President of the Court has ascertained the view of the Agents with regard to questions connected with the procedure ;

The President of the Court,
as the Court is not sitting,

(1) fixes as follows the time-limits for the presentation by the Parties of the first two documents of the written proceedings :
for the Memorial of the Government of Liechtenstein : March 15th, 1940 ;
for the Counter-Memorial of the Hungarian Government : October 15th, 1940 ;

(2) leaves the time-limits for the presentation of a reply by the Government of Liechtenstein and of a rejoinder by the Hungarian Government to be fixed by a subsequent order.

Done in French and English, the French text being authoritative, the eighteenth day of October, one thousand nine hundred and thirty-nine, in three copies, of which one will be placed in the archives of the Court and the others will be transmitted to the Princely Government of Liechtenstein and to the Royal Hungarian Government respectively.

(Signed) J. G. GUERRERO,
President.

(Signed) J. JORSTAD,
Deputy-Registrar."

The Agent for the Liechtenstein Government, in a letter dated March 2nd, 1940, asked for an extension of the time-

limit for the filing of his Memorial until June 15th, 1940. The Hungarian Agent was consulted and had no objection to this request, provided a similar prolongation were granted for the filing of the Counter-Memorial. On March 7th, as the Court was not sitting, the President made the following Order:

“The President of the Permanent Court of International Justice,
having regard to Article 48 of the Statute,
having regard to Articles 37, 38 and 41 of the Rules of Court,

Makes the following Order :

Having regard to the Application filed in the Registry of the Court on June 17th, 1939, whereby the Princely Government of Liechtenstein brought before the Court against the Royal Hungarian Government a suit concerning the application of the Hungaro-Roumanian Convention of April 16th, 1924, regarding the release of deposits and the settlement of debts and credits in former Austrian or Hungarian crowns ;

Having regard to the appointment by the two Governments concerned of their respective Agents, namely : for the Government of Liechtenstein, Maître F. Donker Curtius, and for the Hungarian Government, M. Ladislas Gajzago ;

Having regard to the Order of October 18th, 1939, whereby the President of the Court fixed March 15th and October 15th, 1940, as the respective dates of expiration of the time-limits for the filing of the Memorial and Counter-Memorial, leaving the time-limits for the filing of a Reply and Rejoinder to be fixed by a subsequent Order ;

Whereas, by a letter dated March 2nd, 1940, the Agent for the Government of Liechtenstein has asked for an extension of the time-limit fixed for the filing of his Memorial until June 15th, 1940 ;

Whereas the Agent for the Hungarian Government, on being notified of this request, has stated that he has no observations to make regarding this request for an extension, “provided that an equivalent extension, also of three months, of the ensuing time-limit allowed to Hungary” for the filing of the Counter-Memorial is granted ;

Whereas there is no objection to the fixing of new time-limits ;

The President of the Court,
as the Court is not sitting,

(1) fixes as follows the new time-limits for the presentation by the Parties of the first two documents of the written proceedings :

for the Memorial of the Government of Liechtenstein :
June 15th, 1940 ;

for the Counter-Memorial of the Hungarian Government :
January 15th, 1941 ;

(2) leaves the time-limits for the presentation of a Reply by the Government of Liechtenstein and of a Rejoinder by the Hungarian Government to be fixed by a subsequent Order.

Done in French and English, the French text being authoritative, this seventh day of March, one thousand nine hundred and forty, in three copies, of which one will be placed in the archives of the Court and the others will be transmitted to the Princely Government of Liechtenstein and to the Royal Hungarian Government respectively.

(Signed) J. G. GUERRERO,
President.

(Signed) J. LÓPEZ OLIVÁN,
Registrar."

Owing to the war and to the invasion of the Netherlands, no step was taken in the proceedings. A meeting of the Court being fixed for October 1945, the Registrar, having regard to events that had occurred since May 10th, 1940, and that had rendered communications with the Liechtenstein Government impossible, wrote a letter to that Government on September 3rd, 1945, asking what were its intentions as to the affair submitted on June 17th, 1939. No reply has been received to this letter.

CHAPTER VI.

DECISIONS TAKEN BY THE COURT
IN APPLICATION OF THE STATUTE AND RULES
(JUNE 15th, 1933—DECEMBER 31st, 1945).

Contents of the Chapter.

Chapter VI of the Third Annual Report contained a Digest of the decisions taken by the Court in application of the Statute and Rules from the time of the establishment of the Court until June 15th, 1927. Chapter VI of the Fourth to Fifteenth Annual Reports constitute addenda supplementing and bringing this Digest up to date.

In order to facilitate reference to the Digest and following the example of the corresponding chapter in the Fourteenth Annual Report¹, the present Chapter assembles all decisions taken by the Court between June 15th, 1933², and December 31st, 1945.

The decisions of the Court embodied in this Chapter have, as usual, been classified on the basis of the Statute; the references to the articles of the Rules relate to the Rules in force since March 11th, 1936.

The Digest is followed by three indexes: (1) an analytical index; (2) an index of articles of the Statute, and (3) an index of articles of the Rules to which the decisions relate. The three indexes cover all decisions since 1922; accordingly they refer to E 3 (June 15th, 1922—June 15th, 1927), to E 4 to E 9 (June 15th, 1927—June 15th, 1933), and to the present Chapter (June 15th, 1933—December 31st, 1945).

¹ See E 14, p. 125.

² The decisions of the Court up to June 15th, 1933, have been analyzed in a work entitled: *Statut et Règlement de la Cour permanente de Justice internationale (éléments d'interprétation)*, published in 1934 by the *Institut für ausländisches öffentliches Recht und Völkerrecht*, of Berlin. This work and the present Chapter VI therefore embody all decisions taken by the Court in application of the Statute and Rules.

FIRST PART.

DIGEST OF DECISIONS TAKEN BY THE COURT
IN APPLICATION OF THE STATUTE AND RULES
(JUNE 15th, 1933—DECEMBER 31st, 1945¹).

SECTION I.—STATUTE: CONTENTIOUS PROCEDURE.

ARTICLE 13.

26 x 36. The Pajzs, Csáky, Esterházy case (merits).—When the Court assembled for the hearings on the merits of this case, its composition was different from what it had been when the preliminary objections in the same case had been before it. Accordingly, both the newly-elected judges and the parties' agents were entitled to demand that the case should be re-argued from the beginning. Neither the new judges nor the agents, however, insisted on this right, and it was agreed between the President and the agents that they might simply refer in their pleadings to the volume containing the record of the oral proceedings in regard to the preliminary objections.

At the opening of the hearings on the merits of the case, the President announced that, with the concurrence of the two newly-elected judges present and of the agents concerned, the written record of the arguments heard in Court in the course of the proceedings upon the objections and also the documents already filed would be regarded as having been duly laid before the Court.

30 XI 39.—The Court adopted the following resolution :

“The Court,

In view of the possibility that the provision in Article 13 of the Court's Statute to the effect that members of the Court will continue to discharge their duties until their places have been filled, may apply after the expiration of the term of office of the present judges,

Decides that, if no election of judges is held in the present year, the principle laid down by the above-mentioned provision of the Statute will apply to the President and the Vice-President of the Court, and to the members and substitute members of the Chambers referred to in Articles 26, 27 and 29 of the Statute; and accordingly declares that in such circumstances they will continue to discharge their duties until their places have been filled.

¹ R. : Rules.—St. : Statute.

This decision will be communicated for information to the Members of the League of Nations through the Secretary-General of the League and to States entitled to appear before the Court."

II XII 39.—The Assembly decided in the existing circumstances not to hold the new election of members of the Permanent Court of International Justice which was due in 1939. Under the Statute (Art. 13, para. 3), in the absence of a new election, the existing judges would continue in office.

ARTICLE 17.

1936.—The President of the Court was asked on behalf of the government of a State whether he would undertake the duties of president of a permanent conciliation commission established under a treaty of arbitration and conciliation.

The President of the Court felt unable to accept this position for the reason that a dispute submitted to this conciliation commission might, under the terms of the treaty, later be referred to the Court if the proceedings before the conciliation commission did not result in an amicable settlement, and in that event he would be precluded under Article 17 of the Court's Statute from sitting in the case.

Subsequently, however, the President of the Court was called upon by the two States concerned, under the terms of the treaty above mentioned, to nominate the president of this conciliation commission, as they were unable to agree upon the appointment of a new president. This the President of the Court undertook to do (see Section III).

27 II and 31 III 39. The Electricity Company of Sofia and Bulgaria.—The respondent government having no judge of its nationality upon the Bench had nominated a judge *ad hoc* under Article 31 of the Statute. The applicant government having been notified of this nomination (Rules, Art. 3) raised no objection. The judge *ad hoc* thus nominated had however, as a member of a Mixed Arbitral Tribunal, taken part in the preparation of certain arbitral awards which were invoked in the Application.

When the Court met to deal with an objection lodged by the respondent government, it considered the question whether the presence of the person nominated upon the Bench involved any incompatibility of functions within the meaning of Article 17 of the Statute. The Court decided that there was no incompatibility, but this decision was confined to the proceedings on the objection.

After giving judgment on the objection, the Court considered the question of the presence of this judge *ad hoc* for the proceedings on the merits.

Having regard firstly to the view taken by the Court, in its judgment on the objection, concerning the awards of the Mixed Arbitral Tribunal, and secondly to the attitude taken by the applicant government with regard to the nomination of the judge *ad hoc*, the Court decided that Article 17, paragraph 2, of the Statute was also inapplicable with regard to the proceedings on the merits.

The decision was conveyed to the two agents by letters from the Registrar.

ARTICLE 19.

5 IV 35.—In connection with a discussion concerning the assembly of the Court in times of emergency, the question was raised whether it was the absolute duty of a judge to comply with a summons, no matter what rules might be laid down by the law of his own country compelling him to remain there. The President referred to the terms of Article 19 of the Statute and observed that that instrument, being an international treaty, took precedence over any national regulations of a country which had adhered to it. If the State of which a judge was a national objected to his leaving the country, the judge should urge this consideration, and if that proved ineffective, he should at once communicate with the President.

ARTICLE 21, PARAGRAPH I.

2 XII 33.—The Court proceeded to select the President and Vice-President for the three years' period 1934-1936. Prior to the election, the President recalled that the Court's practice had hitherto always been not to re-elect the retiring President; on the other hand, this practice had not been followed with regard to the retiring Vice-President. The results of the election were in accordance with both precedents. The Registrar was as usual authorized to notify the results of the elections by telegram to the Secretary-General of the L. N. and to issue a communiqué to the Press.

25 XI 36.—The Court, for the years 1937-1939, elected as President the retiring Vice-President and, as Vice-President, the retiring President.

RULES, ARTICLE 9. (See under St., Art. 13.)

RULES, ARTICLE 13, NO. I.

22 X 34. The Oscar Chinn case.—For the purposes of this case, the President of the Court, being a national of one of the parties concerned, handed over his duties as President to the Vice-President.

ARTICLE 21, PARAGRAPH 2.

1933-1940.—In accordance with precedent, the Court annually appointed the Registrar as its representative at the ordinary session of the Assembly of the L. N. and before the Supervisory Commission.

25 VI 36.—When the Registrar was appointed to represent the Court at the ordinary session of the Assembly in 1936, it was agreed that if, for any reason, the Registrar became unable to act, the President should be authorized to take appropriate steps to provide for the representation of the Court before the Assembly.

RULES, ARTICLE 14.

26 X 36.—The Court considered the question of the election of a new Registrar to fill the vacancy resulting from the election of the former Registrar as a member of the Court.

It was decided to fix November 26th, 1936, as the date on which the list of candidates would be closed, it being held that a period of one month would suffice to enable absent judges to exercise their right under Article 14 to propose candidates. In this connection the President stated that he had received a number of applications, and, thinking it desirable that a candidate should not be ruled out by the fact that he had not been "proposed by a member of the Court", he had undertaken to transmit to the Court the letters of would-be candidates, specifying, however, that this did not imply that he supported their candidature.

The Court also considered the question of the proposal to be made by it to the Assembly regarding the Registrar's salary (see under St., Art. 32); the Court's decision regarding this proposal was taken on November 12th, i.e., some time before the date of closure of the list of candidates.

After the closure of the list of candidates, it was decided to hold a private and unofficial exchange of views and information concerning the candidates between members of the Court prior to the meeting of the Court held for the actual election of the Registrar. The procedure adopted for the election was as follows: a list of all candidates was prepared of which copies were distributed to all members of the Court, who then had simply to place a mark against the name of the candidate for whom they wished to vote.

RULES, ARTICLE 14, No. 6.

28 XI 38. Election of Deputy-Registrar for period 1939-1945.—Though Article 14 of the Rules provided that a date should be fixed for the closure of the list of candidates, it was held that in this case the question was rather the renewal of an expired contract and that it was superfluous to fix such a date, unless the Court decided against the renewal of the contract.

It was observed that in 1930, when the period of appointment of the Registrar then in office had expired, he had simply been reappointed by a vote, with no preliminary nomination of candidates.

The Court by secret ballot re-elected the present holder of the post as Deputy-Registrar for the period in question.

ARTICLE 23.

1 II 36.—Since the coming into force of the amendments to the Statute, there are no longer "sessions" (ordinary and extraordinary); instead there is a "Judicial Year", which coincides with the calendar year.

RULES, ARTICLE 25, No. 2.

25 VI 36.—The question was brought up whether, under Article 25, paragraph 2, of the Rules, the Court wished to modify the date of the commencement of the judicial vacations. In this connection it was suggested that the fixing of the dates for the beginning and end of the vacations should be left to the President. It was however held that this would involve a delegation of powers not provided for by the Rules and not in accordance with the spirit of that instrument. It was also observed that an omission definitely to fix the dates of

the beginning and end of the vacations might involve administrative difficulties, the rights and obligations of members being in certain respects not the same during periods of judicial vacations as during other periods when the Court "is not sitting".

There being no specific proposal to modify the period of the judicial vacations, the dates were maintained as fixed in Article 25, namely July 15th to September 15th.

10 VI and 9 VII 37. Lighthouses in Crete and Samos.—The Court considered the question whether it would be possible before the judicial vacations to deal with this case which was ready for hearing. It was decided to hold the hearings and commence the deliberation and, depending on the time taken by the latter, to leave open the question whether the Court should continue to sit long enough to render its decision before adjourning, or whether the examination of the case should be suspended and resumed when the Court reassembled after the judicial vacations.

Ultimately, the latter course had to be adopted.

RULES, ARTICLE 25, NO. 2.

31 III 39. The Electricity Company of Sofia and Bulgaria (preliminary objection).—The Court's judgment having been adopted at a date immediately before the commencement of the Easter judicial vacation, the Court decided, under Article 25, No. 2, of the Rules, to hold a meeting during the vacation for the delivery of its judgment.

RULES, ARTICLE 25, NO. 4.

30 IV 36. The Pajzs, Csáky, Esterházy case (preliminary objections).—During the hearings, the President announced that the Court would not sit in the afternoon of April 30th, this day being a public holiday in the Netherlands.

3 V 37. The Meuse case.—In the course of the hearing of this case, the question arose whether the Court should sit on Ascension Day—which is regarded as a public holiday in the Netherlands. The Court held that this question was settled by No. 4 of Article 25 of its Rules, and decided not to sit on that day.

31 I 39. The Panevezys-Saldutiskis Railway case.—The Court did not sit on January 31st, which was regarded as an official public holiday in the Netherlands.

RULES, ARTICLE 26, NO. 1.

15 V 34.—In accordance with precedent, a request made by a judge entitled to long leave to be allowed to proceed on this leave at a certain date, was laid before the Court and approved by it.

3 IV 35.—The long leave roster drawn up for the years 1934-1936 does not specify the dates at which leave would be taken, but merely gives the names of the judges due for leave in the order in which they were entitled to it. The actual dates of their leaves were to be agreed upon between themselves and the President. It was also decided that the roster was to be communicated to governments in accordance with previous practice.

In this connection, the Court held that judges eligible for long leave were entitled to three long leaves during their nine years term of office, one in each three years' period, but that an interval of three years need not necessarily elapse between two periods of leave.

15 XII 36.—In connection with the preparation of the long leave list for 1937-1939, it was observed that the interpretation of Article 23 of the Statute to the effect that the inclusion in the list of the names of judges belonging to countries far distant from the seat of the Court was dependent upon their taking up their residence near that seat, had been definitely adopted by the Court in 1931 and had been incorporated in Article 27, paragraph 5, of the old Rules. After the coming into force of the revised Statute, it had been considered superfluous to repeat this provision in the Rules, but the Court had expressly confirmed the interpretation above mentioned of Article 23 of the revised Statute.

RULES, ARTICLE 27.

10 VII 33.—At the first meeting of a session, summoned at short notice for a question of interim measures of protection, a member of the Court asked whether, under Article 23 of the Statute and Article 27 of the (old) Rules, all judges were not bound to be present at an extraordinary session and accordingly entitled to be summoned to it. If this were so, the dates of sessions should be fixed so as to allow overseas judges the necessary time to reach The Hague. The same member of the Court even doubted whether, in the absence of the judges from overseas, the decisions of the Court would be valid. It was observed (1) that the relevant provision was that fixing the quorum: once there was a quorum, the Court could validly make decisions; (2) that it was essential that the Court should be able in case of necessity to meet without delay; (3) that there were precedents for not summoning judges who were too far distant to attend at short notice, and finally that the practice was sanctioned by the (old) Rules (Art. 27, No. 4, para. 1; cf. Art. 27 of present Rules), which contemplated the possibility of some judges not being summoned for a particular session, and was inspired by the principle expressed in Article 3, paragraph 2, of the (old) Rules.

The judge who had raised the question made no proposal and was content with the recording of his observations in the minutes.

19 III 34.—This question was again brought up in connection with the discussion of the revision of the Rules, and more particularly with the provision in Article 61 of the Rules for the convocation of the Court without delay. It was observed that if urgent reasons demanded it, the Court must be convened even if that necessarily involved the absence of some members; and that whereas, in 1931, the number of judges had been increased to fifteen, the quorum of nine had been retained to meet the requirements of urgent cases.

ARTICLE 25, PARAGRAPH 1.

5 II 34. The Lighthouses case between France and Greece.—A judge was unable, for reasons of health, to attend the first public

sitting held for the hearing of this case. Though in the past the temporary absence of a judge for such reasons had not, subject to the consent of the parties, been regarded as preventing him from continuing to sit, the case had never arisen the very first hearing devoted to a case. It was held that there was no sufficient reason to debar a judge from participating in the subsequent proceedings on the ground that he had not attended the first hearing; and the point having been mentioned to the parties' agents, these made no objection to the judge in question sitting in the case. (In point of fact, however, the judge took no part in the further proceedings, as his health did not permit.)

4 v 37. The Meuse case.—At the opening of the hearings in this case, a judge was unable to be present owing to indisposition. There being no objection on the part of the agents of the parties, it was understood that, in accordance with precedent, this judge might nevertheless sit in the case if he recovered his health in sufficient time.

11 v 37.—At a subsequent stage in the same case, another judge was absent from the hearings for two days in order to fulfil an important duty in his own country. There being no objection on the part of the agents of the parties, he continued on his return to take part in the case.

18 and 19 x 37. The Borchgrave case (preliminary objections).—At the opening of the oral proceedings, a judge was absent, and on the following day another judge also found it impossible to be present at the hearing. No objection having been raised by the parties' agents, it was understood that these judges might continue to sit in the case. (In the event, only the second judge mentioned was able to take part in the examination of the case.)

16 v 38. Phosphates in Morocco (preliminary objections).—The President being unable to attend a public sitting, the hearing was continued with the Vice-President presiding, the agents having expressed their agreement.

15, 17 and 18 VI 38. 27 I 39. The Panevezys-Saldutiskis Railway case.—The parties agreed that judges who had been unable to be present at one or more hearings should nevertheless continue to sit in the case.

ARTICLE 25, PARAGRAPH 3.

12, 16 and 17 XI 34.—In connection with certain votes of the Court when less than a quorum of judges voted, the remainder abstaining, the question of the validity of these votes was raised. In cases where the number of votes cast in a particular sense was less than a majority of the members of the Court present, the vote was not recorded and a fresh vote taken; in other cases, where a majority of the members present voted in a particular sense and where the vote concerned a point of fact and not of law, it was held that the vote could be regarded as duly recorded.

25 II and 4 IV 35.—During the discussions upon the revision of the Rules, the same question arose. When a number of votes constituting an absolute majority of the *total* number of regular judges (fifteen) were cast in a given sense, though the total votes cast did not equal a quorum owing to abstentions, the vote was regarded as valid; on the first occasion that a smaller number of votes in a given sense were recorded (but a number constituting a majority of the judges *present*), the President stated that the vote might be recorded for the guidance of the Drafting Committee. Subsequently, on a number of occasions, the same course was adopted. On an occasion when no majority of members present was obtained, the vote was held invalid.

18 and 27 XI 35.—The practice indicated above in regard to the question of the validity or otherwise of votes when less than a quorum of judges voted, the remainder abstaining, was confirmed: on occasions when the number of votes cast upon a question of law was less than a quorum, it was held that there was no vote.

1936.—Likewise, during the discussions upon the revision of the Rules, at the beginning of the judicial year 1936, the practice followed was the same as that adopted during the discussions on the first reading of the new Rules in 1935. In some cases, however, the President indicated that the vote, though not valid as such, afforded useful guidance. (See St., Art. 23.)

ARTICLES 26, 27, 29.

RULES, ARTICLE 24.

15 XII 36.—In connection with the election of members of the Special Chambers and of the Chamber for Summary Procedure, the question was raised whether a judge might express a preference in regard to these elections. The article of the old Rules (Art. 14) had provided for the expression of a preference, but in the new corresponding rule—Article 24—this provision was omitted. The Court decided that it was inconsistent with Article 24 of the Rules for the Court to have regard to any preferences expressed by judges in connection with the elections to the Chambers constituted under Articles 26, 27 and 29 of the Statute. (See under St., Art. 13.)

ARTICLE 30.

11 III 36.—The Court adopted revised Rules of Court repealing from that date the Rules previously in force and embodying *inter alia* the changes necessitated by the entry into force of the revised Statute on February 1st, 1936.

16 III 36.—The Court confirmed its decision that the minutes of meetings devoted to the revision of the Rules of Court should be printed and published. The Court, after hearing a report by the Chairman of its Publications Committee, also took certain decisions concerning the contents and form of the volume in which these minutes would be reproduced.

ARTICLE 31.

RULES, ARTICLE 60.

25 VI 36. The Pajzs, Csáky, Esterházy case (preliminary objections).—The Court had to take a decision under Article 60 of the Rules some time after the conclusion of the proceedings. The Court held in principle that the judges *ad hoc* should be present, but in fact one of them, who had left The Hague, on being notified of the date on which the decision would be taken, replied that he was unable to attend and left the decision to the Court. The other judge *ad hoc* was present. (See St., Art. 47.)

RULES, ARTICLE 68.

14 XII 36. The Losinger & Co. case.—The Court first had occasion to apply Article 68 of the Rules of Court adopted on March 11th, 1936. In this connection the question was raised whether the presence of judges *ad hoc* was required in making an order recording the discontinuance of proceedings. It was recognized that in this particular case no doubt arose as to the intention of the parties and that the removal of the case from the list was more in the nature of an administrative formality than a decision, and the precedent of the order terminating proceedings in the case concerning South-Eastern Greenland (May 11th, 1933) was cited, in which order the judges *ad hoc* did not take part, but the suggestion was made that, in order to avoid establishing a precedent, a sentence should be included in the order to the effect that the presence of the judges *ad hoc* was not considered necessary in this case. Ultimately, it was decided that no reference to the point should be made in the order, but that a statement should be made by the President and recorded in the minutes to the effect that, as there was no doubt that the two interested parties were agreed that the case should be removed from the list, and having regard to the precedents, he was of opinion that it was unnecessary to convene the judges *ad hoc* in this case for the purposes of the order removing the case from the list.

The Court decided that this order should not be read out at a public meeting, but would be printed as usual in Series A./B. (See St., Arts. 39, 48.)

RULES, ARTICLE 83.

2 II 35. Minority Schools in Albania (case for advisory opinion).—The preliminary question arose whether the opinion sought related to a "dispute" or to a "question" (Art. 14 of the Covenant); whether consequently the appointment of judges *ad hoc* should or should not be allowed; and whether the Court should not proceed at once to decide this point and inform the governments concerned what its conclusions were, in order not to expose them to the risk of nominating judges whose appointment might not be sanctioned by the Court.

It was decided that the Registrar should be instructed to convey to the representatives concerned—without committing the Court—that, in view of the nature of the case, there was some uncertainty as to whether the Court would sanction the appointment of a judge

ad hoc by the governments which had been authorized to furnish information upon the question submitted by the Council for an advisory opinion.

31 X 35. Case for advisory opinion concerning the Constitution of Danzig.—The Senate of the Free City asked the Court to authorize it to appoint a judge *ad hoc*. While acknowledging that under Article 83 (previously 71, para. 2) of the Rules such an appointment was only expressly provided for in the case of a dispute between two or more States or Members of the League of Nations, the Senate submitted that it would be desirable to have a judge familiar with Danzig constitutional law on the Bench in this case. The Free City's Agent was authorized to present orally in Court the arguments relied upon by the Senate.

The Court's decision rejecting the request was communicated at once to the Agent of the Free City and announced from the Bench at the next public sitting. The reasons for the decision, which were given in an order prepared subsequently, were: (1) that Article 31 of the Statute only made provision for the presence of judges *ad hoc* in cases in which there were parties before the Court and that this condition was not fulfilled in this case; (2) that Article 83, which made the provisions of Article 31 of the Statute applicable in advisory proceedings but only in cases relating to an existing dispute between two or more States or Members of the League of Nations, constituted the only exception to the general rule, and that this exception could not be given a wider application than was provided for by the Rules.

ARTICLE 32.

24 XI 39.—In June 1939, the Supervisory Commission, at the request of the Council of the League of Nations, drew up a report providing for the reduction of the salaries, etc., of members of the Permanent Court of International Justice, in prospect of the new election of the Court which was to have been held in that year.

On September 29th, 1939, in view of the possibility that the Court elections might be postponed and the judges then composing the Court left in office under Article 13 of the Statute, the President of the Court approached his colleagues asking them whether, in the event of their term of office being thus prolonged, they would be prepared to accept the new scale of salaries proposed in view of the new election. All having replied in the affirmative, the President, on November 24th, 1939, wrote to the Secretary-General of the League informing him that the judges, in the event of their term of office being prolonged, were ready, though under no legal obligation to do so, voluntarily to accept the new scale of salaries (see also St. Art. 13).

In its report to the Assembly (doc. A. 37. 1939. X, adopted by that body on 14 XII 39), the Fourth Committee expressed its appreciation of this action on the part of the President and members of the Court, which enabled a considerable reduction to be made in the Court's budget.

ARTICLE 32, PARAGRAPH 6.

12 XI 36.—In connection with the question of the election of a new Registrar, the Court, in November 1936, appointed a committee to consider the proposal to be made to the Assembly regarding the scale of salary to be attached to the post.

The committee came to the conclusion—which was subsequently approved by the Court—that the Registrar's salary should be fixed without regard to the salary scales or fixed salaries paid in other organizations and with reference only to the level of the salaries of the judges, on the one hand, and of the officials of the Registry, on the other, and that it was better that the Registrar of the Court should have a special position corresponding to the independent position of the Court. The proposal made was for the seven years' period of the Registrar's appointment, no proposal being made concerning the salary for a possible second period of appointment, so as to leave the Court as composed after the next general election an entirely free hand.

ARTICLE 36.

RULES, ARTICLE 67.

1933. The Peter Pázmány University case.—The Court had to consider the question of its jurisdiction as a Court of appeal, in connection with this case brought before it under Article X of Agreement II signed at Paris on April 28th, 1930. (Two other cases had previously been brought before it under the same Agreement, but subsequently withdrawn.) For the grounds on which the Court decided that it had jurisdiction in this case and its views as to the extent of this jurisdiction, see E 10, pages 135-142.

The Court decided, on October 20th, 1933, that the parties' agents were in the first place to confine their observations at the hearing to the question of the nature of the jurisdiction conferred on the Court by Article X of Agreement II of Paris. Subsequently, after hearing these observations, it decided, on October 24th, to postpone its decision on this question until it had heard argument on the merits.

The agent for one party, in his oral reply, requested the Court to take forthwith a decision on the question of principle in regard to its jurisdiction as Court of appeal, stating that he could not formulate his final submissions until he knew what the Court's decision on this point would be. The President therefore adjourned the continuation of the agent's reply, in order that the Court might consider the question. The agent had previously presented a series of alternative submissions, and his desire appeared to be not to present entirely new "final" submissions, but to be in a position to choose between the various alternative submissions already formulated by him. The Court decided, on November 9th, 1933, to proceed with the hearing and to inform the agent that, its intention being to deliver a single judgment upon both the nature of its jurisdiction and the merits of the case, it would accept his submissions in the form in which they had already been presented. This

decision was announced by the President at the resumption of the hearing.

RULES, ARTICLE 69.

2 XII 33. The Prince of Pless case and the Polish Agrarian Reform case.—The Court received from the German Minister at The Hague a note to the effect that his Government, which had instituted proceedings in these cases, intended to withdraw both suits. The reason given was the withdrawal of Germany from the L. N.

It was observed in the Court that the withdrawal of a suit should be notified by the agents duly appointed to represent the government in question in the two suits; also that in a case where issue had been joined, the Court had not hitherto been disposed to allow the unilateral withdrawal of a suit. It was decided that the Registrar should acknowledge receipt of the Minister's note, informing him that, in accordance with the Rules, his communication had been transmitted to members of the Court and to the other party—which was the same in both suits. At the same time, copies of the Minister's note and of the Registrar's reply were sent to the agents of both parties for their information and any necessary action. The agent for the other party informed the Court that, in view of the attitude indicated in the note above mentioned, his government had no objection to the discontinuance of proceedings in the two cases and requested the Court officially to record the closure of the proceedings.

The Court, in the orders made in both suits, observing that the withdrawal of the respective suits by the Applicant and the acquiescence of the Respondent in this withdrawal terminated the proceedings, declared the proceedings closed and removed the suits from its List.

ARTICLE 39.

17 III 34. The Lighthouses case between France and Greece.—The parties had agreed that the whole of the proceedings should be conducted in one of the official languages, so that, under Article 39 of the Statute, the only official text of the judgment would be in that language. The practice in such cases had hitherto been that the text prepared by the Registry in the other official language had not been formally submitted to the Court for approval, though it had been printed and published in Series A./B. of the Court's publications, headed "Translation". It was agreed by the Court that this practice should be continued, save that, henceforth, the version in the other official language, even when prefaced by the word "Translation", should be formally approved by the Court. Such approval was given, but without any vote being taken. As in previous cases where the circumstances were the same, reference was made in the penultimate paragraph of the judgment to the fact that the latter was drawn up in one of the official languages only pursuant to Article 39 of the Statute, with the additional observation that the parties had agreed that the case should be conducted in that language; on the other hand, contrary to precedent, no mention was made of the fact that a translation was appended to the official text.

4 XII 35. Case for advisory opinion concerning the Constitution of Danzig.—The Court adopted the English text of the opinion as authoritative. In accordance with precedent, this decision was not taken until the final adoption of both texts in second reading.

8 XII 36. The Pajzs, Czáky and Esterházy case (merits).—In the course of the discussion upon the judgment, the question was raised of the method of citing texts of laws or treaties in the Court's judgments. It was proposed that, whenever in a judgment or advisory opinion there was occasion to quote from a law or treaty drawn up, for instance, in French and English, the two versions should both be reproduced in both the French and English texts of the judgment or opinion, in order *inter alia* to make it clear that the Court, in arriving at its decision, had really had both versions—which were equally authoritative—before it.

In this connection it was observed that the Court had originally inclined to the method of reproducing both the English and French versions of any clauses cited in both the English and French texts of its decisions where both these versions were authoritative. Subsequently this practice had been abandoned—except in cases where a difference between the English and French versions of a clause was noticed—as rendering judgments too voluminous, and the present method of simply giving the French version in the French text and the English version in the English text of a judgment had been adopted.

A vote was taken on the question whether, in the judgment then under consideration, the English (and equally authoritative) version of certain provisions should also be inserted in the French text of the judgment wherever the French version of those provisions was quoted. An equal division of votes resulted, and the President gave his casting vote (St., Art. 55) in the negative, thus maintaining the existing practice of the Court, it being understood that if any question arose in regard to a divergence between the two texts which the Court had to interpret, both texts would be cited.

16 XII 36.—In the same case, the Court adopted the French text of the judgment as authoritative upon the approval of that text in first reading. This was a departure from precedent, as this decision had previously not as a rule been taken until the final adoption of both texts in second reading. The English text was subsequently adopted by the Court as in conformity with the French, authoritative, text.

28 VI 37. The Meuse case.—The parties, under Article 39 of the Statute, had agreed that the case should be conducted in French. Accordingly, under the same Article, the judgment was rendered in French—that text being *ipso facto* authoritative, and the English translation made by the Registry was, as usual in such cases, marked "Translation".

6 XI 37. The Borchgrave case.—The original draft of the Court's judgment had been prepared by the Drafting Committee in English, but the Court worked upon and adopted the judgment in the French text. After the adoption of the judgment in second reading,

it was decided that the English text should be the authentic text, and this text was considered and finally approved by the Court at a subsequent meeting. (See St., Art. 58.)

29 III 39. The Electricity Company of Sofia and Bulgaria (preliminary objection).—The parties having agreed that the case should be conducted in French, the French text was automatically, under Article 39, paragraph 1, of the Statute, adopted as authoritative and the English text was headed "Translation". The latter text was not formally approved by the Court.

It was observed that the practice of the Court in such cases with regard to the text in the second official language, attached to the authoritative text of the judgment, had varied, and it was agreed that this point should be once more examined by the Court on a future occasion.

RULES, ARTICLES 39 AND 58.

29 X 35.—On March 29th, 1933, the Court adopted a resolution to the effect that it would decide in each case before the opening of the oral proceedings whether oral translations at the hearings should be dispensed with; and that, if it was not sitting, this decision would be given by the President (see E 9, p. 163, under St., Art. 39). This resolution was at first applied as involving a decision in any event, whether the suppression or the maintenance of translations were in question. On October 29th, 1935, however, when the application of the resolution as construed above to a case in course of hearing came to be considered, the President decided that the general rule should be that the statements made in one of the official languages should be translated into the other; and that a decision was only necessary where an exception to this rule was envisaged. This is in accordance with the terms of the new Article 58 of the Rules (subsequently adopted on March 11th, 1936) and might be regarded as the existing practice.

The decisions given in accordance with this practice or with Article 58 of the Rules have generally, though there have been some exceptions, contained a statement of the reasons on which they have been based. (See, for example, E 10, p. 156; E 11, p. 148.)

13 V 37. The Borchgrave case.—The agent of one of the parties asked permission to use his native language for the whole of the proceedings.

The Court first of all considered whether it could take a decision in the absence of the judge *ad hoc* of the other party concerned. It was held that the decision contemplated by Article 39, No. 3, of the Rules did not require the presence of judges *ad hoc*. The Court also considered whether its decision should be in the form of an order. The only precedents related to the use of a language other than one of the Court's official languages at the oral proceedings only, and hitherto decisions on this point had not been given in the form of orders. The Court however decided that an order should be made, as the question concerned the conduct of the case.

In regard to the actual request for permission to employ a language other than the Court's official languages throughout the whole of the proceedings, the Court decided not to grant the request so far as concerned the written proceedings, but to grant it as regards the oral proceedings: there were precedents for the latter, but as regards the former there was a danger of establishing a precedent which might prove a source of difficulty in the future. It was held that the "written proceedings" meant the memorials, etc., prepared by the party itself, and not the annexed documents referred to in Article 43, No. 2, of the Rules. It was also held that, as the Court was not sanctioning the presentation of the written proceedings in a language other than the Court's official languages, but simply following a precedent by sanctioning the use of another language for the oral proceedings, there was no need to ascertain the views of the other party's agent.

The Court's order sanctions the use at the oral proceedings by the agent and counsel for the party in question of their native language, on the understanding that arrangements are made by them for the immediate translation of their statements into one of the Court's official languages. As regards the written proceedings, the order refuses the request and adds that documents produced by the parties in support of their arguments must, if they are not in one of the Court's official languages, be accompanied by a translation into one of those languages, as provided in Article 43 of the Rules.

2 X 37.—When the oral proceedings in regard to the preliminary objections in the same case were about to commence, the Court considered the question whether the translation of the oral statements into one of the Court's official languages should be retranslated by the Registry into the other official language. It was decided that this should be done, *inter alia* because the matters of fact were of especial importance and because those judges less familiar with the language into which translation provided by the Spanish Government was made might otherwise be at a disadvantage.

30 IV 38. Phosphates in Morocco (preliminary objections).—The Court decided that there should be no oral translations of the speeches made at the oral proceedings. This was a decision taken in view of special circumstances and was not to be regarded as creating a precedent.

RULES, ARTICLE 58.

4 XII 39. Electricity Company of Sofia and Bulgaria (second request for interim measures of protection filed by the Belgian Government).—The Court decided to dispense with the oral translation at the hearing of statements made before the Court in view of certain special circumstances which made it essential that its decision upon the request should be rendered as speedily as possible.

5 XII 39.—In the same case, the Court noted that, the parties having agreed that the case should be conducted in French, the English text of the Court's order would merely constitute a translation of

the French authoritative text and accordingly there was no need for the English text to be approved by the Court.

ARTICLE 40.

28 VII 33. The Lighthouses case between France and Greece.—As a clause in the special agreement submitting this case to the Court provided for the ratification of the special agreement, the question was raised whether evidence of ratification was required. It was argued, on the one hand, that the recognized international practice in connection with the registration of treaties was to require a certified copy of the protocol of exchange of ratifications; on the other hand, it was observed that the Court's practice had been to require evidence of ratification when a special agreement was notified by one party only, but not when it was notified by both parties. This being a preliminary question which arose before a special agreement was transmitted to the Court, the Registrar would require a formal decision, if the Court desired the previous practice to be modified.

The Court took no decision modifying its former practice, but it was observed that the Registrar might suggest to the parties the *expediency* of producing evidence of ratification whenever ratification was stipulated as a condition in the special agreement; only in cases of unilateral ratification, however, would he *require* production of such evidence.

6 II 34.—During the hearing of the same case, the agent for one party referred to the question of the interpretation of an article in the special agreement as a "preliminary" question. The point was raised in the Court whether questions should not be put to the parties in this connection. It was observed, however, that the Court had never created a special phase of the proceedings for dealing with the interpretation of a special agreement, and it was agreed that the proceedings should follow their normal course.

RULES, ARTICLE 33, No. 1.

28 III 36. The Losinger & Co. case.—The provisions of Article 33, No. 1, of the present Rules were applied for the first time to the preliminary objection filed in this case, and the Registrar transmitted to the other party a copy of the objection certified by him to be correct.

RULES, ARTICLE 35, No. 1.

11 VII 33. The Lighthouses case between France and Greece.—The acting President had not issued the order fixing time-limits for the written proceedings because one of the States concerned had not notified the Court of the name of its agent, pursuant to Article 35 of the Rules, and because he held that the fact that the parties had jointly notified the special agreement rendered inoperative the provision for unilateral notification, so that he could not proceed as if that provision applied. The Registry, pursuant to Article 16 of the Instructions for the Registry, had sought, without result, to obtain confirmation of the provisional appointment as agent of the

Minister at The Hague of the State in question. The President laid before the Court the question whether the order might be made notwithstanding this technical obstacle, or whether fresh representations should be made with a view to its removal.

It was observed that, though in a case where a party had selected its Legation at The Hague as its address, the Court had considered the Head of Mission as implicitly entrusted with the duties of agent *ad hoc*, this precedent could not be cited in the case under consideration, because, in spite of having been specially requested to confirm his appointment as agent, the Minister had not done so.

The Court decided: (1) that the notification by both parties had the effect of annulling the clause providing for unilateral notification; (2) that it should take no steps to press the parties to begin proceedings, and that therefore no official representations should be made with a view to securing the appointment by the second party of its agent. (See St., Art. 42.)

RULES, ARTICLE 62, NOS. 1-3.

10 III 36. The Pajzs, Csáky, Esterházy case.—The Counter-Memorial filed in this case was entitled "Counter-Memorial comprising the document submitting the objection lodged", etc. Although it raised objections to the Court's jurisdiction and submitted that the suit of the applicant government could not be entertained, this Counter-Memorial also contained submissions upon the merits. The question to be decided by the Court was whether the objections should be treated as preliminary objections and dealt with in separate proceedings as provided in Article 62 of the Rules, or whether, although the Court would have to consider the objections before entering upon the merits, the written proceedings should be allowed to follow their normal course as already arranged. It was contended that a preliminary objection, the purpose and effect of which was to stay the main proceedings, should, under Article 62, be submitted in a self-contained document. On the other hand, it was contended that the word "preliminary", as applied to objections, might refer either to the form in which the objection was lodged or to the nature of the objection, and that, as it was submitted in the Counter-Memorial that the suit could not be entertained by the Court, the latter could scarcely deal with the objection in conjunction with the merits without having given the parties an opportunity of submitting argument upon it.

The Court decided to regard the Counter-Memorial as submitting a preliminary objection requiring the application of the procedure provided for in Article 62 of the Rules.

Accordingly, an order was made to the effect that the proceedings on the merits were suspended as a result of the filing of the preliminary objection and fixing a time-limit for the presentation of a written statement on the objection by the applicant government. At the same time, it was stated in the order that, as the document which had been presented, according both to its title and contents, also constituted a Counter-Memorial on the merits, the Court would subsequently, if need be, once more fix time-limits only for a Reply and Rejoinder on the merits.

These time-limits were subsequently (May 23rd, 1936) fixed in the order by which the Court joined the preliminary objection to the merits. (See also under St., Art. 48.)

27 VI 36. The *Losinger & Co.* case.—The Respondent having lodged a preliminary objection, the Applicant argued that the document submitting this objection was invalid for the following reasons of form :

(1) That only one copy of the document submitting the objection had been filed within the time-limit prescribed by the Court; fifty printed copies had not been filed till after the expiry of the time-limit; hence, the provisions of Article 40, Nos. 1 and 4, of the Rules in force had not been complied with by the respondent government.

(2) The objection had not been submitted within the time-limit originally prescribed for the filing of the Counter-Memorial, but only within the time-limit as fixed after two extensions had been granted by the Court at the request of the respondent government; the latter had thus acted in conflict with the spirit of Article 38 of the Rules in force prior to March 11th, 1936, and of Article 62, No. 1, of the Rules now in force; when the period within which a preliminary objection must be filed was defined in those Articles, what was meant was only the time-limit originally fixed by the Court for the filing of the Counter-Memorial.

With regard to the first of these reasons, the Court held that both the consistent practice followed by it and the history of Article 40 of the Rules pointed to the conclusion that the words "documents of the written proceedings" as used in this Article referred only to the Memorial, Counter-Memorial, Reply and Rejoinder (Art. 43 of the St.; Art. 41 of the R.) and did not cover documents instituting proceedings, whether applications or special agreements; that this interpretation was also deducible from the context (Art. 39, No. 4, of the R.) and from the position of Article 40 in the Rules; that in the Court's practice and in accordance with the principles laid down for keeping the General List (Art. 20 of the R.), documents submitting preliminary objections were, for the present purpose, assimilated to documents instituting proceedings.

With regard to the second reason, the Court held that, in principle, a time-limit which had been extended was for all purposes the same time-limit as that originally fixed.

Accordingly, the Court decided that there was no ground for considering the document submitting the objection to be invalid. (See Series A./B., Fasc. No. 67, pp. 22-23.)

8 VII 37. The *Borchgrave* case.—Preliminary objections were lodged by one of the parties concerned. This was the first occasion on which the Court had had before it preliminary objections in a case submitted by special agreement. The Court, holding that the lodging of an objection in such a case was not excluded by its Rules, fixed a time-limit for the presentation of observations and submissions by the other party.

Another question however arose: it had been the practice of the Court, since the general election of judges in 1930, that preliminary objections should be communicated to States in the same way as

applications and special agreements, as provided by Article 34 of the Rules. In this case, however, it was pointed out that, as proceedings had been instituted by special agreement, some degree of inequality between the parties would ensue if this course were followed, for States would be acquainted with the special agreement submitted by both parties and with the objection lodged by one party, but not with the Memorial filed by the other. It was also observed that the preliminary objection related solely to a difference of opinion between the two governments concerning the interpretation of the special agreement, and afforded no pretext for intervention by other States. The Court therefore decided to treat the document submitting the objection in this case as confidential in the same way as documents of the written proceedings in general. (See also St., Art. 48.)

9 VI 38.—The Court, reverting to the procedure followed until 1930 (see previous para.), decided henceforward no longer to communicate to States entitled to appear before it documents submitting preliminary objections in cases pending before it. Among other reasons for this decision, it was observed that the communication of such documents was not necessary, as in the case of applications or special agreements (R., Art. 34), in order to enable third States, if they wished, to intervene under Article 62 of the Statute, and that there was no article in the Statute or Rules prescribing their communication.

ARTICLE 41.

RULES, ARTICLE 61.

10 VII 33. The Polish Agrarian Reform case.—The Court had to consider what course to adopt in the following circumstances: the Applicant had submitted a request for the indication of interim measures of protection, whereupon the acting President had convened the Court and had fixed a date for the public sitting at which the parties might present observations pursuant to paragraph No. 8 of Article 61 of the Rules. Notwithstanding repeated representations by the Respondent, with a view to securing a postponement, this date had been maintained by reason of the urgent character of proceedings in regard to a request for interim measures. The day before the date fixed for the hearing, a note was received by the Court to the effect that the respondent government could not present its observations on the following day. Information was, however, received shortly afterwards that that government could arrange to be represented within eight or ten days.

The discussion bore: (1) on the question whether, in proceedings on a request for interim measures, the Court was obliged to hear the parties' observations; (2) whether Article 53 of the Statute would be applicable if one party were heard in the absence of the other; (3) whether, in proceedings on a request for interim measures, which must be treated as urgent, the granting of an adjournment was admissible.

Without specifically deciding points 1 and 2, the Court decided to hold the public sitting as arranged, and, at that sitting, to adjourn the hearing for a week, without hearing the observations of the

agent for the applicant government, who was however authorized to make a declaration. (See St., Art. 23.)

1938. The Electricity Company of Sofia and Bulgaria.—In this case the applicant government on July 2nd, 1938, filed a request for the indication of an interim measure of protection (see Series A./B., Fasc. No. 77, pp. 66-67).

Subsequently (Aug. 26th, 1938), the agent for the applicant party, having noted certain declarations made by the agent for the respondent party in a communication to the President of the Court, withdrew his request for the indication of an interim measure. The President of the Court therefore made an order recording the withdrawal of this request.

5 XII 39. Electricity Company of Sofia and Bulgaria.—On October 17th, 1939, the agent for the Belgian Government filed a second request for the indication of interim measures of protection. On being notified of this request and of the time-limit for the presentation of any observations in writing, the Bulgarian agent telegraphed that owing to alleged circumstances of *force majeure* arising out of the war, his government forbade his departure—and also that of the Bulgarian judge *ad hoc*—for The Hague and that his Government did not consider itself bound to submit the observations asked for, while declaring that many reasons existed for the rejection of the Belgian request.

Under Rules 61, paragraph 8, the President of the Court, on November 24th, 1939, fixed December 4th as the date of a public sitting for the hearing of the parties in regard to the request, the judge nominated by the Bulgarian Government being duly summoned to attend and the parties' agents duly informed of the date of the sitting. The Bulgarian judge *ad hoc* however replied that it was impossible for him to attend, and the Bulgarian agent did not appear before the Court.

In these circumstances, the Court heard the representatives of the Belgian Government and, after deliberation, proceeded to indicate an interim measure of protection.

ARTICLE 42.

RULES, ARTICLE 35.

In certain cases submitted to the Court, much delay in the making of arrangements for the proceedings, and in particular the fixing of time-limits, has resulted from the fact that a very considerable period has been allowed by parties to elapse before the appointment of their agents, pending which the President has been unable to arrange the meeting contemplated in No. 1 of Rule 37.

In one case, a period of four months elapsed between the date of submission of an application and the appointment of the Respondent's agent. (See E 12, p. 191.)

24 XI 33. The Peter Pázmány University case.—After the Court had begun to deliberate upon its judgment, the agent for one of

¹ For the first request for interim measures, see E 15, p. 113; also Series A./B., Fasc. No. 77, pp. 66-67.

the parties concerned asked the President whether he might temporarily leave The Hague on urgent business. The President granted him permission, but expressly reserved the Court's right once more to summon the agents should it see fit to do so.

2 XI 37. The Panevezys-Saldutiskis Railway.—In the application, the agent for the applicant government selected the Registry of the Court as his permanent address for the purposes of the case. The question therefore arose whether this choice of an address was in accordance with Article 35, No. 5, of the Rules. It was observed that in any case it did not constitute a sufficient reason for the rejection of the application amended, and the Court decided that the notifications respecting the application required by the Rules might be issued forthwith. The Registrar, however, was instructed to get into touch with the agent and make some practical arrangement with him regarding subsequent communications in the case.

ARTICLE 43, PARAGRAPHS 1 AND 2.

RULES, ARTICLES 45 AND 47.

26 II 40. The Electricity Company of Sofia and Bulgaria.—In this case, one of the parties, alleging circumstances of *force majeure*, had abstained from presenting its Rejoinder by the date fixed (after an extension of time) by the Court, while the other party expressly asked that the proceedings should not be suspended and that an opportunity should be afforded it, if need be, of presenting additional submissions for the continuation of the proceedings. The Court did not regard the facts alleged as constituting circumstances of *force majeure* and held that the written proceedings must be regarded as terminated and that the case was ready for hearing under Article 45 of the Rules. That being so, the Court decided that, under Article 47, paragraph 1, of the Rules, it must fix the date for the commencement of the oral proceedings. Accordingly, an order was made on February 26th, 1940, fixing this date (Series A./B., No. 80).

ARTICLE 43, PARAGRAPHS 2 AND 3.

RULES, ARTICLES 37-38.

27 VII 33. The Lighthouses case between France and Greece.—The Court considered the fixing of time-limits, and of the date from which they were to run, in this case submitted by special agreement under which the Court had to fix the *terminus a quo*. This special agreement had been notified some time previously, but, owing to the non-fulfilment of certain conditions (see under St., Art. 40; R., Art. 35), the issue of the order concerning time-limits had been delayed. According to the Court's practice, the date from which the first time-limit was to be reckoned might be either the date of filing of the special agreement or the date of the Court's order; in this case there was also the possibility of taking the date on which the conditions above mentioned were fulfilled. The Court decided in principle to take the latter date, but, as the order was made on

the following day (July 28th), the date finally fixed was the date of the order.

29 II and 2 III 36. The Losinger & Co. case.—The respondent party asked for an extension of the time-limit fixed for the presentation of the Counter-Memorial. In order to avert any difficulties of procedure resulting from the fact that no Counter-Memorial would be available on the expiration of the time-limit fixed, the Court took a special decision, which was adopted as soon as the request for an extension was received, authorizing the Registrar to inform the respondent party that an extension of time sufficient to prevent any such difficulties from arising would, in any case, be granted. The duration of such extension however would not be fixed until the Court had received the views of the other government concerned.

Subsequently, after receiving information to the effect that the other party did not oppose the request for an extension, the Court made an order granting an extension, but, for reasons connected with the Court's programme of work, for a period shorter than had been asked for.

17 VI 36. Phosphates in Morocco.—The question was raised whether it was possible under the Rules to fix time-limits without first having established contact with the parties. It was observed that Article 37 of the Rules adopted on March 11th, 1936, while making consultation of the parties in some form compulsory prior to the fixing of time-limits, had made the hearing of the agents optional, lest, in certain conditions, the Court's action should be paralyzed. The previous practice had been for contact to be established—generally through the Registrar—with the parties, but not necessarily with the agents, the diplomatic representative of a State at The Hague, or the legal adviser of its Ministry for Foreign Affairs having been regarded as an agent *ad hoc* pending the regular appointment of an agent. This practice had in fact been applied in the Phosphates case also, since the Registrar had obtained information in regard to time-limits from the applicant's agent and from an authorized representative of the respondent government.

The Court thereupon decided at once to make an order fixing time-limits for the Memorial and Counter-Memorial, taking into account the information thus obtained. (See St., Art. 48.)

11 VIII and 6 X 36. The Losinger & Co. case.—A request was received from the agent for the applicant party for an extension of the time-limit fixed for the presentation of the Reply, in view of negotiations for a settlement. An order was made by the acting President of the Court extending the time-limit in question to the desired date and at the same time extending indefinitely the time-limit for the presentation of the Rejoinder by the other party, leaving the date for the filing of the latter document to be fixed subsequently. A subsequent request for a further extension of the time-limit for the Reply in view of the stage reached in the negotiations for a settlement was also granted, the time-limit for the presentation of the Rejoinder being left indefinitely extended. (The proceedings were subsequently discontinued. See St., Art. 56.)

13 I 37. Lighthouses in Crete and Samos.—The parties, in their special agreement notified to the Court in October 1936, requested the Court, except as otherwise provided, to follow for certain questions of procedure the special agreement whereby they had submitted the earlier lighthouses case (Judgment of March 17th, 1934). *Inter alia*, the special agreement of October 1936 specified that the provision regarding time-limits in the earlier special agreement held good, subject to the provision that these should not begin to run before October 15th, 1936. In fixing the actual *terminus a quo*, the President of the Court, in his Order of January 13th, 1937, fixing the time-limits, took the date on which, in accordance with Article 37, No. 1, of the Rules, the views of the parties with regard to questions of procedure had been ascertained.

RULES, ARTICLE 40.

To the list of cases in which arrangements have been made regarding the printing by the Registry of documents of the written proceedings (cf. E 9, Chap. VI), the following are to be appended:

<i>Cases.</i>	<i>Documents printed by Court.</i>
The Lighthouses case between France and Greece	The Case and Counter-Case of the Greek Government
The Oscar Chinn case	The documents transmitted by the British Agent
Minority Schools in Albania	The Albanian Memorial The Greek Memorial
The Losinger & Co. case	The annexes to the Swiss Memorial
Lighthouses case in Crete and Samos	The Greek Memorial and Counter-Memorial
The Panevezys-Saldutiskis Railway case	The Estonian Memorial Estonian Observations and Submissions Estonian Reply Estonian "Remarks"
The <i>Société commerciale de Belgique</i>	Greek Counter-Memorial Greek Rejoinder

(See St., Art. 40.)

RULES, ARTICLE 41.

28 VII 33. The Lighthouses case between France and Greece.—The special agreement provided only for the presentation of Cases and Counter-Cases. It was held that this implied an agreement between the parties to dispense with written Replies; this was confirmed by the parties. The Court, however, in its order, reserved the right subsequently to order the presentation of Replies, should it see fit.

13 I 37. Lighthouses in Crete and Samos.—In the order fixing the time-limits for the written proceedings, the President, referring to the fact that the Court in the earlier case (lighthouses case between France and Greece) had held that a clause in the special agreement in that case implied an agreement to waive the right to

present Replies, fixed time-limits for Memorials and Counter-Memorials only.

1 IV 37. The Borchgrave case.—In this case submitted by special agreement, the parties' agents, at an interview to which they were summoned by the President of the Court, under Article 37, No. 1, of the Rules, suggested a deviation from the normal procedure as regards the presentation of the documents of the written proceedings in a case brought by special agreement (R., Art. 41, No. 1). They jointly proposed that, instead of the simultaneous presentation of Memorials, Counter-Memorials and Replies, the documents of the written proceedings should be presented successively, as in a case brought by application (R., Art. 41, No. 2).

The President exercised his powers under Article 37, No. 5, of the Rules and gave effect to this request in the order whereby he fixed the time-limits for the written proceedings.

RULES, ARTICLE 44.

14 III 35. Minority Schools in Albania (case for advisory opinion).—During the examination of this case, the diplomatic representative at The Hague of a government not concerned in the case asked unofficially to be supplied with copies of the documents of the written proceedings. He was informed in the first place that he must make an official request in writing, in order that it might be placed before the Court.

Upon the presentation of his request in due form, the Court decided that in this case the documents of the written proceedings should be placed at the disposal of the government which had asked for them; however—and though there was no question of obtaining the consent of the interested governments—it instructed the Registrar, in this particular case, first to communicate with them.

16 XI 36. The Meuse case.—The Minister for Foreign Affairs of one of the States concerned asked the President of the Court whether the latter saw any objection to his placing at the disposal of members of the Parliament of his country, for their information, the documents of the written proceedings filed by his government, on the understanding that, so long as the case was *sub judice*, these documents should be considered confidential. The answer given him was that, subject to this condition, there was no objection to his so doing; it was added that the Court did not think that the case fell under Article 44 of the Rules.

8 x 37. Phosphates in Morocco.—A request was made to the Court by a government to be supplied with the documents of the written proceedings in this case which was pending before the Court. The agents for the two parties concerned in the case, on being informed, consented to this, but one of them asked to be informed what government had made the request. It had not hitherto been the practice to communicate this information to the parties' agents when writing to them to obtain their views. The Court decided that henceforward, save in exceptional circumstances, the name of the State asking for documents of the written proceedings should

be communicated to the parties' agents in the letters asking for their views on the point.

10 V 38.—In a case submitted to the Court by application, a request was received from a government entitled to appear before the Court to be supplied with copies of the documents of the written proceedings as soon as they were filed with the Court. The opinion or the agents was obtained by the Registrar, and one of them was opposed to the communication of the documents to a third party. It was decided to reply to the request in the negative.

RULES, ARTICLE 44, NO. 2.

2 IX 38. The Panevezys-Saldutiskis Railway case.—A request was received by the Registrar from the government of a State not concerned in this case for copies of the documents of the written proceedings. After the Registrar had ascertained from the agents of the parties that they had no objection to the communication of the documents in question to the State which had asked for them, the acting President decided that the Registrar should hold the documents of the written proceedings in this case at the disposal of the government in question.

I VIII 39. The case of the Electricity Company of Sofia and Bulgaria.—In this case, a request was received on July 3rd, 1939, from a government entitled to appear before the Court, to be supplied with copies of the documents of the written proceedings. A similar request in the same case had been made earlier by another government when the agent for one of the parties, on being consulted by the Registrar, had opposed the communication of the documents to any third party (see E 14, p. 147). In accordance with Article 44 of the Rules, however, the Registrar once more consulted the parties' agents, and again the same agent, referring to his previous reply, opposed the granting of the request. The acting President of the Court then decided that a negative reply should be given to the request, as had been done on the previous occasion.

RULES, ARTICLES 48 AND 63.

2I I 39. The Panevezys-Saldutiskis Railway case.—In this case, in which the respondent government in its Counter-Memorial had presented a counter-claim, the agent for the applicant government, in a letter addressed to the Registrar after the filing of the Reply and Rejoinder, while not asking permission to submit fresh written observations respecting the counter-claim in application of Article 43, paragraph 2, of the Statute, had reserved the right under this Article to ask the Court for permission, if necessary, to submit during the oral proceedings such document concerning the counter-claim as might be useful for the defence of his government's case.

At the hearing on January 20th, 1939, the agent for the applicant government expressed the intention to file a document relating to the counter-claim. At a private meeting of the Court held on the following day, the President observed that, in his view, the filing of this document did not come under Article 48 of the Rules, because it related to the counter-claim presented in the Counter-

Memorial by the respondent government which had been able to deal with the question of this claim both in the Counter-Memorial and in the Rejoinder, whereas the applicant had only had one opportunity of doing so (in the Reply). The filing of this document therefore appeared to be in order, and only if the agent for the respondent government were to object would the Court be confronted with the situation contemplated by Article 48, No. 2, of the Rules and be required to give a decision.

It was nevertheless agreed to postpone a decision regarding the document filed by the applicant government until it was known whether the agent for the respondent government objected to its filing.

Information was subsequently received that the respondent government did not object to the production of the document in question, but reserved the right to comment upon it in the course of the hearings.

The Court agreed that the question of principle regarding the interpretation of Article 48 of the Rules remained open.

ARTICLE 43, PARAGRAPH 5.

RULES, ARTICLE 46, NO. 1.

9 III and 25 VI 36. The Losinger & Co. case and the Pajzs, Csáky, Esterházy case.—Before the Court separated for the Easter vacation, the question arose which of two cases—which would probably both be ready for hearing when the Court reassembled after the vacation—should be taken first. It was observed that under Article 46 of the Rules the case having precedence in the General List should be taken first and that, if the Court wished to concede priority to the other case, an express decision to that effect would have to be taken.

The Court had to deal with a similar problem before the beginning of its summer vacation; there were two cases, both of which would be ready for hearing when the Court resumed work after its judicial vacation in the summer; it was agreed that the case which appeared first in the List would be examined first, as a natural consequence of the application of the rule laid down in Article 46 of the Rules.

ARTICLE 47.

RULES, ARTICLE 59.

6 II 36.—In consequence of the entry into force of the revised Statute, the Court decided that henceforth the minutes of sittings should be headed "Judicial Year 19.." and numbered consecutively throughout the whole year.

In accordance with Article 59 of the Rules now in force, the names of agents, counsel or advocates present in Court are recorded in the minutes of public sittings immediately after the names of the judges and Registrar. (See St., Art. 23.)

RULES, ARTICLE 60, NO. 3.

13 XII 33. The Peter Pázmány University case.—One of the agents had made more extensive corrections than usual in the record

of his oral statements. The question was raised whether the Court could authorize the inclusion of the record of his statements as thus corrected in the final printed edition of the oral proceedings. It was stated that the attention of the agent for the other government concerned had been called to the corrections and that he had made no observation. It was decided that, as the substance of the statements did not appear to be affected by the corrections, the latter could be accepted.

8 II 34. The Lighthouses case between France and Greece.—During the hearing of this case, one of the agents withdrew a document the authenticity of which he was unable to guarantee. The question was raised in the Court whether the text of this document, which had been read at the hearing, could be omitted from the verbatim record. It was agreed that this could not be done automatically, as the verbatim record must be a faithful record of what had taken place, but that the agent in question might himself delete the passage in question when correcting the report of his statements. (In point of fact, this was not done.) In any case, it was for the judges themselves, when considering the case, to leave the text in question out of account.

9 VI 36. The Losinger & Co. case.—The agent for one party, though not raising the question in open Court, took exception to a certain passage in the oral statement of the agent for the other party and desired its deletion from the verbatim record. The Registrar suggested to the former agent that he should propose to the latter that he should delete the passage in question when correcting the shorthand report of his speech. The matter was settled in this way without any intervention on the part of the Court.

25 VI 1936 and 9 VII 37. The Pajzs, Csáky, Esterházy case.—The agent for one of the parties made an extensive use of his right to introduce modifications in the shorthand notes of his oral statements made in Court, both upon the preliminary objections and upon the merits. It was decided on both these occasions to print the statements as corrected in the form of proofs, which would be communicated to the agent for the other party for his observations. Subsequently, letters were received from the agent for the other party objecting to some of the changes made. The Court, which had entrusted the examination of the amendments to its Publication Committee, decided in both cases, in accordance with the proposals of this Committee, only to accept corrections falling within certain categories. (See E 12, pp. 192-194; E 13, p. 151; see also St., Art. 31.)

ARTICLE 48.

10 VII 33. The Prince of Pless case.—The Court had to consider whether, in this case where the acting President had made an order, which was conditional in character but which had become definitive because the condition had ceased to operate, a new order, recording this fact and confirming the contents of the first, was required. It was decided that it would suffice to place on record the declaration

made by one party foregoing the right, which had been reserved to it and which gave the order its conditional character, and to notify this declaration to the other party. The President, at the next public sitting, made an announcement on the subject and stated that the time-limits fixed in the order in question had now become definitive. The text of this announcement was published in a footnote to the printed edition of the order in question (Series A./B., No. 57, p. 169).

25 VII 33.—When considering the terms of an order, the Court discussed the formula "After deliberation" (*Après délibéré en Chambre du Conseil*), which had originally been used only in orders in connection with which there were no hearings. Later, the Court had used the formula in all orders and contemplated its use in judgments also. It was observed, on the one hand, that the use of the formula might give the impression that there had been no hearings, and, on the other hand, that it was intended to indicate that the prescribed procedure had been followed. Ultimately, it was decided to delete the words in the particular order under consideration, the question of principle being reserved until the Court took up the revision of the Rules.

31 X 35. Case for advisory opinion concerning the Constitution of Danzig.—The Court's decision upon the request by the Senate of the Free City for permission to appoint a judge *ad hoc* was given in the form of an order. The latter was printed in Series A./B., as an annex to the opinion eventually given in that case, but dated the day on which the effect of the decision was communicated to the Free City's agent. The order was not read out in open Court. (See also under St., Art. 31.)

23 V 36. The Pajzs, Csáky, Esterházy case.—The decision by which the Court joined the preliminary objections to the merits was given in the form of an order. This order was not read out in open Court but published as a special fascicule of Series A./B. of the Publications of the Court. It was dated on the day of its signature by the President and the Registrar.

27 V 36. The Losinger & Co. case.—The decision joining the preliminary objection to the merits was also delivered in the form of an order and under the same conditions.

When this order was made, it was considered that it would not be in accordance with precedent to mention, in the text of the order, the majority by which it had been adopted; but that, as the Court had recognized in the first place that separate opinions might be subjoined to orders of a certain importance and in the second place that the separate opinions referred to in Article 57 of the Statute might be confined to simple statements of dissent, it should also be possible for a mention of simple statements of dissent to be appended to the order in question. The latter method was, in fact, adopted. (See also St., Arts. 31, 39 and 50.)

RULES, ARTICLE 51.

1 and 5 II 34. The Lighthouses case between France and Greece.—In this case submitted by special agreement the Court decided—in

the absence of any agreement to the contrary between the parties—that the parties should address the Court at the hearing in the order generally followed (alphabetical order in French of the names of the States concerned), and the agents were informed accordingly. As, at the time, the judge *ad hoc* appointed by one of the parties was not present, the decision was considered as provisional, and the point was again brought up at the first meeting attended by the judge *ad hoc* in question; the latter having no objection, the provisional decision was then confirmed.

23 x 34. The Oscar Chinn case.—The Court placed on record an agreement reached between the parties in this case (submitted by special agreement) to the effect that, as an exception from the alphabetical order usually followed, the Agent for the Government of the United Kingdom should speak before the Agent for the Belgian Government. It was held that in these circumstances no decision by the Court was required, and the officiating President simply mentioned the agreement between the parties at the opening of the hearing.

RULES, ARTICLE 62, No. 3.

30 XI 38. The Electricity Company of Sofia and Bulgaria.—The respondent government having raised a preliminary objection, the Court made an order fixing the time-limit for the presentation by the applicant government of its observations and submissions in regard to this objection. When the order came before the Court for approval, the question was raised whether the presence of the judge *ad hoc* nominated by the respondent government was not required. It was pointed out that similar situations had already arisen and that it had always been held that the presence of a judge *ad hoc* for orders relating to the “conduct”, as opposed to the “decision”, of a case was not necessary.

RULES, ARTICLE 62, No. 4.

20 IX and 8 XII 37. The case concerning phosphates in Morocco.—Preliminary objections had been lodged by the respondent government and observations upon these objections presented by the applicant government under Article 64, No. 3, of the Rules. The agent for the respondent government, referring to Article 62, No. 4, of the Rules, requested the Court to permit him to reply to these observations in writing.

The Court made an order granting this request, fixing a time-limit for the filing of a written answer by the agent for the respondent government and stating that, if need be, a further order would be made fixing a time-limit for the filing by the agent for the applicant government of written observations in regard to this answer.

Subsequently, at the request of the agent for the applicant government, the time-limit last mentioned was fixed in an order made by the President of the Court.

RULES, ARTICLE 62, No. 5.

15 v 36. The Pajzs, Csáky, Esterházy case.—The Court, in deciding whether to give its decision joining the preliminary objection

to the merits in the form of an order or of a judgment, considered the influence which this question of form might exercise on the question whether the examination of a preliminary objection should be treated, according to practice, as an entirely separate case distinct from the proceedings on the merits. It was held that the proceedings on an objection, even when resulting in the joinder of the objection to the merits, could be regarded as a separate case, no matter whether they were terminated by a judgment or by an order, so that the Court would be able to hear a case on the merits with a composition different from that with which it had considered the preliminary objection: one reason given was that, after a joinder, the whole case, including the objections, would be the subject of fresh hearings. It was decided that the decision should be given as an order, and printed in the A./B. Series of the Court's Publications, but that for reasons peculiar to the case it should not be read out at a public sitting.

27 VI 36. The Losinger & Co. case.—In this case, the Court also gave its decision joining the preliminary objection to the merits in the form of an order, which was likewise published in the A./B. Series. In this case also it was decided that for special reasons the order should not be read out at a public sitting, but that this should not be regarded as creating a precedent.

3 XI 37. The Borchgrave case.—In accordance with precedent, to the Court's judgment overruling the preliminary objections in this case was appended an order fixing the time-limits for the further proceedings on the merits. In this connection, there was discussion as to whether the "new time-limits" might not be shorter than those originally fixed, in view of the time which had elapsed as a result of the suspension of the proceedings on the merits. The precedents were examined and it was found that in fixing "new time-limits", the Court had been guided by the circumstances in each particular case. The Court decided that in this case the time-limits should be as originally contemplated.

29 VI 38. The Panevezys-Saldutiskis Railway case (preliminary objections).—The Court considered the question whether the order made joining the preliminary objections to the merits should include a statement of the facts in the case. It was observed that only in one order relating to the joinder of preliminary objections to the merits of a case (the Losinger case, 1936) had a statement of the facts been included.

The Court came to the conclusion that in the present case such a statement was unnecessary, but it was agreed that this decision should not constitute a precedent and that the question whether a statement of the facts should be included in the Court's decision should be considered in each case as it arose.

RULES, ARTICLE 68.

4 I and 30 IV 38. The Borchgrave case.—The parties' agents informed the Registrar that their governments were not going on with the proceedings in this case. As the Court was not assembled at the time, the President made an order suspending the written

proceedings in the case pending the meeting of the Court when the latter would take the requisite formal action upon the communications of the agents.

When the Court next assembled, the question was raised whether the discontinuance of proceedings by the parties did not put an end to the case so that there could be no question of a suspension of proceedings which had ceased. The general opinion was that agreement between the parties terminated the dispute between them, but not the proceedings, and that in these circumstances, if the Court was not sitting, it was necessary that the President should suspend the proceedings until such time as the Court could record its decision. The Court then made an order recording the discontinuance of the proceedings by the parties and removing the case from the List. In accordance with precedent, the order was published in Series A./B. of the Court's Publications but was not read out at a public sitting.

RULES, ARTICLE 74.

25 VII 33.—In the course of the deliberation upon an order, the Court's practice as regards the recording of dissent from an order was defined as follows: (1) the result of the vote was not recorded in the order (cf. Art. 74, No. 1, *in fine*, of the R.); (2) dissenting opinions might, if the Court so decided, be appended to more important orders (similar in effect to judgments); (3) a simple statement of dissent had not been appended to any order (cf. Art. 74, No. 2, of the R.).

ARTICLE 49.

13 XI 36. The Pajzs, Csáky, Esterházy case.—The agent for one party, who had presented additional submissions in the course of the oral proceedings, was asked by the Court to reformulate his submissions in full. This he did at the conclusion of his oral rejoinder, whereupon the agent for the other party, observing that these final submissions were not identical with the submissions which the agent first mentioned had presented earlier, asked permission on this ground to modify the numbering of his own final submissions and to include a submission corresponding to a new paragraph in the other agent's final submissions.

This request was sanctioned, the agent being allowed to amend the numbering of his submissions and to present a supplementary submission in writing.

20 X 37. The Borchgrave case (preliminary objections).—Counsel for one party, in the course of his oral statement in Court, modified the submissions of that party as originally formulated in the written proceedings. There being some doubt as to the import of this change, the agents of both parties were invited to make their final submissions at the conclusion of their reply and rejoinder respectively.

RULES, ARTICLE 52.

7 XI 33. The Peter Pázmány University case.—At the hearing of this case, a member of the Court requested one of the agents to

produce a document not mentioned in the proceedings which he thought it desirable that the Court should see. This request was duly complied with.

13 v 37. The Meuse case.—In the course of the hearing of this case, a member of the Court—using the right given him by Article 52, No. 2, of the Rules to put questions to the agents, which does not expressly mention a right to ask for documents—asked the agent of one of the parties if he could file certain documents. In regard to one document asked for, the other agent made no difficulty, but in regard to another he objected, on the ground *inter alia* that it was confidential. It was held that, while the Court could always insist on the production of any document under Article 49 of the Statute, it was preferable in this case not to do so; accordingly, the President at the next hearing announced that he considered the production of the document in question unnecessary and asked the agent concerned not to produce it.

RULES, ARTICLE 54.

2 II 34. The Lighthouses case between France and Greece.—One of the governments concerned had, in its Counter-Memorial, relied upon certain arbitral awards but had not annexed them thereto. The Court decided that these documents must be officially filed by the government in question. In order to save time, however, the Registrar obtained a supply of copies of these documents, and the agent of the government concerned was requested officially to file two copies of each, one to be placed on the Court's record and the other communicated to the other party's agent.

5, 6 and 8 II 34.—In the course of the hearings in the same case, the Court decided to call upon the parties (or one of them) to produce a number of additional documents to complete the documentary evidence in the case.

1936. The Losinger & Co. case (preliminary objections) and the Pajzs, Csáky, Esterházy case (preliminary objections and merits).—In the course of the examination of these cases, the parties (or one of them) were likewise called upon to produce a number of additional documents.

ARTICLE 50.

23 x and 12 XII 34. The Oscar Chinn case.—At the beginning of the hearings, the Agent for the Government of the United Kingdom observed that at the conclusion of the written proceedings there was still a considerable divergence between the parties in regard to several matters of fact, and suggested that, in the first place, the Court should decide in a judgment the questions of law in respect of which the two Governments were in dispute; in its judgment, the Court might direct an enquiry to be held into the facts, if the nature of the Court's judgment on the questions of law was such as to render it necessary and if the Court did not feel able upon the evidence already before it to hold that the effect of the Belgian measures in question was to create a *de facto*

monopoly". The Agent for the Belgian Government, for his part, pointed to the power possessed by the Court under Article 50 of the Statute to order an enquiry at any time, and stated that, subject to certain reservations, he saw no reason why the Court should not take note of the wish of the representatives of the United Kingdom. As the proposal made by the latter did not raise a preliminary issue, the Court reserved its decision.

In its judgment, the Court held that there was no occasion to order the enquiry suggested by the Agent for the Government of the United Kingdom. (See Series A./B., Fasc. No. 63, p. 88.)

13 v 37. The Meuse case.—The agent for one of the parties suggested in the course of the hearings that the Court should visit the localities in order to see the position for itself. The agent for the other party raised no objection to this. The Court decided to adopt the suggestion and that its decision should take the form of an order. The programme of the inspection was jointly prepared by the parties' agents, subject to the approval of the Court. The question of the number of representatives of each party to accompany the Court was left to be settled between the Registrar and the parties.

As regards the expenses of the inspection, it was decided that they should be borne by the Court, since there was a resolution of the Assembly of the League of Nations which *inter alia* covered such expenses¹. It was also decided that brief minutes of the inspection should be prepared simply recording the successive stages of the inspection and the fact that certain persons had furnished explanations.

ARTICLE 51.

RULES, ARTICLE 54.

9 IX 36. The Pajzs, Csáky, Esterházy case (merits).—The agent for one of the parties requested the Court to apply Article 54 of the Rules and to invite him to call a certain person as a witness, and the matter was considered by the Court at a private sitting. In view of the fact that the agent had invoked Article 54 of the Rules, it was held that the decision rested with the Court. The latter held that the evidence of this witness was not required.

ARTICLE 52.

19 XI 35. Case for advisory opinion concerning the Constitution of Danzig.—A document was sent to the Court by an authority of the Free City other than its agent before the Court and at a time, subsequent to the closure of the hearings, when the Court was already deliberating upon its opinion. The view was taken that the document—which was a decision given by the Danzig High Court—did not constitute fresh evidence but merely a piece of information, which moreover was accessible to the public. The Court

¹ The Resolution of September 14th, 1929, concerning the regulations for the repayment of travelling expenses of judges, Art. 2 (1). See Series D., No. 1, 3rd ed., 1936, p. 65.

therefore agreed not to refuse the document, but to treat it not as evidence but as a simple piece of information.

RULES, ARTICLE 48.

1933. The Peter Pázmány University case (preliminary objections).—The agent for one party cited and produced a number of new documents at the hearing. The other party's agent, in a letter to the Registrar, raised the question of the applicability of Article 52 of the Statute and referred to the decision of the Court in a previous case (see E 9, p. 173). The last-mentioned agent was invited to repeat his objection during the hearing in Court, and, in response to a question by the President, definitely stated that he was unable to give his consent, pursuant to Article 52 of the Statute, to the production by the other agent of the documents in question. The latter was then allowed to present observations in his turn, and the Court withdrew to deliberate on the point. It decided not to refuse to accept those of the new documents in question which had already been produced, but it refused to accept one document the filing of which had been announced but had not yet been produced. This decision was announced by the President at the next hearing.

At a later stage in the same case, another new document was produced by one of the agents; the other agent however stated, in response to a question from the President, that he consented to its production.

Subsequently, one of the agents having, in the course of his oral reply, referred to certain documents and publications not previously filed and having read extracts from them, the other agent asked the Court to refuse to accept any of the new evidence thus produced. The first-mentioned agent declared that he had produced no new document and abandoned the reading of an extract from a newspaper which he had begun.

The Court, after consideration, came to the conclusion that it was not really a question of the production of new documents; moreover, the documents in question had not been filed with the Registry, and the agent concerned had himself stated that he was not producing any new document. Accordingly, it was held that the Court had before it no new evidence within the meaning of Article 52 of the Statute, and that therefore no decision was called for. The President made an announcement to this effect at the resumption of the hearing.

8 II and 6 III 34. The Lighthouses case between France and Greece.—During the hearing of this case, one of the agents referred to a document which he intended to file, but without being able absolutely to guarantee its authenticity. Upon being questioned by the President on the point, he decided that it was not worth while taking steps to verify the authenticity of the document, as he attached but slight importance to it and accordingly consented to withdraw it.

In the same case, the text of a certain law had been quoted without the law being filed. At the end of the pleadings, an offer was made by one of the parties to place this at the Court's disposal. The Court decided to accept the offer and to add the docu-

ment to the list of documents on the record, without prejudice to any objection that might be raised by the other party, which was duly informed.

1936. The Pajzs, Csáky, Esterházy case.—The agent of one of the parties having referred in his speech concerning the preliminary objections to certain new documents, he was invited by the President to produce them. However, the agent of the other party objected. The former agent agreed that the documents in question should not be put in the record. In these circumstances, the Court took note of the standpoint adopted by the two parties and recorded that it was unnecessary that the documents in question should be added to the record of the case.

In the course of the hearings on the merits of the same case, one of the agents expressed a wish to read a certain document. The President called his attention to Article 48, No. 2, of the Rules and asked the other agent whether he consented to the production of the document in question. Upon the latter replying in the negative, the former agent abandoned his intention of reading the document.

In the same case the Court was twice called upon to take decisions under Article 52 of the Statute and Article 48 of the Rules.

1.—In the course of the oral proceedings on the preliminary objections, the Agent for the Hungarian Government, at the invitation of the Court, produced the application submitting to the Hungaro-Yugoslav Mixed Arbitral Tribunal one of the three cases which culminated in the judgments forming the subject of the present proceedings. In the course of the oral proceedings on the merits, that Agent referred to the application submitting another of these three cases and indicated his intention to produce its text. The Agent for the Yugoslav Government consented to the production of this document, but subject to a condition which subsequently proved not to have been fulfilled. The Court decided to allow the document to be produced in view of the desirability of having in its possession the documents which had been before the tribunal which had rendered the judgments forming the subject of the proceedings before the Court.

2.—In the course of his oral argument on the merits, as also in the oral proceedings on the objections, the Agent for the Yugoslav Government referred to the minutes of a certain inter-governmental commission, and in this connection requested the Court to ask the proper authority for a certified copy of this document of which he himself only had an unofficial text. The Court did not comply with this suggestion and, when the Yugoslav Agent once more invoked the text in question in the course of the oral proceedings, the Hungarian Agent said that he could not consent to use being made of this document which had not already been produced. The Court decided not to admit the document in question.

5 VI 37. The Meuse case.—In the course of the hearings, the agent for one of the parties proposed to make certain demonstrations with the aid of models which he had had constructed for the purpose.

The Court decided that the agent for the other side should be asked his views in regard to the proposal. On hearing that the other agent had no objection provided that he might submit observations in regard to the models, the Court next considered whether the demonstration should be given in the course of a public hearing or in private. It was decided that it should be given at a hearing, as it formed part of the agent's pleadings.

ARTICLE 53. (See Art. 41 above.)

ARTICLE 54.

24 III 35. The case for advisory opinion concerning Minority Schools in Albania.—The President, when declaring the hearings closed, had, in accordance with the usual practice, reserved the Court's right to call for further information. It is also the usual practice to inform the agents, after the adoption in first reading of a draft judgment or opinion, that no further information will be required. In this case, one of the agents had not yet, at the time of the first reading, answered a question put to him at the hearing, and the point was therefore raised whether, notwithstanding this, the customary notification should be sent. The Court held that there was no sufficient reason for departing from the usual practice.

16 XI 36. The Pajzs, Csáky, Esterházy case (merits).—After the closure of the hearings, one of the agents wrote to the Deputy-Registrar (acting as Registrar) observing that the other agent had used new arguments in his oral rejoinder and asking the Court's permission to deal in more detail with the points to which these arguments referred. The Court took the view that the agent was in effect requesting the Court to exercise the right always reserved by the President when closing the oral proceedings in a case to call upon the parties for further information or explanations. In regard to the question whether this request should be granted, the Court held that the points referred to in the agent's letter had been sufficiently dealt with in the course of the hearings and that there was no need to allow further argument. In this connection it was decided that, as the agent's letter seemed to contain a refutation of some of the other party's arguments, it should neither be placed in the record (which would necessitate its communication to the other party), nor circulated to members of the Court, and that the Deputy-Registrar should simply reply that the oral proceedings had been closed and that if the Court saw fit to ask for further information it would let the agents know. (See St., Arts. 42 and 66.)

RULES, ARTICLE 30. *Resolution regarding the Court's judicial practice.*

On February 20th, 1931, the Court adopted a Resolution embodying certain modifications in its judicial practice (see E 7, p. 297, under St., Art. 54, and Publications of the Court, Series D., 2nd add. to No. 2, pp. 267, 300-301).

On March 17th, 1936, after the adoption of the revised Rules, the Court approved certain amendments to this Resolution and decided that the revised Resolution should be printed for the use

of the Court as a separate pamphlet and not as an integral part of the new edition of the Statute and Rules. The revised Resolution is reproduced in E 12, pages 196-197.

9 v 36.—A vote was taken on the question whether a vote, which had occurred during a preliminary discussion under *No. 3* of the above-mentioned Resolution, should be regarded as definitive. There was an equal division of votes, but the President, although he had voted for the motion, gave his casting vote against it, thus maintaining the prevailing practice as regards the provisional character of votes recorded during the preliminary discussion. On the same occasion, it was recognized that the Court was entirely free to suspend the application of the Resolution in a given case, if it held that the circumstances of the case justified that course.

22 VII 33. Polish Agrarian Reform.—In the deliberation upon an application for the indication of interim measures of protection, the Court decided to dispense with the individual notes setting out their opinions usually prepared by members of the Court in accordance with *No. 4* of the above-mentioned Resolution. In the discussion preceding this decision, it was observed that, though such notes had sometimes been dispensed with, more especially in deliberations upon orders, as opposed to judgments or advisory opinions, there had also been cases where the deliberation on orders had been prepared by the filing of individual notes.

RULES, ARTICLE 30, AND RESOLUTION OF 17 III 36.

4 XII 39. Electricity Company of Sofia and Bulgaria (second request for interim measures of protection).—The Court decided, in view of the desirability of arriving at a decision as speedily as possible, to entrust the drafting of the order to be made to a single member of the Court instead of, as usual, to a drafting committee (see *No. 7* of Resolution of 17 III 36, and E 12, pp. 196-197).

RULES, ARTICLE 30, NO. 6.

At the ordinary session in 1934, the Court, in approving the minutes of meetings, adopted the method of having them read *in extenso*, save for purely formal minutes. In May, 1934, it was found that this method occupied a great deal of time, and it was decided that minutes should be considered page by page; amendments thought by judges to be of sufficient importance to be circulated to their colleagues beforehand were to be handed in in sufficient time to allow of distribution before the meeting at which minutes were to be approved.

In May, 1934, the Court, when examining the Rules with a view to revision, decided, in accordance with precedent, that a verbatim record should be taken of the discussions on this subject and that minutes should be prepared from this verbatim record. It was also decided, likewise in accordance with precedent, that these minutes would eventually be published, when the revision was completed and the revised Rules put into force.

4 XII 39.—The Court decided, in view of the terms of this paragraph regarding the confidential nature of minutes of private meetings

of the Court, that in the prevailing uncertain state of postal communications, the copies of these minutes intended for absent judges should not be despatched to them but kept for them at The Hague.

ARTICLE 55, PARAGRAPH 2.

27 II 34.—An equal number of votes were recorded in favour of and against a motion voted upon by the Court. The President did not use his casting vote, preferring to regard the motion as lost, since it had not obtained a majority of votes.

11 II 35 and 6 II 36.—During the revision of the Rules, the President laid down as a principle that, when the Court was considering amendments to the Rules, no amendment should be adopted which did not obtain the votes of a majority. Accordingly, whatever might be the sense of his original vote, he would, wherever there was an equal division of votes, give his casting vote for the maintenance of the existing text.

8 XII 36.—In the case of an equal division of votes on a question concerning the Court's practice in regard to the quotation in its judgments of extracts from treaty provisions, etc., drawn up in both English and French, the President gave his casting vote in favour of the maintenance of the existing practice (see St., Arts. 39 and 54).

ARTICLE 56, PARAGRAPH 2.

17 III 36.—It was recorded that, in the Court's opinion, a judge who was not present at the public sitting held for the delivery of a decision could not be allowed to have appended to that decision a statement to the effect that he had been present throughout or during part of the deliberation and possibly mentioning what his opinion on the case was. This modifies the practice followed in some earlier cases. (See, for example, E 4, p. 273; E 10, p. 154; E 11, pp. 149-150.)

ARTICLE 57.

RULES, ARTICLE 74.

26 II 40. The case of the Electricity Company of Sofia and Bulgaria.—On this date, an order was made by the Court fixing the date for the commencement of the oral proceedings in this case. A member of the Court expressed a wish to append a note constituting a dissenting opinion to this order. It was observed that there was nothing in the Statute or Rules authorizing a judge to append a separate opinion to the Court's decisions except in the case of judgments; the Court had extended this right to the case of advisory opinions but not to the case of orders. Though in the case of orders concerned with important questions of law the practice had developed of giving judges the right to append dissenting opinions, this was subject to the consent of the Court. It was also the practice that if a judge desired to present a dissenting opinion, he commu-

nicated it to the Drafting Committee and judges in order to enable them to modify the text of the Court's decision; this had not been done in the present case. If the judge in question were to append his opinion, the Court would be obliged to add to its order a passage relating to the point raised by that opinion, a point with which the Court had not desired to deal at that stage.

Eventually, the Court decided not to authorize the appending of this dissenting opinion to the order.

RULES, ARTICLE 74, NO. 2. (See above, Art. 48.)

ARTICLE 58.

6 IV 35. The case for advisory opinion concerning Minority Schools in Albania.—The President read the opinion of the Court in the English text, notwithstanding the fact that the French text was the authoritative text.

6 XI 37. The Borchgrave case (preliminary objections).—The President read the Court's judgment in the French text, although the English text was the authoritative text. (See under St., Art. 31.)

RULES, ARTICLE 22.

10 VII 33. The Prince of Pless case.—In connection with the question of the publication in Series A./B. of the Court's publications of an order made by the acting President modifying an order already published in this Series, it was observed that the second order, being conditional, was not altogether suited for publication. The order having in point of fact become definitive, as one of the parties had foregone the right provided for therein which had given the order its conditional character, it was, however, decided to publish the order in Series A./B. together with a note by the Registrar explaining the circumstances and that the order was now definitive. (See under St., Arts. 31 and 48.)

ARTICLE 63.

RULES, ARTICLE 66.

16 V 36. Phosphates in Morocco.—In connection with this case, certain questions were considered by the Court regarding the application of Article 63 of the Statute. In accordance with the usual practice when the construction of a convention is concerned, the governments with whom were deposited the instruments of ratification of the international agreements the construction of which was involved in this case had been written to some weeks earlier in order to ascertain which States were bound by them. By the date mentioned, no answer had been received, and accordingly no notifications under Article 63 of the Statute had been despatched in the meantime. The question arose whether steps should be taken to expedite receipt of the information desired or whether a certain number of States, about whose position as parties to the international instruments in question there could be no doubt, should be

notified at once—other notifications being left till the answers had been received.

In the discussion, the question of the difference between the English and French texts of Article 63 of the Statute—".... a convention to which States *are parties*"; ".... *une convention à laquelle ont participé d'autres États*"—was brought up, the suggestion being made that Article 63 required the notification of all States which '*ont participé*' in a convention. It was however observed that the English text, "*are parties*", was the more reasonable interpretation, and that the discrepancy between the two texts of Article 63 of the Statute had led the Court to interpret that Article in its Rules, Article 66 of the latter specifying that a State notified under Article 63 of the Statute must be "a party to a convention invoked" ("*partie à une convention invoquée*").

With regard to the immediate notification of a number of States about whose position as parties to the agreements in issue there could be no doubt, other notifications being suspended until official information had been received, it was observed that no risk attached to the adoption of this course, because it was always open to a State, which felt that it should have been notified, but which had failed to receive a notification, to act under Article 66, No. 2, of the Rules.

It was decided to leave the Registrar to send notifications at once to States concerning whose position as parties there could, in his opinion, be no doubt. In this connection, it was also emphasized that action under Article 63 of the Statute was to be taken by the Registrar; it was important that the Court should not have committed itself to any opinion beforehand, in case exception were taken by some government to the notification of or omission to notify a particular State, in which case the matter might come again before the Court for judicial decision under Article 66, Nos. 2 and 3, of the Rules.

SECTION II.—STATUTE : ADVISORY PROCEDURE.

ARTICLE 66.

1935. The case for advisory opinion concerning the Constitution of Danzig.—The Court was preoccupied with the establishment so far as possible of equality before the Court between the Senate of the Free City on the one hand and the petitioners (three political parties in Danzig), whose appeal to the Council of the League of Nations had led to the submission of the question for advisory opinion, on the other.

With regard to written statements, the Registrar sent the special and direct communication mentioned in Article 73, No. 1, paragraph 2, of the old Rules (now embodied in Art. 66 of the St.) to the Free City, while he wrote to the Secretary-General of the League of Nations, under instructions from the President of the Court, requesting him to have the authors of the petition informed that

if they desired to supplement the statement contained in their petition, the Court would be prepared to receive an explanatory note from them before a certain date. The Senate of the Free City duly filed a written statement, and the petitioners sent two documents, which were to be regarded as constituting this explanatory note.

With regard to oral statements, the Court, in accordance with its normal procedure in advisory cases, heard a statement by the representatives of the Free City, but decided that the terms of the Statute and Rules precluded it from hearing the petitioners. In declaring the hearings closed, however, the President reserved the Court's right not only to ask the representatives of the Free City for further information or explanations, but also to procure them by other means at its disposal. At the same time, a copy of the provisional verbatim record of the oral statements made in Court was sent to the High Commissioner at Danzig for his information.

ARTICLE 68. (See under Arts. 31, 39, 43, 48, 52, 54 and 58.)

SECTION III.—OTHER ACTIVITIES.

20 x 33.—The President, who had been requested, in certain circumstances, to undertake the appointment of an umpire, under the terms of an agreement between the Persian Government and the Anglo-Persian Oil Company, a duty which normally he would accept on his own responsibility, laid the matter before the Court because it appeared from a letter received from the British Under-Secretary of State for Foreign Affairs that the Government of Great Britain was anxious that the President's acceptance of the duty should receive the Court's approval.

After a discussion, the President was able to record that the Court, though it wished to leave the decision to the President, had no objection to his accepting the duty in question.

14 III 34.—The President informed the Court that in certain contracts in which the L. N. was concerned and made between the Secretary-General and the contractors or between the former and the Swiss Government, arbitration clauses were embodied which provided in certain circumstances for the appointment of arbitrators by the Court's Chamber for Summary Procedure. It was to be anticipated that the Court would, in the first place, be officially approached in order to ascertain whether it would agree to the entrusting of this task to the Chamber for Summary Procedure.

The precedents in the matter were gone into, and it was noted that in no case which had arisen had the President or the Court, as the case might be, felt obliged to refuse the request made, though acceptance thereof had always been preceded by a thorough study of the particular case.

The Court was agreed in principle that, when a request of the kind was made by two governments or by the L. N., it was the moral duty of the Court or the President, as the case might be, to comply with that request, though in the case of a request from

private persons the position was rather different, and acceptance must be optional and depend on circumstances.

1935.—The Chamber for Summary Procedure received an application from the contractors for the construction of the new buildings of the L. N. requesting it to appoint the members of the arbitral tribunal for the settlement of a dispute between the said contractors and the L. N. The Chamber for Summary Procedure met on February 28th, 1935, to consider the matter, and decided, in accordance with a suggestion which had been made, to hear representatives of the two parties at an informal meeting to be held in the Peace Palace, before coming to any conclusion with regard to the appointments to be made.

Subsequently, in view of the fact that, after some negotiations, the two parties had agreed upon proposals regarding the composition of the tribunal which they intended jointly to submit to the Chamber, the latter instructed the Registrar to suggest that, in view of the agreement reached, the contractors might prefer to withdraw their application to the Chamber. The Chamber's suggestion was adopted, and the application was withdrawn by the contractors on May 27th, 1935.

12 IX 36.—The President of the Court, at the request of the two States concerned, nominated the president of a conciliation commission set up between them under a treaty of arbitration and conciliation which provided that, in the event of the two States being unable to agree upon the appointment of a president of the commission, the President of the Permanent Court of International Justice should be called upon to nominate a president. (See St., Art. 17.)

PART II.

SECTION A.—ANALYTICAL INDEX OF THE COURT'S
DECISIONS (1922—1945).

ABBREVIATIONS :

Govt. Government.
L. N. League of Nations.

	<i>Statute.</i>	<i>Rules¹.</i>	<i>Vol.</i>	<i>Pages.</i>
ADMISSIBILITY OF EVIDENCE, see <i>Documents</i> (general).				
ADVISORY OPINIONS :				
Authoritative text of—: see <i>Languages</i> (Official—).				
Citation of texts of laws or treaties drawn up in French and in English (Principle adopted for—): see <i>Languages</i> (Official—).				
Communication of—to L. N.	—	74	3	223
Competence to give and right to refuse—	—	74	3	226-227
Delivery and communication of—	58	63, 65	4	292
	—	71-74	6	301-302
	58	74	8	271
Notification of—	—	74 (2)	3	222-223
Precedents, value given to—	59	64	3	217-218
	59	—	6	300
	59	—	8	272
Refusal to accept document involving post- ponement of delivery of—	23 (2)	—	3	184-185
Request for—: see <i>Requests</i> , etc.				
Vote: see <i>Voting</i> .				
ADVISORY PROCEDURE :				
Application by analogy of Statute and Rules :				
Rules :				
General	—	73	3	222-223
Arts. 23, 34, 37, 40 and 47	—	73	4	296-297
Art. 28	23	28	5	248
	23	28	7	286
Art. 32	—	73	6	301-302
Art. 34	43 (2)	33, 34	6	291
Art. 40	43 (2, 3)	40	8	261
Art. 42	43 (2, 3)	42 (2, 3)	8	262
Statute :				
Art. 17	17	—	7	277
Art. 23	23	—	3	184-185
	—	71-74	6	301-302
	23	28	7	286

¹ The articles of the Rules quoted in this column are the articles of the Rules which were actually in force when the Court adopted the relevant decision.

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
ADVISORY PROCEDURE (<i>cont.</i>):				
Application by analogy of Statute and Rules (<i>cont.</i>):				
Statute (<i>cont.</i>):				
Art. 24	24	—	7	287-288
Art. 26	26-28	—	3	188-190
Art. 31 (admissibility of national judges in advisory procedure)	31	71	4	275
	31	71 (2)	8	273
Art. 43	—	73	6	301-302
Art. 48	48	—	8	266-267
Arts. 62 and 63 (inapplicable in advisory procedure)	—	73	3	225
Art. 63	—	71-74	7	302
	—	73	7	303-304
	—	73 (1, 2)	8	273-274
	—	73	9	177
Art. 66	66	—	16	200-201
Art. 68	68	—	16	201
Equality before the Court as between an interested govt. and the petitioners in a certain case	66	—	16	200-201
Experts, summons of—	43	46	3	207
	51	51	3	212-213
Fixture of time-limits: see <i>Time-limits for the written proceedings.</i>				
Intervention	62	59	3	219-220
	—	71-74	6	301-302
	—	73 (1, 3)	8	274
Judges <i>ad hoc</i> (Admissibility of—in advisory procedure): see <i>Judges ad hoc, In advisory procedure.</i>				
Opinions: see <i>Advisory opinions.</i>				
Oral proceedings: see <i>Oral proceedings.</i>				
Organizations (International—), admission of evidence from—	34	—	3	196
	—	73	3	223-225
Request for advisory opinion: see <i>Requests, etc.</i>				
Written proceedings: see <i>Written proceedings.</i>				
AGENTS:				
Absence of an agent:				
Delegation of powers to deputy	42	—	8	256
From proceedings in regard to the indication of provisional measures of protection	41	61	16	179-180
Temporary absence	42	35	16	180-181
Agreement between—for deletion of certain passage from verbatim record of oral statement	47	60 (3)	16	
Appointments of agents should be contained in application	40	35	8	256
Consultation of—prior to fixing of time-limits (practice followed before and after adoption of revised Rules, II III 36)	43 (2, 3)	37, 38	16	182
		41	16	183-184
Delay in appointment of—with resulting delay in making of arrangements for the proceedings	40	35 (1)	16	176-177
	42	35	16	180
Documents produced by—at request of Court (or one of its members): see <i>Documents (general).</i>				

ANALYTICAL INDEX

205

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
AGENTS (<i>cont.</i>):				
Domicile of—	42	35	3	204-205
	42	35	4	279
	42	35	7	293-294
Permanent address selected by an agent at Registry of Court (questions involved)	42	35 (5)	16	181
Letter from an agent purporting to continue oral argument after closure of hearings not added to record of case	54	—	16	196
Names of—, counsel and advocates present in Court to be recorded in minutes	47	59	16	186
Necessary powers <i>re</i> questions of procedure (Agents should have—)	42	—	5	255
Questions put to—during hearings: see <i>Questions</i> , etc.				
Representation of Parties by—	42	35	3	204
	42	35	4	278-279
	42	35	7	293-294
Request by an agent that Court will invite him to call a certain witness	51	54	16	193
Right of—when Court sits with different composition for proceedings on merits after proceedings on preliminary objections, to demand re-argument of case from beginning	13	—	16	161
ANNEXES TO DOCUMENTS OF WRITTEN PROCEDURE: see <i>Written proceedings</i> , Documents in support.				
APPEAL (Jurisdiction of Court as Court of—): see <i>Jurisdiction</i> , etc.				
APPLICATIONS INSTITUTING PROCEEDINGS				
Admissibility	40	36	3	202-203
Contents required in—	40	35	9	163
Filing of—; irregularities of address, form and contents	40	35	8	256
Joinder of applications	40	35	9	164
Notification to States not Members of L. N., etc.	35	36	3	198-199
	35	—	6	287
Withdrawal of—	40	61	5	255
	36	61	9	174
ARBITRATION (Appointment of umpires and arbitrators)				
	—	—	3	228
	—	—	4	298
	—	—	5	263
	—	—	7	305
	—	—	8	275
By Chamber for Summary Procedure:				
Court informed of probable request in regard to—	—	—	16	201
Request made, and subsequently withdrawn	—	—	16	202
By President:				
After Court had approved his acceptance of the request for appointment	—	—	16	201
Nomination of president of permanent conciliation commission	17	—	16	162
	—	—	16	202
President of Court unable to accept appointment as president of permanent conciliation commission	17	—	16	162

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
ARBITRATION (Appointment of umpires and arbitrators) (<i>cont.</i>):				
Principles governing the acceptance of requests for appointment by full Court or by President	—	—	16	201
Requests addressed to the President for—	—	—	3	228-229
	—	—	4	298
	—	—	5	263
ASSEMBLY OF L. N. (Representation of Court at—): see <i>Court, Representation.</i>				
ASSESSORS:				
Appointed by the parties to assist Committee of experts	50	—	5	258
Decision <i>re</i> appointment and choice of—	26-28	7	3	189-190
Inadmissibility of—for advisory procedure	26-28	7	3	190
Presence of—in full Court	26-28	7	3	189
Remuneration	32	—	3	194
Remuneration, when sitting at request of parties	26-28	35	3	190
Solemn declaration by—	20	8	3	179
AUTHORITATIVE TEXT: see <i>Languages (Official—).</i>				
BUDGET				
	33	26	3	195
	33	—	4	275
	33	—	6	286-287
	33	—	7	291-292
Distinction made regarding articles exclusively within province of L. N.	33	—	8	254-255
Stamped paper and fees	33	26	3	195-196
CASES:				
Lists of cases: see <i>General list, and Sessions.</i>				
Order of taking—	43 (5)	46 (1)	16	186
Suspension of examination of a case begun before judicial vacations	23	25 (2)	16	164-165.
Withdrawal of—: see <i>Settlement and discontinuance of proceedings.</i>				
CASTING VOTE: see <i>President, Casting vote.</i>				
CERTIFIED COPIES OF DOCUMENTS: see <i>Documents (general), and Written proceedings.</i> See also <i>Jurisdiction of the Court, Preliminary objections.</i>				
CHAMBERS OF THE COURT (general):				
Expression of preference by judges in connection with elections to—, inconsistent with Art. 24 of Rules	26, 27, 29	24	16	168.
Members and substitute members to continue to exercise their functions in consequence of decision of the Assembly L. N. not to hold a new election of members of the Court	13	—	16	161
	26	24	16	168
	27	24	16	168
	29	24	16	168.
<i>Chamber for Summary Procedure:</i>				
Convening of members (amendment of Rule <i>re—</i>)	29	68, 69	3	191
Derogation from Rules	29	68, 69	3	191.
Election of—: see <i>Elections.</i>				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
CHAMBERS OF THE COURT (general) (cont.):				
<i>Chamber for Summary Procedure (cont.):</i>				
Notification made by one party; presumption of acquiescence in—by other party after reasonable delay	29	68, 69	3	191
Presidency of Chamber	29	68, 69	3	191
Procedural decisions	29	68, 69	3	191
Request for appointment of arbitrators by—	—	—	16	—
Sessions	29	—	3	190
Transference from—to full Court	29	—	3	190
Urgency claim, decision <i>re</i> —	29	68, 69	3	191
Written proceedings (amendment of Rules <i>re</i> —)	29	68, 69	3	191
<i>Special Chambers:</i>				
Application for recourse to—from one party	26-28	—	3	188-189
Election of—: see <i>Elections</i> .				
Labour cases; relations with I. L. O.	26	7	3	189
Summons of substitutes for—	26-28	14	3	190
Transit and Communication cases	26-28	7	3	189
CITATION OF TEXT OF LAWS OR TREATIES IN JUDGMENTS, etc.: see <i>Languages</i> (Official—).				
COMPETENCE OF THE COURT: see <i>Jurisdiction of the Court</i> .				
COMPOSITION OF THE COURT: see <i>Court</i> , Composition of—.				
CONCILIATION COMMISSION: see <i>Arbitration</i> .				
CONCLUSIONS OF PARTIES: see <i>Submissions</i> , etc.				
COSTS OF PROCEDURE: see <i>Parties before the Court</i> , Costs, etc.				
COUNTER-CLAIM; procedure in regard of filing of a document concerning—during the oral proceedings				
	43 (2, 3)	48, 63	16	185-186
COURT:				
Administrative decisions of—	23 (1)	27	3	183-184
Appointment of additional neutral members to certain mixed arbitral tribunals: see <i>Arbitration</i> .				
Bulletin of—	46	—	6	294
Communications to and from—	44	—	3	208
	44	—	4	285-286
	—	71-74	6	301
Channel of communication with Danzig	43 (3, 4)	33	7	295
	—	71-74	7	302
Competence of—: see <i>Jurisdiction of the Court</i> .				
Composition of—:				
Absence of judges: see <i>Members of Court</i> , Absence under various conditions. See also <i>Judges ad hoc</i> .				
Assembly Resolution of 25 IX 30, increasing number of judges to fifteen	3	—	7	274
Attendance of a judge having given up his seat in the Court for a certain case, at meetings concerning questions not connected with that case	23	27 (4)	7	284

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
COURT (<i>cont.</i>):				
Composition of— (<i>cont.</i>):				
Changes in—:				
Principle that continuity of session not affected by—	23	28 (4)	8	250
Should not be made in—save for exceptional reasons	24	—	7	287
Within a session	23	27 (1, 2)	9	160
Different—for proceedings on preliminary objections and on merits	13	—	16	161
	48	62 (5)	16	189-190
For further stage of case already heard	13	—	7	275
For proceedings on interim measures of protection	41	57	9	164
Increase in number of judges (provision for—)	3	—	3	174
	3	—	7	274
Judges <i>ad hoc</i> (Presence and absence of—): see <i>Judges ad hoc</i> .				
Members of the Court to continue to exercise their functions in consequence of the decision of the Assembly L. N. not to hold a new election of members of the Court	13	—	16	162
Quorum: see "Quorum" below.				
Revision of Rules	30	—	7	290-291
Vacancies, filling of—	14	1	3	175
	4-6	—	5	244
	7	—	5	245
	8-11	—	5	245
	14	—	5	245
Question raised <i>re</i> constitution of new Court (1931)	25	29	7	289
	25	30	7	289
Conditions under which open to States not Members of L. N.	35	35	3	197
	35	—	5	253
	35	—	6	287
Convocation of—: see <i>Members of Court</i> , and <i>Judges ad hoc</i> .				
Costs of procedure, see <i>Parties before the Court</i> , <i>Costs</i> , etc.				
Decisions given in form of orders: see <i>Orders</i> , <i>Decisions rendered in form of—</i> .				
Deliberations of—:				
Deletion in a particular order of words "after deliberation"; but principle reserved	48	—	16	188
Individual notes: see <i>Individual notes</i> , etc.				
Interpreters, presence of—at private meetings	54	31	3	215
Practice of the Court (judicial practice):				
Decision to consider practice of Court in so far as not regulated by Rules	30	—	7	290-291
Departures from precedent	39	—	16	172-174
	40	62 (1-3)	16	177
	43 (2, 3)	37-38	16	181-183
	43 (2, 3)	44	16	184-185
	54	30	16	196-197
	56 (2)	—	16	198

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
COURT (<i>cont.</i>):				
Deliberations of— (<i>cont.</i>):				
Method of procedure	54	3I	3	214-216
	54	3I	4	289-290
	54	—	5	259
	54	3I	7	297-298
	54	3I (1)	8	269
	54	—	9	173
Modification of— (question examined)	54	3I	7	297-298
Resolution on judicial practice (20 II 31):				
Amended text adopted on 17 III 36	54	30	16	196-197
Application of—may be suspended in a given case	54	30	16	197
Publication of original, and of amended text	54	30	16	196-197
Preliminary discussion not part of deliberation proper	54	—	6	298
Preparation of draft order entrusted to a single judge instead of to a drafting committee (cf. Resolution of 17 III 36)	54	30	16	197
Provisional character of votes recorded during preliminary discussion on a case	54	30	16	197
Provisional decision concerning oral proceedings, confirmed after views of judge <i>ad hoc</i> ascertained	48	5I	16	189
Records of—	54	3I	3	215-216
	54	3I	7	298
	54	3I (6)	8	269-270
Declaration inserted in—	54	3I (6)	8	270
Result of—cannot be made known unofficially	48	—	6	295
	54	—	6	299
Diplomatic privileges and immunities: see <i>Members of the Court</i> , Diplomatic privileges, etc.				
Elections	4-12	—	3	174-175
	4-6	—	5	244
	7	—	5	245
	8-11	—	5	245
	14	—	5	245
	4-6	—	6	282
	7	—	6	282
	8-11	—	6	282
	8-11	—	7	274
Application of para. 3 of Art. 13 of the Statute in consequence of decision of Assembly L. N. not to hold new election of members of the Court	13	—	16	162
Filling of vacancies	14	1	3	175
	4-6	—	5	244
	14	—	5	245
	4-6	—	7	274
List of candidates	7	—	7	274
Nominations for—	4-6	—	7	274
Special public sitting to announce results	20	5	7	278
Establishment of the Court	1	—	3	174
Jurisdiction of the Court: see <i>Jurisdiction</i> , etc.				
Leave for overseas judges: see <i>Members of the Court</i> , Leave, etc.				
Lists of cases: see <i>General List</i> , and <i>Sessions</i> .				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
COURT (<i>cont.</i>):				
Meetings : see "Deliberations" above ; see also <i>Public sittings</i> , and <i>Oral proceedings</i> .				
Members of the Court : see <i>Members of the Court</i> .				
Minutes of sittings of— : see <i>Minutes</i> .				
Orders of— : see <i>Orders</i> .				
Parties before the— : see <i>Parties</i> .				
President of the— : see <i>President</i> .				
Privileges and immunities : see <i>Members of the Court</i> , Diplomatic privileges, etc.				
Public sittings of— : see <i>Public sittings</i> , and <i>Oral proceedings</i> .				
Publications : see <i>Publications</i> .				
Questions outside ordinary activities of— : see <i>Arbitration</i> .				
Quorum :				
Abstention from voting not to affect—	25	30	3	188
Decision to continue deliberation since absence of a judge does not affect—	25	29, 30	7	289
	25	—	8	251
Decision <i>re</i> exclusion of judges <i>ad hoc</i>	25	30	3	188
Decisions of Court being valid in presence of— ; convocation of all judges not necessary in cases of urgency	23	27	16	166
Failure to obtain prescribed—	25	30	5	251-252
	25	—	6	284
	25	30	8	252
Votes recorded below the statutory— :				
Held to be of no effect	25	—	9	161
Question concerning validity of certain votes	25 (3)	—	16	167-168
Representation of the Court at Assembly L. N., and before Supervisory Commission	33	26	3	195
	33	26	4	275
	33	—	5	253
	33	—	6	286-287
	33	—	7	292
	21 (2)	—	8	248
	21 (2)	—	9	160
	21 (2)	—	16	163
Special provision in event of Registrar being unable to represent Court in 1936	21 (2)	—	16	163
Rules of— : see <i>Rules of Court</i> .				
Seat of—	22	12, 19	3	183
Sessions of— : see <i>Sessions</i> .				
Vacations : see <i>Judicial vacations</i> .				
Vice-President of— : see <i>Vice-President</i> .				
DECISIONS OF THE COURT RENDERED IN THE FORM OF ORDERS : see <i>Orders</i> .				
DEFAULT ; question of applicability of Art. 53 of Statute in proceedings on request for interim measures	41	61	16	179-180
DELIBERATIONS OF COURT : see <i>Court</i> , <i>Deliberations</i> .				
DEMONSTRATION WITH MODELS : see <i>Models</i> .				
DEPUTY-JUDGES : see <i>Judges</i> (<i>Deputy</i> —).				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
DEPUTY-REGISTRAR : see <i>Registrar and Deputy-Registrar.</i>				
DIPLOMATIC PRIVILEGES AND IMMUNITIES : see <i>Members of the Court, Diplomatic privileges, etc.</i>				
DISSENT :				
Dissenting opinions :				
Admitted	57	62, 31	3	216-217
Read in public	57	—	4	292
Submission of—	57	62, 71	4	291
Individual opinions appended to orders of Court :				
Admitted	48	—	6	295
	48	—	7	297
	57	—	7	298
	48	—	8	266-267
	55 (2)	—	8	270
Practice in regard to—	48	74	16	191
	57	74	16	198-199
Rejection of a request to append a dissenting opinion to an order	57	74	16	199
Simple statement of dissent may be mentioned	48	—	16	187-188
DOCUMENTS (general) :				
Acceptance of offer by a party to place at Court's disposal a document cited, but not filed, during hearings	52	48	16	194
Additional documents asked for by Court	48	47	4	287-289
	49	48	4	289
	43 (5)	—	7	296
	43 (2, 3)	40 (1)	8	261
	43 (5)	—	8	262-263
	49	48	8	268
	49	54	16	192
Admissibility of a document referring to the counter-claim raised in counter-memorial of respondent govt. during the oral proceedings	43 (2, 3)	48, 63	16	185-186
Admissibility of new documents produced after termination of written proceedings, with or without consent of opposing party (Procedure and decisions of Court in regard to—)	52	48	16	194
Authenticity of a document in doubt, and agent consents to withdraw it	47	60 (3)	16	187
	52	48	16	194
Citation of new documents during oral proceedings :				
Communication of—	43 (3, 4)	42, 47	6	292-293
Decision of Court under Art. 52 of Statute not called for	52	48	16	195
Exclusion of publications submitted as evidence	48	—	6	296
Objection by opposing party, and agreement not to add documents to record of case	52	48	16	194-195
Objection by an agent to document produced by other agent at request of a member of Court	49	—	16	191-192
Production of a document not referred to in written proceedings, at request of a member of Court	49	52	16	191-192
Production of documents after termination of written proceedings	52	—	9	173

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
DOCUMENTS (general) (<i>cont.</i>):				
Request by an agent that Court will procure certified copy of a certain document not complied with	52	48	16	194
Request granted for time to produce new—	48	33	7	297
	43 (5)	—	8	262-263
Secret documents :				
Access to—	48	47	4	288-289
	48	47	6	296-297
Not admitted	52	—	6	298
Production of—	46	43	3	209
	48	47	4	287-289
Time allowed for examination of new documents produced	48	45	6	296
Translation into one of Court's official languages : see <i>Languages</i> (Official—), and <i>Translations</i> .				
Transmission of new document after closure of oral proceedings by an authority other than an agent	52	—	16	193-194
DOCUMENTS IN SUPPORT OF WRITTEN PROCEEDINGS : see <i>Written proceedings</i> , Documents in support.				
DOCUMENTS OF THE WRITTEN PROCEEDINGS : see <i>Written proceedings</i> .				
ELECTIONS :				
Chambers of the Court : see <i>Chambers of the Court</i> .				
Members of the Court : see <i>Court</i> , Elections.				
President : see <i>President of the Court</i> .				
Registrar : see <i>Registrar</i> .				
Vice-President : see <i>Vice-President</i> .				
EMERGENCY (Times of—); summons to a judge takes precedence over national laws and regulations of his own country				
	19	—	16	163
ENQUIRY OR EXPERT OPINION				
	50	53	3	212
	50	—	5	258
	64	—	5	261
Inspection of localities : see <i>Inspection</i> , etc.				
Order concerning expert enquiry	50	—	5	258
Proposal for enquiry into facts of a case made by one party agreed to, with reservations by other party : Court reserves decision	50	—	16	192-193
EVIDENCE :				
Acceptance of—, after expiration of time-limit	52	—	3	213-214
	49	45	8	268
Acceptance of information received after conclusion of hearings without prejudice to procedure to be adopted	49	45, 48	8	268
Access to secret documents	48	47	4	288-289
	48	47	6	296-297
Admissibility of— : see <i>Documents</i> (general).				
Application by analogy of Rule 47	48	47	3	210
Communication of evidence to parties	48	47	3	211
Exclusion of—	52	—	3	213-214
	48	—	6	296
	49	—	6	297
	52	—	6	298
Models produced by a party : see <i>Models</i> .				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
EVIDENCE (<i>cont.</i>):				
Objection to admissibility of arguments not allowed	52	—	8	268
Objections to—by parties	48	47	3	211
	49	—	6	297
Orders of Court for production of—	49	48	3	212
Production of new evidence	48	33	7	297
	43 (2, 3)	40 (1)	8	261
Refusal to accept further—	52	—	3	213-214
Request granted for time to produce new evidence	48	33	7	297
See also <i>Documents (general)</i> ; <i>Enquiry or expert opinion</i> , and <i>Witnesses</i> .				
EXPERT OPINION: see <i>Enquiry</i> , etc.				
EXPERTS:				
Order for appointment of—	50	—	5	258
Order terminating proceedings by—	38	61	6	288
Summons of—	43	46	3	207
	51	51	3	212-213
FACTS OF THE CASE (Inclusion or omission of statement of—): see <i>Orders of Court</i> .				
FORM OF COURT'S DECISIONS (decisions given in the form of Orders): see <i>Orders</i> , etc.				
GENERAL LIST				
Cases for advisory procedure inscribed in same way as contentious cases	23	28	7	286-287
	23	28	7	283-284, 286
Precedence of cases in—	43 (5)	46 (1)	16	186
Priority given to a case	23	28 (2)	8	250
HEARINGS: see <i>Oral proceedings</i> .				
HOLIDAYS: see <i>Judicial vacations</i> , <i>Members of the Court</i> , Leave for overseas judges, and <i>Public holidays</i> .				
INCOMPATIBILITY OF FUNCTIONS: see <i>Members of the Court</i> , and <i>Judges ad hoc</i> .				
INDIVIDUAL NOTES EXPRESSING PROVISIONAL OPINION OF JUDGES ON A CASE:				
Dispensed with exceptionally	54	30	16	197
Practice in regard to—	54	30	16	196-197
INDIVIDUAL OPINIONS: see <i>Dissent</i> .				
INSPECTION OF LOCALITIES; suggestion that Court should visit relevant localities in a case, adopted, and procedure				
	50	—	16	193
INSTITUTION OF PROCEEDINGS:				
“Counter-Memorial comprising the document submitting the objection lodged” (Procedure in regard to—)	40	62 (1-3)	16	177
Preliminary objections:				
Assimilated to documents instituting proceedings as regards form of filing	40	62 (1-3)	16	178-179
Communication of objections: see <i>Jurisdiction of the Court</i> .				
Considered as a document of the written proceedings in a case instituted by special agreement	40	62 (1-3)	16	178

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
INSTITUTION OF PROCEEDINGS (cont.):				
Special agreement containing clause providing for unilateral notification, notified by both parties	40	35 (1)	16	176-177
See also: <i>Applications instituting proceedings; Jurisdiction of the Court, Preliminary objections; Requests for advisory opinions, and Special agreements.</i>				
INTERIM MEASURES OF PROTECTION:				
Applicability of Art. 53 of Statute in proceedings concerning— (Question raised <i>re</i> —)	41	61	16	179-180
Application ceases to have any object	56	61	9	175
Composition of Court for—	41	57	9	164
Decisions <i>re</i> —; revision of Art. 57 of Rules	41	57	7	293
Form of Court's decision	48	—	9	171
Official communication of documents to L. N.	41	—	6	290
Orders of Court indicating—	41	—	3	204
	41	57	4	278
Proceedings:				
Distinct from—on merits of a case	41	57	9	165
Oral—	41	57	9	165
Urgent nature of—	41	57	9	165
Question of Court's obligation to hear parties	41	61	16	179-180
Representatives of one party only heard by the Court, the other party having invoked circumstances of <i>force majeure</i> to justify absence of its judge <i>ad hoc</i> and agent	41	61	16	180
Urgent nature of—	41	61	16	179
Withdrawal of a request for—	41	61	16	180
INTERPRETATION OF A JUDGMENT: see <i>Judgment.</i>				
INTERPRETATION (Oral—)				
	39	44	4	277-278
	39	44	6	289
Both official languages to be used for public hearings	39	44	9	163
Court to decide in individual cases whether—shall be dispensed with	39	44	9	163
Decisions to dispense with—:				
In special circumstances appertaining to a certain case	39	58	16	175
Special circumstances not to create a precedent	39	39, 58	16	175
Decisions to maintain, or to dispense with— (Resolution of 29 III 33)	39	39, 58	16	174
President's decision (29 X 35) on practice to be followed in regard to—	39	39, 58	16	174
Translation of statements made in a language other than one of the two official languages; and re-translation into the other official language	39	39, 58	16	175
INTERVENTION:				
Application by analogy of Art. 63 of Statute in advisory procedure	—	73	9	177
Communication of preliminary objections to States entitled to intervene under Art. 62 of Statute: see <i>Jurisdiction, Preliminary objections.</i>				
Construction of convention	63	60	3	220-221
	63	—	8	272

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
INTERVENTION (<i>cont.</i>):				
Interpretation of Art. 63 of Statute	63	—	7	299-300
Legal interest	63	66	16	199-200
Notifications under Art. 60 of Rules	62	58	3	219
Notifications to States parties to a convention invoked; procedure when position of certain States is in doubt	63	60	9	176
Registrar to take action under Art. 63 of Statute, the Court not being committed to any opinion beforehand	63	66	16	200
JOINDER OF APPLICATIONS INSTITUTING PROCEEDINGS: see <i>Applications</i> .				
JOINDER OF PRELIMINARY OBJECTIONS TO MERITS: see <i>Jurisdiction of the Court</i> , Preliminary objections.				
JUDGES: see <i>Members of the Court</i> .				
JUDGES "AD HOC":				
Absence of—:				
From proceedings on the indication of interim measures of protection	41	61	16	180
In a case of inability to attend for decision under Art. 60 of Rules, a judge <i>ad hoc</i> notified acceptance of decision to be taken by Court	31	60	16	169
On one or more occasions during hearings; no objection raised by parties to continued participation in the case (See also "Presence not required" below.)	25 (1)	—	16	166-167
Appointment of—:				
Decision of Court <i>re</i> —given in form of an Order	31 (4)	—	8	254
In place of deputy-judge of same nationality not present	31	—	6	285
Measures taken pending decision of Court as to whether an advisory opinion requested relates to a "dispute" or to a "question"	31	83	16	169-170
Rejection of request to authorize—in case for advisory opinion not relating to an existing dispute	31	83	16	170
Right of—reserved	31	—	9	161
Right to appoint renounced	—	71	5	262
Date of assuming duties	31	—	9	161
In advisory procedure:				
Art. 31 of Statute applicable	—	71	4	296-297
	31	71 (2)	8	253, 273
Change in practice of Court <i>re</i> notifications under Art. 31 of Statute	31	—	8	252
Criterion for decision <i>re</i> —; Art. 71 (2) of Rules applicable	—	71 (2)	7	303
Modification of practice	31	71 (2)	8	253
Question of an "existing dispute"	31	71 (2)	8	253
Question of "parties in the same interest"	31 (4)	—	8	253-254
Renunciation by parties of right under Art. 31 (Art. 31 previously held inapplicable)	—	71	5	262
	—	71	3	223-224
	—	71	4	296-297

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
JUDGES "AD HOC" (<i>cont.</i>):				
Incompatibility of functions; question raised by Court in regard to attendance of a judge <i>ad hoc</i> for a certain case: decisions taken both for proceedings on preliminary objection and on merits of case	17	—	16	162
Presence of—not required:				
For adoption of orders relating to the "conduct" of a case	48	62 (3)	16	189
For decision as to appointment of another national judge	31	—	5	252
For decision as to composition of Court	31	—	7	291
For decision on use of a language other than one of the official languages	39	39, 58	16	175
For framing orders by Court	31	—	4	274-275
For making orders of Court terminating proceedings	31	—	9	162
	31	68	16	169
Presence of—required	31	—	3	192-193
	31	—	4	274-275
	35	35	4	276
	31	—	5	252
For decision concerning joinder of preliminary objection to merits	31	—	4	274
	36-38	38	4	276
For proceedings regarding interim measures of protection	31	—	9	162
In principle for decision under Art. 60 of Rules	31	60	16	169
Principle adopted in connection with orders recording discontinuance of proceedings	31	68	16	169
Quorum not to include—	25	30	3	188
Remuneration of—	32	—	3	194
Solemn declaration by—	20	5	3	179
	31	5	3	193
JUDGES (DEPUTY—):				
Convocation and presence of—	25	3	3	187-188
	25	—	4	273-274
	25	3 (1)	5	250-251
	25	3	7	288
Failure to comply with convocation	31	—	6	285
For removal of a judge	15	2	3	176
Order of convocation	25	3	—	266
Presence not required for election of President	21 (1)	13	7	279-280
Presence not required for revision of Rules of Court	15	2	3	176
	30	Preamble	3	193
	15	2	7	276
	30	—	7	291
Question raised <i>re</i> constitution of new Court	25	29, 30	7	289
Right of deputies to vote on certain questions	15	2	3	176
Salaries (enquiry concerning—)	32	—	3	194-195
JUDGMENTS:				
Absence of a member of the Court from delivery of a decision at public sitting: see <i>Members of the Court</i> , Absence.				
Authoritative text: see <i>Languages</i> (Official—).				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
JUDGMENTS (cont.):				
Binding force and weight of precedents	59	64	3	218-219
	59	64	4	292-293
	59	—	6	300
	59	—	8	271-272
By consent	38	61	3	200
	38	61	5	254
Citation of text of laws or treaties drawn up in French and in English: see <i>Languages</i> (Official—).				
Contents of—	56	62	3	216
Declaration by a government recorded in—	58	62	8	271
Declaratory	63	62	3	221
Delivery and communication of—	58	63, 65	3	217
	58	63, 65	4	292
	58	—	8	271
Assistance for President in delivery	58	—	9	175
Exception to usual practice	58	63	6	299
<i>Ex æquo et bono</i>	38	61	5	254-255
Interpretation and revision of—	60	66	3	218-219
	60	66	4	293-295
	60	66	5	260
(Application by analogy of Rule 38)	60	66	4	293-295
Majority: see <i>Voting</i> .				
Parallel preparation of—in two similar cases	54	—	6	298-299
Signature of—	58	—	8	270-271
Statement recording participation in deliberation, and opinion of a judge absent for delivery of— may not be appended to—	56 (2)	—	16.	198
Translation: see <i>Languages</i> (Official—).				
Voting: see <i>Voting</i> .				
JUDICIAL PRACTICE OF THE COURT: see <i>Court</i>, Deliberations.				
JUDICIAL VACATIONS:				
Fixing of dates of— (delegation of powers in this respect to the President not provided for in Rules)	23	25 (2)	16	164-165
Public sitting for delivery of judgment held during the Easter—	23	25 (2)	16	165
Resolution of 31 1 31	23	27 (5)	7	285-286
Rights and obligations of members of Court during—	23	25 (2)	16	164-165
Suspension of examination of a case ready for hearing before date fixed for commencement of—	23	25 (2)	16	165
“JUDICIAL YEAR”	23	—	16	164
See also <i>Minutes</i> , Approval of—.				
JURISDICTION OF THE COURT:				
Agreement by parties to confer—not complied with, as contrary to Art. 14 of Covenant L. N.	36	—	8	255
Appeal under Art. X of Agreement II, Paris (28 IV 30) (Procedure on question of—)	36	67	16	171
Collection of texts governing—	36, 37	—	3	199
(Letters to governments)	36, 37	—	4	276-277
Declaration of acceptance of—: see <i>Parties before the Court</i> , States not Members, etc.				
Decision to abstain from settling certain points	60	—	7	299
Objection to—in advisory procedure	—	72	8	273

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages</i>
JURISDICTION OF THE COURT (cont.):				
Preliminary objections:				
Certified copy transmitted to opposing party	40	33 (1)	16	176
Communication of—to States entitled to intervene under Art. 62 of Statute will not be made in future	40	62 (1-3)	16	177
Considered as document of written proceedings in a case instituted by special agreement	40	62 (1-3)	16	177
“Counter-Memorial comprising the document submitting the objection lodged” (Procedure in regard to—)	40	62 (1-3)	16	177
Counter-objections as regards alleged invalidity, for reasons of form, of document submitting preliminary objection	40	62 (1-3)	16	177
Documents submitting—assimilated to documents instituting proceedings, as regards form of filing	40	62 (1-3)	16	177
Effect of form of decision joining—to merits (order or judgment) considered in relation to practice of treating proceedings on—as distinct from merits	48	62 (5)	16	190
Filing of objection after grant of two extensions of time-limit for counter-memorial; document not invalid for reasons of form	40	62 (1-3)	16	178
Joinder of—to merits of case	36	38	3	199-200
	36-38	38	4	276
	36-38	38	5	253-254
	48	—	9	171
	48	—	16	—
	48	62 (5)	16	—
Joinder of two—	40	38	9	164
Ruling of Court <i>re</i> interpretation of Art. 38 of Rules	36-38	38	6	287-288
	43 (2, 3)	38	8	260
Treatment of question of—apart from merits	23 (2)	—	3	184
Urgency of proceedings	36-38	38	4	276
	43 (2, 3)	38	8	260
	40	38	9	164
Written proceedings subsequent to filing of observations on—authorized by Court	48	62 (4)	16	189
LANGUAGES (Official—):				
Authoritative text:				
Adopted after first reading; departure from precedent	39	—	16	173
Decision as to—taken after final adoption of text in both languages, in accordance with precedents	39	—	16	174
In a case conducted in one language by agreement between parties, a translation of the judgment in the other language is approved by the Court	39	—	16	173-174
In a case conducted in French only, by agreement between the parties, English translation of an order not officially approved by the Court	39	—	16	173
	39	58	16	175-176
President reads at public sitting the text which is <i>not</i> the—	39	—	9	162
	58	—	16	199

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
LANGUAGES (Official—) (<i>cont.</i>):				
Citation in a judgment or advisory opinion of texts of laws or treaties drawn up in French and in English (Principle adopted for—)	39	—	16	173
Documents produced by the parties, if not in one of—, to be accompanied by a translation	39	39, 58	16	175
Interpretation (Oral—): see <i>Interpretation</i> (Oral—).				
Judgment drafted in English, discussed by Court in French, and finally adopted in English	39	—	16	173-174
Languages used before Court	39	37, 44	3	200-202
	39	37	4	277-278
Use of both official languages at hearings	39	44	9	163
Use of language other than official languages: Court's decision in regard to—to be in form of an order	39	39, 58	16	174
Presence of judge <i>ad hoc</i> not required for decision as to—	39	39, 58	16	174
Request granted in regard to oral proceedings	39	39, 58	16	175
Request not granted in regard to written proceedings	39	39, 58	16	175
Use of one language only	39	37	6	289
Practice of Court regarding text of judgment drawn up in the second official language in cases conducted in the other language by an agreement between the parties	39	—	16	172-174
Translations (written—): see <i>Translations</i> (Written—).				
LEAVE FOR JUDGES (long leave): see <i>Members of the Court</i> , Leave for overseas judges; see also <i>Judicial vacations</i> .				
LEGAL COSTS: see <i>Parties before the Court</i> , Costs of procedure.				
MEETINGS OF THE COURT: see <i>Court</i> , Deliberations, <i>Oral proceedings</i> , and <i>Public meetings</i> .				
MEMBERS OF THE COURT:				
Absence of a member of Court:				
For two days during the hearings; no objection raised by parties to continued participation in the case	25 (1)	—	16	167
For various reasons	25	—	3	186-187
	25	—	4	273
	25	—	5	249-250
	25	30	5	251-252
	31	—	5	252
	25	—	6	284
	54	—	6	298
	23	27 (4)	7	285
	25	—	7	288
	25	29, 30	7	289
	25	—	8	251
From delivery of a decision at public sitting; statement concerning presence for deliberations and opinion on case not to be appended to that decision	56 (2)	—	16	198

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
MEMBERS OF THE COURT (cont.):				
Absence of a member of Court (cont.):				
From first public sitting for hearing of a case ; no objection by agents to participation in the case	25 (1)	—	16	166-167
On one or more occasions during hearings ; no objection raised by parties to continued participation in the case	25 25 (1)	—	7 16	288 166-167
President unable to attend public hearing and replaced by Vice-President, with consent of parties	25	—	16	167
Private sitting	25	—	9	161
Public sitting	25	—	9	161
Resumption of seat on case by member of Court after absence	25	—	5	249-250
Allowances : see "Salaries" below.				
Convocation of— :				
In times of emergency	19	—	16	163
Question whether all judges bound to attend, and entitled to be summoned ; presence of quorum is essential consideration in case of urgency	23	27	16	160
Death of—	14 32	—	5 5	245 252
Decorations, acceptance of—by—	16-17 16-17 16-17 16-17	—	3 4 5 7	178 270 246 276, 278
Diplomatic privileges and immunities	19 19	—	3 4	178-179 270-271
Disqualification of— : see "Incompatibility of functions" below.				
External status : see "Precedence" below.				
Holidays : see "Leave for overseas judges" below ; see also <i>Judicial vacations</i> .				
Immunities of— : see "Diplomatic privileges", etc., above.				
Incompatibility of functions	16, 17 16, 17 16, 17 16, 17 17, 24	—	3 4 6 7 8	177-178 270 282 277-278 247
Appointment as president of a permanent conciliation commission declined	17	—	16	162
Duty of a judge to comply with convocation of President in times of crisis, whatever the law of his own country	19	—	16	163
Resolution concerning membership of con- ciliation commissions	16, 17	—	7	276-277
Withdrawal or disqualification	24 24	—	3 7	186 287-288
Attendance for business during session not connected with above	23	27 (4)	7	285
Comparison of Arts. 17 and 24 of Statute	24	—	7	288
Increase in numbers of—	3	—	3	174
Assembly Resolution of 25 IX 30, <i>re—</i>	3	—	7	274
Indemnity : see "Salaries" below.				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
MEMBERS OF THE COURT (<i>cont.</i>):				
Individual notes: see <i>Individual notes.</i>				
Individual opinions: see <i>Dissent.</i>				
Leave for overseas judges	23	27 (5)	7	285
	23	27 (5)	8	249-250
Adoption and communication of roster for— (1934-1936)	23	26 (1)	16	165
Approval of date proposed for—	23	26 (1)	16	165
Changes in roster for—	23	27 (5)	9	160
Inclusion in roster for—is conditional upon a judge taking up residence near the seat of the Court	23	26 (1)	16	166
Rights of judges entitled to—	23	26 (1)	16	166
Newly elected—sitting for case on merits have right to demand that previous proceedings on preliminary objections should be re-argued from beginning	13	—	16	161
Pensions	32	—	3	194
	32	—	7	291
Precedence	15	2	3	176
External situation, negotiations and agreement <i>re—</i>	19	—	4	270-271
After re-election	13	2, 13	7	276
	21 (1)	12, 13	7	279-280
Presence for whole session	23	27 (4)	7	284
Privileges: see "Diplomatic privileges", etc., above.				
Qualifications	2	—	3	174
	2	—	5	244
	2	—	6	282
Removal of—	18	6	3	178
	18	—	6	283
Convocation of deputy-judges to decide upon—: see <i>Judges (Deputy).</i>				
Remuneration: see "Salaries" below.				
Resignation	14	—	4	270
	4-6	—	5	244
Salaries, allowances and indemnities	32	—	3	193
	32	—	7	291
For ex-judges sitting to complete a case	32	—	8	254
New scale of reduced salaries accepted by members of the Court in event of their period of office being prolonged in con- sequence of a decision by the Assembly L. N. not to hold a new election of members of the Court	32	—	16	170
Solemn declaration by—	20	5	3	179
	20	5	7	278
Term of office	13	—	3	175
Art. 13 of Statute not applicable to case hardly begun	13	—	5	245
Art. 13 of Statute not applicable <i>re</i> inter- pretation procedure	60	66	4	295
Art. 23 (2) of Statute not applicable by analogy	23	28	5	248
Filling of vacancies	14	1	3	175
	4-6	—	5	244
	14	—	5	245
	4-6	—	7	274

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
MEMBERS OF THE COURT (cont.):				
Term of office (<i>cont.</i>):				
Members of Court to continue to exercise their functions in consequence of decision of the Assembly L. N. not to hold a new election of the Court	13	—	16	161
Principle of completion of cases by judges	60	66	3	219
	25	—	4	273
After expiration of term of office	13	—	7	275
	13	—	8	246
Travelling expenses	32	—	3	194
MINUTES OF SITTINGS OF THE COURT :				
Approval of—; new method adopted	54	31 (6)	8	269-270
	54	30 (6)	16	197
Confidential nature of minutes of private meetings	54	30	16	196-197
Discontinuance of distribution of minutes of private meetings to absent members of Court in view of uncertain state of postal communications	54	30 (6)	16	197-198
Name of any judge having taken part in an exchange of views to be mentioned in— (provisional decision)	54	31 (6)	8	269
Numbered consecutively throughout the “Judicial Year”	47	59	16	186
Public sittings; names of agents, counsel and advocates present in Court to be recorded in—	47	59	16	186
Recording of—:				
New method adopted	54	31 (6)	8	269-270
	54	30 (6)	16	197
Private meetings	54	31	3	215-216
	54	31	7	298
	54	31 (6)	8	269-270
Declaration inserted in records	54	31 (6)	8	270
Public meetings	47	55	3	209
Revision of Rules:				
Method of preparation	54	31	3	215-216
	30	—	7	290-291
	54	31	7	297-298
	54	30 (6)	16	197
Publication	30	—	16	168
	54	30 (6)	16	197
MODELS; demonstration with the aid of—at public hearings	52	48	16	195-196
OBJECTIONS TO JURISDICTION: see <i>Jurisdiction</i> , Preliminary objections.				
OFFICIAL LANGUAGES: see <i>Languages</i> (Official—).				
ORAL PROCEEDINGS:				
Absence of a judge from—: see <i>Members of the Court</i> , Absence; see also <i>Judges ad hoc</i> .				
Adjournment (Procedure followed in case of request for—during proceedings in regard to interim measures of protection)				
	41	61	16	179-180
Admissibility of—	—	73	3	222-223
	—	73	3	225-226
	23	28	8	250

ANALYTICAL INDEX

223

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
ORAL PROCEEDINGS (<i>cont.</i>):				
Closure of—	45	10, 29	5	257
	54	31	3	214-215
	54	31	4	289-290
Notified, notwithstanding failure of an agent to reply to a question put to him during hearings	54	—	16	196
Date of commencement of—:				
Adjournment of—requested by an agent; Court decides to maintain date originally fixed	43 (5)	33	8	263-264
Fixture of—	43 (5)	41	7	296
By President	43 (5)	41	9	170
Modification of Rules	43 (5)	41	7	296
Rejoinder not having been filed within the time-limit finally fixed and the facts invoked by the Govt. concerned not constituting a situation of <i>force majeure</i>	43 (1, 2)	47	16	181
Fixture of a provisional date	43 (5)	41	8	264
	43 (5)	41	9	170
Postponed	43 (5)	41	9	170
Decision not to hold— (with reservation)	—	71-74	6	301-302
Demonstration with models: see <i>Models</i> .				
Direction of—				
By the President	45	29	3	208-209
	45	29	3	209
	—	73	3	226
Interpretation: see <i>Interpretation</i> (Oral--).				
Letter from an agent purporting to continue oral argument after closure of— (Procedure followed in regard to—)				
	54	—	16	196
Number of speeches allowed	42	35	3	204
Request to submit further arguments after closure of hearings; procedure adopted	—	71-74	7	301
	54	—	16	196
Submission of short statement after oral rejoinder permitted	—	71-74	7	301
Option converted to obligation	—	73	4	297
Order of pleading	43 (5)	46	3	207
	43 (5)	46	4	285
	43 (5)	46	6	293
	43 (5)	46	8	265-266
Agreement between the parties concerning—	43 (5)	46	9	171
	48	51	16	189
Amongst several persons in same interest:				
Division of statements	43 (5)	46	9	170
Proceedings on interim measures of protection	43 (5)	46	9	170
Provisional decision confirmed after consulting judge <i>ad hoc</i>	48	51	16	189
Priority of cases assigned in accordance with application of Art. 46 (1) of Rules	43 (5)	46 (1)	16	186
Procedure (general)	43 (1)	32	3	205
Procedure to establish equality as between an interested govt. and the petitioners in a certain case	66	—	16	200-201
Production of documents during—: see <i>Documents</i> (general).				
Production of new evidence during—: see <i>Evidence</i> ; see also <i>Documents</i> (general).				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages</i>
ORAL PROCEEDINGS (<i>cont.</i>):				
Publicity or secrecy of—	46	43	3	209
	46	—	4	286
Questions put to agents during—: see <i>Questions</i> .				
Re-opening of—under consideration	—	71-74	7	301
Request to use language other than official language: see <i>Languages</i> (Official—).				
Requests to submit further arguments: see "Number of speeches allowed" above.				
Submissions of parties presented during—: see <i>Submissions</i> , etc.				
Time for preparation granted	48	33	3	210
	48	33	6	296
	48	45	6	296
	43 (5)	33	9	170
(After last oral statement by opposing side)	48	33	7	297
	43 (5)	33	8	263-264
Verbatim record of—	43 (5)	54	3	207-208
	47	55	3	209
Absence of a judge <i>ad hoc</i> on occasion of decision of Court under Art. 60 of Rules	31	60	16	169
Acceptance of unusually extensive corrections, having regard to certain factors	47	60 (3)	16	186-187
Extensive use by agent of right to introduce modifications in—of his statements; objections raised by agent of opposing party; procedure followed by Court	47	60 (3)	16	187
Modification of—	43 (1)	32	3	205
Agreement between agents for deletion of certain expressions	43 (5)	54	6	293-294
	47	60 (3)	16	187
Corrections allowed in printed text	43 (5)	54 (3)	8	266
Delegation of powers <i>re</i> control of—to President	43 (5)	54	7	295
Expenses of additional corrections	43 (5)	54	6	293-294
Question concerning deletion of reference in—to a document which has been withdrawn	47	60 (3)	16	187
ORDERS OF COURT AND PRESIDENT:				
Application by analogy of Art. 57 of Statute	48	—	7	297
	57	—	7	298
Application by analogy of Art. 57 of Statute and Art. 62 (2) of Rules, but not of Art. 62 (1, No. 10) of Rules	48	62	6	295
	57	62	6	299
Application by analogy of Art. 58 of Statute	38	61	6	288
	58	—	6	299
Application by analogy of Art. 59 of Statute	59	—	7	299
Application by analogy of Art. 60 of Statute	60	—	7	299
Application by analogy of Art. 63 of Statute	63	—	7	299-300
Appointment of judges <i>ad hoc</i> : no reference to Art. 48 of Statute in order concerning—	31	—	8	252
	31 (4)	71 (2)	8	253-254
Binding force and final effect (Orders have no—)	48	—	6	295
Closure of session	25	30	5	251-252
	45	10, 29	5	257
	48	—	5	258
Communication of—to parties	48	—	9	172

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
ORDERS OF COURT AND PRESIDENT (<i>cont.</i>):				
Conditional provisions which have become definitive; notification, announcement and publication	48	—	16	187-188
	58	22	16	199
Conduct of cases	48	33	3	210
	43 (3, 4)	33	3	205-207
	43 (3, 4)	33	4	281-285
	48	33	4	287
	48	—	6	294-296
	49	—	6	297
	52	—	6	298
	43 (2, 3)	33 (1)	8	257-258
	48	—	8	266-267
Adoption of orders relating to—does not necessitate presence of judge <i>ad hoc</i>	48	62 (3)	16	189
Decisions rendered in form of—	48	—	6	295
	48	—	7	297
	59	—	7	299
	48	—	8	266-267
On inspection of localities	50	—	16	193
On interim measures of protection	48	—	9	172
On joinder of preliminary objection to merits	48	—	9	171
	48	—	16	188
	48	62 (5)	16	189-190
	48	62 (5)	16	189-190
On request for permission to appoint a judge <i>ad hoc</i>	31	83	16	169-170
	48	—	16	188-189
On use of a language other than one of the official languages	39	39, 58	16	174-175
Dissenting opinions appended to—: see <i>Dissent.</i>				
Expert enquiry	50	—	5	258
Formula "after deliberation" deleted in a particular case; but principle reserved	48	—	16	188
Inclusion or omission of statement of facts concerning the case in—joining preliminary objections to merits	48	62 (5)	16	189-190
Interim measures of protection	41	57	3	204
	41	57	4	278
	48	—	9	171
Decision that indication of—should always be made by Court (and not by President)	41	57	7	293
Joinder of preliminary objection to merits	48	—	9	171
	48	—	16	188-190
	48	62 (5)	16	188-189
	48	62 (5)	16	190
Majority of votes by which an order was adopted not mentioned in text	48	—	16	188
Production of documents	49	48	3	212
Publication of—	46	43	4	286
	31	68	16	169
	48	—	16	188
	48	62 (5)	16	189-190
	48	68	16	190-191
	58	22	16	199
Quorum (In absence of—orders made by President)	23	28	5	248

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
ORDERS OF COURT AND PRESIDENT (<i>cont.</i>):				
Reading of—at public sittings:				
Decision in favour of—	48	—	9	172
Decisions against—	48	—	9	171
Not read out at public sitting	31	68	16	169
	48	—	16	190, 191
	48	62 (5)	16	189-190
	48	68	16	190-191
Settlement and discontinuance of proceedings	38	61	5	254-255
	38	61	6	288
	56	61	9	174
	31	68	16	169
	36	69	16	172
	48	68	16	190-191
Termination of expert enquiry	38	61	6	288
Termination of proceedings: see "Settlement", etc., above.				
When the Court is not sitting, orders made by President	48	33	3	210
	41	57	3	204
	43 (2, 3)	38	8	260
	48	—	8	267
(Exception to this rule: see "Interim measures" above.)				
PARTIES BEFORE THE COURT:				
Admissibility of—:				
Applications from <i>Heimatlosen</i>	34	—	3	196
Applications from other private persons	34	—	3	196
Communication from a non-governmental institution	34	—	3	196-197
Agents of—: see <i>Agents</i> .				
Agreements between the—:				
For the deletion of a passage from the verbatim record of oral proceedings	43 (5)	54	6	293-294
	47	60 (3)	16	187
Implied agreement to dispense with written replies in cases submitted by special agreement	43 (2, 3)	41	16	183
Language in which proceedings conducted: see <i>Languages</i> (Official—).				
Order of addressing the Court, see <i>Oral proceedings</i> .				
Settlement and discontinuance of proceedings: see <i>Settlement</i> , etc.				
To confer jurisdiction on the Court contrary to Art. 14 of Covenant L. N.	36	—	8	255
Assist Committee of experts	50	—	5	258
Communication of orders of Court to—	48	—	9	172
Communication of result of Court's deliberation to—	48	—	6	295
	54	—	6	299
	58	63	6	299
Communication with governments	44	—	6	294
	—	73	6	301-302
(Channel of communication with Danzig)	43 (3, 4)	33	7	295
	—	71, 74	7	302
Consent of—to members of Court continuing to sit in spite of absence from hearing: see <i>Members of the Court</i> , Absence.				

ANALYTICAL INDEX

227

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
PARTIES BEFORE THE COURT (<i>cont.</i>):				
Costs of procedure:				
Contributions from parties	35	35	3	197-198
	35	35	4	276
	33	—	5	253
	64	—	5	261
	35	—	6	287
Decisions <i>re</i> payment of—	64	56	3	221
	64	—	5	261
Expenses, reimbursement of—to government, for supplying of information	64	56	3	221
Direct exchange of memoranda between govern- ments	—	73	3	224
	—	73	6	301-302
Documents transmitted to— (petitions from private sources)	43 (5)	42	8	264-265
Failure of—to appear	53	—	3	214
	53	—	4	289
	58	63, 65	4	292
	53	—	5	258-259
	41	61	16	179
International organizations:				
Admission of evidence from—	34	—	3	196
	—	73	3	223-225
Likely to be able to furnish information	—	73 (1, 2)	8	273-274
Oral statement only made by an international organization	—	73	8	274
Modification of Rules proposed by—	43	32	5	255
Number of copies of judgment supplied to—	58	63	7	298
Printing of documents for—by Registry: see <i>Printing, etc.</i>				
Production of documents by—: see <i>Documents</i> (general).				
Production of new evidence: see <i>Evidence.</i>				
Publication of documents of written procedure by parties	21 (2)	24, 42	6	284
	21 (2)	24, 42	7	280-281
Question of applicability of Art. 53 of Statute in event of non-appearance of a party in pro- ceedings on request for interim measures	41	61	16	179
Renunciation of right to appoint national judges in advisory procedure	—	71	5	262
Representation of—	42	35	3	204
	42	35	4	278-279
	42	35	7	293-294
Requested to state views on point of interest to Court	49	—	9	172
States Members of L. N., etc.	35	35	3	197
	35	—	6	287
States not Members, etc.	35	35	3	197
	35	35	4	276
	35	—	6	287
Declaration of acceptance of Court's juris- diction by—	35	35	3	197-198
	35 (2)	—	8	255
Submissions of—, see <i>Submissions, etc.</i>				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
PARTIES BEFORE THE COURT (cont.):				
Views of—ascertained by the President on questions connected with procedure (practice followed)	43 (2, 3)	37-38 41	16 16	181-182 183-184
Withdrawal of documents by—	43 (2)	34, 39, 40	3	205
PLEADINGS: see <i>Oral Procedure.</i>				
PRACTICE OF THE COURT: see <i>Court, Deliberations of—</i> ; <i>Practice, etc.</i>				
PRELIMINARY OBJECTIONS: see <i>Jurisdiction of the Court, and Institution of proceedings.</i>				
PRESIDENT OF THE COURT:				
Absent from public hearing, and replaced by Vice-President, with consent of parties	25	—	16	167
Acting President	21 (1)	13	7	279-280
Signs judgment on case for which he has presided	58	—	8	270
Appointment of umpires and arbitrators by—, see <i>Arbitration.</i>				
Appointment by—of president of permanent conciliation commission, see <i>Arbitration.</i>				
Casting vote	55 (2)	13	3	216
	55 (2)	13 (2)	4	291
	55 (2)	—	6	299
	55 (2)	—	7	298
Abstention from voting in the first place does not prevent use of—	55	—	9	174
Given in a sense contrary to original vote	55	—	9	174
In favour of maintaining existing practice	54	30	16	197
	55 (2)	—	16	198
Principle adopted for—during revision of Rules	55 (2)	—	16	198
Provision <i>re</i> election of Deputy-Registrar deleted	21 (2)	17	7	280
Withheld	55 (2)	—	16	198
Election	21 (1)	9	3	179-180
	21	—	5	246
	21 (1)	—	16	163
Before solemn declarations	21 (1)	9, 13	7	278-280
Presence of deputies not required for—	15	2	3	176-177
	21 (1)	13	7	280
Time for holding of—	21	9, 14	4	271
Modification in—	21 (1)	9	7	278-279
Nationality of—: see "Replacement of—" below.				
Orders made by—:				
Appointing Expert Committee	50	—	5	258
Closing session	25	30	5	251-252
	45	10, 29	5	257
	48	—	5	258
In absence of Court	48	33	3	210
	41	57	3	204
	43 (2, 3)	38	8	260
	48	—	8	267
In absence of quorum	23	28	5	248
Terminating expert enquiry	38	61	6	288

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
PRESIDENT OF THE COURT (<i>cont.</i>):				
Powers and duties of President:				
Approval of Budget: see <i>Budget</i> .				
Control of correction and revision of verbatim reports of oral proceedings	43 (5)	54	7	295
Control of hearings	45	29	3	208-209
General	21 (1)	12	7	279
Powers exercised by—under Art. 37 (5) of Rules	43 (2, 3)	41	16	184
<i>Re</i> procedure on preliminary objection to jurisdiction	40	38	9	164
Revision of Art. 57 of Rules <i>re</i> indication of measures of protection by—	41	57	7	293
Summons of extraordinary sessions	23 (3)	—	3	186
To fix date for opening of oral proceedings	43 (5)	41	9	170
To make order fixing time-limit "as the Court is not sitting"	43 (2, 3)	33 (3)	9	167
Replacement of—, if of nationality of party to case	24	—	3	186
	21 (1)	13	8	247
	21 (1)	13 (1)	16	163
Requests addressed to—for appointment of umpires and arbitrators: see <i>Arbitration</i> .				
Residence	22	12, 19	3	183
	21 (1)	12	7	279
Retiring President	13	—	3	175
	15	2	3	176
Amendment <i>re</i> special precedence deleted	15	2	7	276
To preside over further stage of case already begun	13	—	7	275-276
	13	—	8	246
Term of office	13	—	3	175
To continue to exercise his functions in consequence of decision of the Assembly L. N. not to hold a new election of members of the Court	13	—	16	162
	21 (1)	9	16	163
Vacation	21 (1)	12	7	279
PRESS (Relations with—)	21	24	3	182
	46	43	3	209
	21	24, 42	6	284
	21 (2)	24, 42	7	281-282
	21 (2)	24, 42	8	248
PRINTING OF DOCUMENTS OF WRITTEN PROCEEDINGS BY REGISTRY				
	43 (2)	33, 34	4	279-281
	43 (2)	33, 34	5	256
	43 (2)	33, 34	6	291-292
	43 (2)	33, 34	7	294
	43 (2, 3)	34	8	260
	43 (2, 3)	34	9	168
	43 (2, 3)	40	16	183
Costs of printing Series C. (question concerning participation of the parties in—)	43 (2, 3)	34	9	168
PROCEEDINGS:				
Oral: see <i>Oral proceedings</i> .				
Written: see <i>Written proceedings</i> .				
PROVISIONAL MEASURES OF PROTECTION: see <i>Interim measures</i> , etc.				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
PUBLIC HOLIDAYS :				
Hearings not held by the Court on—	23	25 (4)	16	165
Sitting of Court not held on—	23	25 (4)	16	165
PUBLIC SITTINGS OF THE COURT :				
Control of hearings by President	45	29	3	208-209
Procedure (general)	43 (1)	32	3	205
Question of publicity or secrecy of hearings	46	43	3	209
Special sittings	46	—	4	286
To announce results of elections	20	5	7	278
To inform public of activities of Court since previous session	46	43	4	286
See also <i>Oral proceedings.</i>				
PUBLICATIONS COMMITTEE OF THE COURT :				
Proposals of—in regard to extensive use by agent of right to introduce modifications in shorthand notes of his oral statements	47	60 (3)	16	186-187
PUBLICATIONS OF THE COURT :				
	46	43	3	209
	46	43	4	286
	46	—	6	294
Annual Report	46	43	3	209
Communication to a government of information for inclusion in—previous to its publication	46	43	4	286
Collection of texts governing the jurisdiction of the Court	36, 37	—	3	199
	36, 37	—	4	276-277
Costs of printing of Series C.	43 (2, 3)	34	9	168
Decisions <i>re</i> new Series A./B., introduction and summary, and <i>re</i> Advisory Committee for questions concerning—	46	65	7	296
Minutes of meetings on revision of Rules	30	—	16	168
	54	30	16	196-197
Orders (Publication of—)	46	43	4	286
	31	68	16	169
	48	—	16	187-188
	48	62 (5)	16	189-190
	48	68	16	190-191
	58	22	16	199
Conditional order which has since become definitive	58	22	16	199
QUESTIONS PUT TO AGENTS BY JUDGES DURING HEARING				
	43 (5)	—	7	296
	—	71-74	7	301-302
	43 (5)	—	8	262-263
Document asked for by a member of Court exercising right under Art. 52 (2) of Rules <i>re</i> —	49	52	16	192
Failure of an agent to reply to question before hearings finally closed	54	—	16	196
QUORUM : see <i>Court, Quorum.</i>				
REGISTRAR AND DEPUTY-REGISTRAR :				
Appointment	21 (2, 3)	17	3	180-181
	21 (2, 3)	17	5	247
	21 (2)	17	7	281
Decorations, acceptance of—by—	16, 17	—	3	178
	16, 17	—	4	270
	16, 17	—	5	246

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
REGISTRAR AND DEPUTY-REGISTRAR (<i>cont.</i>):				
Diplomatic privileges, etc., see "Privileges" below.				
Duties	21	26	3	183
	21 (2, 3)	—	5	246-247
	21 (2)	24, 42	7	280-281, 282-283
Election of a new Registrar	21 (2)	14	16	163-164
Holidays	22	19	7	283
Pension	32	—	3	194
Presence of—at private meetings	54	31	3	215
Privileges and immunities of—	19	—	3	178-179
	19	—	4	270-271
Re-election of Registrar	21 (2)	17	6	283-284
Re-election of Deputy-Registrar (procedure followed)	21 (2)	14 (6)	16	164
Reeligibility of Registrar	21 (2, 3)	17	5	247
Representation of Court at Assembly L. N. and Supervisory Commission: see <i>Court</i> , Representation of—, etc.				
Residence	22	12, 19	3	183
	22	19	7	283
Salary	32	—	3	193
	32 (6)	—	6	286
	32 (6)	—	16	171
Substitutes for—, during absence	21	22	3	182
REGISTRY:				
Administrative Tribunal L. N.	21	21	3	181
Appointments	21	20	3	181
	21	20	4	271
Decision not to make appointment provided for in Budget	21 (2)	20	7	282
"Personal Assistant to Registrar"	21 (2)	20	7	282
Decorations, acceptance of—by members of—	16, 17	—	3	178
External status of higher officials	19	—	4	270-271
Presence of interpreters at private meetings	54	31	3	215
Privileges of officials	19	—	3	178-179
	19	—	4	270-271
Promotion of an official to new category	21 (2)	20	7	282
Regulations for—	21	21	3	181-182
Amendments approved	21 (2)	21	7	282
Exception <i>re</i> leave—	21	20	4	272
Salaries	21	21	3	182
Reduction in—	21	21	4	272
Sickness expenses	21	21	3	182
Stabilization	21 (2, 3)	21	5	247
Staff Provident Fund (L. N.)	21	21	3	182
	32	—	3	194
REMOVAL OF CASES FROM LIST: see <i>Settlement and discontinuance of proceedings.</i>				
REPRESENTATION OF COURT AT ASSEMBLY OF L. N. AND SUPERVISORY COMMISSION: see <i>Court</i> , Representation of—.				
REQUESTS FOR ADVISORY OPINION:				
Court bound by terms of question submitted	36	72	8	255
Exact formulation of question by Court	—	72	5	262

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
REQUESTS FOR ADVISORY OPINION (<i>cont.</i>):				
Inclusion of questions in list for session (interpretation of Rules, Art. 28)	23	28	5	248
Notification of—	35	36, 42	3	198-199
	—	73	3	222-223
Application by analogy of Art. 63 of Statute	—	73	9	177
Postponement incompatible with Art. 23 of Statute	—	71-74	6	301-302
RESOLUTION OF COURT ON JUDICIAL PRACTICE: see <i>Court, Deliberations, Practice, etc.</i>				
REVISION OF A JUDGMENT: see <i>Judgments, Interpretation, etc.</i>				
RULES OF COURT:				
Adoption of revised—repealing the Rules previously in force	30	—	16	168
Revision of—:				
Admission of judges <i>ad hoc</i> in advisory procedure	—	71	4	296-297
Art. 57 of (old) Rules <i>re</i> indication of interim measures of protection	41	57	7	293
Composition of Court	30	—	7	290-291
Judge consulted <i>re</i> amendment proposed at second reading after his departure	25	29, 30	7	289
Method adopted for—	30	Preamble	3	192
" " " " (1931)	30	—	7	290-291
Minutes of meetings on:				
Method of recording—	54	31	3	215-216
	30	—	7	290-291
	54	31	7	297-298
	54	30 (6)	16	197
Publication of—	30	—	16	168
	54	30 (6)	16	197
Modification proposed by the parties	43	32	5	255
Question of—considered:				
Art. 27 (old Rules)	23 (2)	—	3	185
Art. 28 („ „)	23 (2)	28	3	185
	23	28	7	286
Summons of deputy-judges for— (not necessary)	15	2	3	176-177
	30	Preamble	3	192
	15	2	7	276
	30	—	7	290-291
Verbatim record of discussions on—	54	30 (6)	16	197
Voting (use of casting vote by President in regard to amendments proposed): see <i>President, Casting vote.</i>				
SALARIES OF MEMBERS OF THE COURT: see <i>Members of the Court, Salaries.</i>				
SALARY OF THE REGISTRAR: see <i>Registrar.</i>				
“SESSIONS” OF THE COURT; “Judicial Year” takes the place of—after amendments to Statute have come into force				
	23	—	16	164
SESSIONS OF THE COURT:				
Administrative questions	23	27 (2)	7	284
		27 (3)	7	284
		27 (4)	7	284
	33	27	7	292

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
SESSIONS OF THE COURT (<i>cont.</i>):				
Annual: see <i>Ordinary</i> .				
Application by analogy of Art. 23 of Statute	—	71-74	6	301
Application by analogy of Art. 23 (2) of Statute unnecessary	23	28	5	248
Changes in composition of Court during—	23	27 (1, 2)	9	160
Closure of—:				
Orders concerning—: see <i>Orders</i> , and <i>President</i> .				
Owing to withdrawal of suits	23	27 (1, 2)	9	160
Extraordinary:				
Avoidance of—	23 (1)	27	3	183-184
Date overlaps with opening of ordinary session	23	27 (1, 2)	9	160
Summons of—	23 (3)	—	3	186
	23 (3)	—	5	248-249
	23	27 (3)	7	284
Postponement of cases on account of failure to obtain quorum	23	27 (3)	8	249
Interruption of—	23	27 (2)	8	249
	23	27 (1, 2)	9	160
Powers of President during—	43 (2, 3)	33 (3)	9	167
Lists of cases for—:				
General List	23	28	7	286-287
Inclusion of new cases in—	23 (2)	—	4	272-273
	23 (3)	—	5	249
Cases for advisory opinion to be treated in same way as contentious cases	23	28	7	283-284, 286
Interpretation of Rules, Art. 28, reference inclusion of questions for advisory opinion	23	28	5	248
Order of cases in—	23 (2)	—	4	272
Priority on account of urgency of request	23	28 (2)	8	250
Removal of case or question from—	23 (2)	—	3	184
	23 (2)	28	4	272
Revision of Rules, Art. 28 considered	23 (2)	28	3	185
	23	28	7	286
Treatment of question of jurisdiction apart from merits	23 (2)	—	3	184
Urgency of proceedings <i>re</i> preliminary objections	23 (2)	—	4	272
Ordinary:				
Administrative decisions made at—	23 (1)	27	3	183-184
Closing of—on account of withdrawal of suits	23	27 (1, 2)	9	160
Date of—	23 (1)	27	3	183-184
	23	—	6	284
	23	27 (1)	7	284
	23	27 (1)	8	249
Opening of—overlaps with extraordinary session	23	27 (1, 2)	9	160
Permanent: incompatible with Art. 23 of Statute	23	27 (1)	7	284
Postponement of—	23 (1, 2)	27, 28	3	183-185
Postponement of case incompatible with Art. 23 of Statute	—	71-74	6	301
Postponement of first public meeting	23	—	6	284
	23	27 (1)	8	249
Principle that continuity of session not affected by change in composition of Court	23	28 (4)	8	250
Revision of Art. 27 of Rules considered	23 (2)	—	3	185
SETTLEMENT AND DISCONTINUANCE OF PROCEEDINGS:				
Agreement terminating proceedings	38	61	5	254-255
	36	61	8	256

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
SETTLEMENT AND DISCONTINUANCE OF PROCEEDINGS (<i>cont.</i>):				
Agreement terminating proceedings (<i>cont.</i>):				
Non-publication of—by Court	38	61	6	288
Orders of Court concerning—: see <i>Orders of Court.</i>				
Principle followed in taking decision that presence of judges <i>ad hoc</i> not required in making an order recording—	31	68	16	169
Suspension of written proceedings by President pending action by Court on communication <i>re</i> —	48	68	16	190-191
Unilateral withdrawal of case by applicant gov't. ; procedure with respondent gov't. and with agents	36	69	16	172
Withdrawal of cases ; removal from List	56	61	9	174
SHORTHAND NOTES OF ORAL STATEMENTS AND DISCUSSIONS : see <i>Oral proceedings</i> , and <i>Rules of Court</i> , Verbatim record, etc.				
SITTINGS OF THE COURT : see <i>Public sittings</i> , <i>Oral proceedings</i> , and <i>Court</i> , Deliberations.				
SPECIAL AGREEMENTS				
	40	36	3	203
	43 (2)	39	4	281
Appointment of agent not notified at the date of submission of a case	40	35 (1)	16	176-177
Compatibility of terms of—with Statute	36-38	—	7	293
	36	—	8	255-256
Interpretation of agreement not treated as a "preliminary" question	40	—	16	177
Irregularity of—	48	—	6	295
Modification of time-limits fixed by—	43 (3, 4)	33	7	295
Notification by both parties annuls clause providing for unilateral notification	40	35 (1)	16	177
Notification to States not Members of L. N., etc.	35	36	3	198-199
	35	—	6	287
Presentation of documents of written proceedings in case brought by—as in a case brought by application	43 (2, 3)	41	16	184
Procedure in accordance with provisions of an earlier—between the same parties	43 (2, 3)	37, 38	16	183
Ratification (Proof of—required in certain conditions)	40	—	16	176
SPECIAL CHAMBERS : see <i>Chambers of the Court.</i>				
STATUTE OF THE COURT ; takes precedence over the national regulations of country having adhered to it				
	19	—	16	163
SUBMISSIONS OF PARTIES :				
Amendment after termination of written procedure inadmissible without consent of opposing party	52	—	9	173
Amendment of original submissions during pleadings	48	—	5	257-258
	48	—	6	294-295
	49	—	16	191
In advisory procedure	48	—	8	267
Order of Court calling for additional—	49	—	6	297

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
SUBMISSIONS OF PARTIES (cont.):				
Presentation of final—at conclusion of oral proceedings	49	—	16	191
Application by analogy of Art. 48 of Statute	48	—	8	267
Presentation of supplementary—in writing, sanctioned by Court	49	—	16	191
Proceedings on interim measures of protection; summary of observations to be filed at conclusion of oral procedure	41	57	9	165
Time-limit for presentation of— (point reserved)	48	—	6	294-295
Withdrawal of—	40	40	6	289-290
SUMMARY PROCEDURE (Chamber for—): see <i>Chambers of the Court.</i>				
SUPERVISORY COMMISSION (Representation of Court before—): see <i>Court, Representation.</i>				
SUPPLEMENTARY INFORMATION AND DOCUMENTS: see <i>Documents; Questions, etc., and Evidence.</i>				
TERMINATION OF PROCEEDINGS BY AGREEMENT BETWEEN PARTIES: see <i>Settlement and discontinuance of proceedings.</i>				
TEXTS CITED IN A JUDGMENT OR ADVISORY OPINION (question of language used): see <i>Languages (Official—).</i>				
TIME-LIMITS FOR THE WRITTEN PROCEEDINGS:				
Delay in fixing of—, caused by delay in appointment of agent	40	35	16	176-177
	42	35	16	180
	43	37-38	16	181-182
Expiration of— (Special decision to avert difficulties of procedure resulting from a document not being available at time of—)	43 (2, 3)	37-38	16	181-182
Extension of—	43 (3, 4)	33	3	205-207
	48	33	3	210
	43 (3, 4)	33	4	281-285
	43 (1)	32	5	255
	43 (3, 4)	33	5	256-257
	43 (3, 4)	33	7	295
	—	73	7	303-304
A time-limit extended is, in principle, the same time-limit as that originally fixed	40	62 (1-3)	16	177-178
Granted	43 (2, 3)	33 (2)	9	166
In view of negotiations proceeding between parties for settlement of case	43 (2, 3)	37, 38	16	182
Notification made by one party; presumption of acquiescence in—after reasonable delay	43 (3, 4)	33	3	206-207
Period granted inferior to that requested by party	43 (2, 3)	37-38	16	181-182
Refusal of—	43 (2, 3)	33 (2)	9	166
<i>Sine die</i> (Rejoinder)	43 (2, 3)	37, 38	16	181-182
Filing of statements after expiration of—	43 (2, 3)	33 (2)	9	167
Fixing of—	43 (3, 4)	33	3	205-207
	43 (3, 4)	33	4	281-285
	43 (3, 4)	33	5	256-257
	43 (3, 4)	33	7	295
	—	73	7	303-304
	43 (2, 3)	33 (1)	8	257-258
	43 (2, 3)	33 (1)	9	165
Alternative dates	48	—	8	267

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
TIME-LIMITS FOR THE WRITTEN PROCEEDINGS				
<i>(cont.)</i> :				
Fixing of— <i>(cont.)</i> :				
For further proceedings on merits after decision on preliminary objections (Considerations in regard to fixing of—)	48	62 (5)	16	190
For Memorial and Counter-Memorial only	43 (2, 3)	33 (1)	9	165
	43 (2, 3)	37-38	16	182
For Reply and Rejoinder only, and if necessary, after filing of "Counter-Memorial comprising objection lodged"	40	62 (1-3)	16	177
On the basis of provisions in a former special agreement, in new case filed by agreement	43 (2, 3)	37, 38	16	181-182
Order of President fixing—, "as the Court is not sitting"	43 (2, 3)	33 (3)	9	167
Powers exercised by President under Art. 37 (5) of Rules <i>re</i> fixing of—	43 (2, 3)	41	16	184
In advisory procedure; filing of second written statement	43 (2, 3)	33 (1)	9	166
<i>Terminus a quo</i> (Fixing of—) :				
From date on which views of parties ascertained under terms of Art. 37 (1) of Rules	43 (2, 3)	37, 38	16	182
Principle adopted for—when certain conditions of special agreement not fulfilled with filing thereof—	43 (2, 3)	37, 38	16	181
Views of parties ascertained prior to fixing of—	43 (2, 3)	37, 38	16	183
TRANSLATIONS (Oral—) : see <i>Interpretation</i> (Oral—).				
TRANSLATIONS (Written—)				
	39	37	4	277
	39 (2)	—	6	289
Annexes to documents translated into one of Court's official languages	43 (2, 3)	40	9	168
Appended to judgment in case where official text in one language only	39	—	16	173
Documents produced by the parties, if not in one of official languages, to be accompanied by a translation	39	39, 43	16	172
Unofficial nature of translations made by Registry for internal use of Court	39	37	9	162
VACATIONS : see <i>Judicial vacations</i> , and <i>Members of the Court</i> , Leave for overseas judges.				
VERBATIM RECORD : see <i>Oral proceedings</i> , and <i>Rules of Court</i> , Verbatim record, etc.				
VICE-PRESIDENT OF THE COURT :				
Acting for President :				
At public hearing for which President cannot be present (consent of parties given)	25	—	16	167
When President is a national of one of the parties to a case	21 (1)	13 (1)	16	163
Duties of—	21 (1)	11	3	180
	21 (1)	11	7	279
	21 (1)	13	8	247-248
Election of—	21 (1)	9	3	179-180
	21	9	4	271
	21	—	5	246
	21 (1)	—	16	163
Election of retiring President as—	21 (1)	—	16	163

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
VICE-PRESIDENT OF THE COURT (<i>cont.</i>):				
Re-election of—, 1934-1936	21 (1)	—	16	163
Signs judgment on case for which he has presided To continue to exercise his functions in consequence of decision of Assembly L. N. not to hold a new election of members of the Court	58	—	8	271
	13	—	16	161-162
	21 (1)	9	16	163
VISIT OF INSPECTION TO RELEVANT LOCALITIES IN A CASE: see <i>Inspection</i>, etc.				
VOTING:				
Abstention from—at taking of final vote upon a decision	55	—	9	174
Abstention from—does not affect quorum	25	30	3	188
Majority of votes by which an order was adopted not mentioned in the text	48	—	16	188
On judgments	55 (1)	62	3	216
	55	13 (2)	4	291
	55 (2)	—	6	299
On operative part of a decision, but not on grounds	55	—	9	174
Provisional character of votes recorded during preliminary discussion on a case	54	30	16	197
Record of—below the statutory quorum, held to be of no effect	25	—	9	161
Validity or invalidity of votes cast below the statutory quorum	25 (3)	—	16	167-168
WITHDRAWAL OF CASES: see <i>Settlement and discontinuance</i>, etc.				
WITNESSES:				
Application by analogy of Rule 47	48	47	3	210
Communication of evidence to the parties	48	47	3	211
Discarding of evidence signed by proxy	48	54	3	211
Examination of—	51	51	3	212-213
Objections to evidence by parties	48	47	3	211
Request by an agent that Court will invite him to call a certain witness	51	54	16	193
Solemn declaration and professional secrecy	51	50	3	212
Summons of—	43	46	3	207
	51	51	3	212-213
WRITTEN PROCEEDINGS (Documents of the—):				
Additional copies filed	43	34	8	259
	43 (2, 3)	34	9	167
Admissibility of—in advisory procedure	—	73	3	222-223
	—	73	4	296-297
	—	73	6	301-302
Agent of applicant govt. waives right to request authorization to present further written observations in counter-claim after filing of reply and rejoinder	43 (2, 3)	48, 63	16	185-186
Authorization to file a second statement	43 (2, 3)	33 (1)	8	257-258
Certified copies of—	43	34	8	259
Communication of—:				
By a party to a case; request concerning—not within terms of Art. 44 of Rules	43 (2, 3)	44	16	184
To parties	43 (3, 4)	42	3	205
	—	73	6	301-302
	43 (2, 3)	33 (1)	8	257

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
WRITTEN PROCEEDINGS (Documents of the—)				
<i>(cont.)</i> :				
Communication of— <i>(cont.)</i> :				
To Press	21 (2)	24, 42	6	284
	21 (2)	24, 42	7	280-281
	43 (2, 3)	42 (2, 3)	8	262
To public	43 (2, 3)	42 (2, 3)	8	262
	43 (2, 3)	42	9	169
To States other than parties to case	35	42 (1)	5	253
	43 (2, 3)	42 (2, 3)	8	262
	43 (2, 3)	42	9	169
Authorized by acting President	43 (2, 3)	44 (2)	16	185
Name of govt. making request to be communicated to agents in future, unless circumstances are exceptional	43 (2, 3)	44	16	184-185
Parties informed of—, although their consent is not required	43 (2, 3)	44	16	184
Refusal of request for—, the agents having been previously consulted by Registrar	43 (2, 3)	44	16	185
	43 (2, 3)	44 (2)	16	185
Composition of—	43 (2)	34, 39, 40	3	205
Corrected documents	43 (3, 4)	33	4	281-285
	43 (2)	35	4	279
	43 (2)	33, 40	6	290-291
“Counter-Memorial comprising the document submitting the objection lodged” (Procedure in regard to—)	40	62 (1-3)	16	177
Decisions <i>re</i> acceptance of—	—	73	3	224-225
	—	73	6	301-302
Direct exchange of documents between parties	—	73	3	224
	—	73	6	301-302
	43 (2, 3)	42	9	169
Documents in support:				
Agent called upon to produce—	43 (2, 3)	40	9	168
Application by analogy of Art. 40 in advisory proceedings	43 (2, 3)	40	8	261
Filing of—with list	43 (2, 3)	40	8	261
	43 (2, 3)	42 (2, 3)	8	262
Inaccuracies in—	43 (2, 3)	40	8	261
Production in one of official languages required	43 (2, 3)	40	9	168
Production required by Court; action taken by Registrar	49	54	16	192
Translation of—into one of official languages	39	39,	16	174-175
		43 (2)		
Withdrawal of exhibit attached to written proceedings	43 (2)	33, 40	6	290-291
Filing of—:				
Irregularities of form	43 (3, 4)	33	4	281-285
	43 (2, 3)	34	9	167
Variation in method of—under special agreement	43 (2)	39	4	281
Implied agreements between parties to special agreement to dispense with Replies	43 (2, 3)	41	16	183
Number of copies to be filed	43 (2)	33, 34	6	291
Option to submit second statement	—	71-74	7	302
	43 (2, 3)	33 (1)	8	257-258
	43 (2, 3)	39	8	261
On preliminary objections: see <i>Jurisdiction of the Court.</i>				

	<i>Statute.</i>	<i>Rules.</i>	<i>Vol.</i>	<i>Pages.</i>
WRITTEN PROCEEDINGS (Documents of the—)				
(<i>cont.</i>):				
Presentation of—in case brought by special agreement as in a case brought by application	43 (2, 3)	41	16	184
Printing of—by Registry: see <i>Printing</i> , etc.				
Procedure to establish equality as between an interested govt. and the petitioners in a certain case	66	—	16	200-201
Publication of—: see “Communication of—” above.				
Rejoinder not having been filed within time-limit finally fixed and facts invoked by govt. concerned not constituting a situation of <i>force majeure</i> , the written proceedings are regarded as terminated	43 (1, 2)	45	16	181
Request to make oral or written statement after conclusion of oral rejoinder	—	71-74	7	301
Request to use language other than one of official languages: see <i>Languages</i> (Official—).				
Suspension of—:				
On merits, as result of filing of preliminary objection	40	62 (1-3)	16	177
Order of President concerning—, pending action by Court itself in regard to discontinuance of proceedings	48	68	16	190-191
Time-limits for—: see <i>Time-limits</i> , etc.				
Withdrawal of documents by parties	43 (2)	34, 39, 40	3	205

SECTION B.—INDEX OF ARTICLES OF THE STATUTE.

<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>	<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>
I	3	174	17	3	177
"	5	244	"	4	270
2	3	174	"	5	246
"	5	244	"	6	282
"	6	282	"	7	276
3	3	174	"	8	247
"	7	274	"	16	162
4-6	3	174	18	3	178
"	5	244	"	6	283
"	6	282	19	3	178
"	7	274	"	4	270
7	3	175	"	14	128
"	5	245	20	3	179
"	6	282	"	7	278
"	7	274	21	4	271
8-II	3	175	21 (1)	3	179-180
"	5	245	" (,)	5	246
"	6	282	" (,)	7	278-280
"	7	274	" (,)	8	247-248
12	3	175	" (,)	16	163
13	3	175	21 (2)	3	180-183
"	5	245	" (,)	5	246-247
"	7	274	" (,)	6	283-284
"	8	246	" (,)	7	280-283
"	16	161-162	" (,)	8	248
14	3	175	" (,)	9	160
"	4	270	" (,)	16	163-164
"	5	245	21 (3)	3	180-183
16	3	177	" (,)	5	246-247
"	4	270	22	3	183
"	5	246	"	7	283
"	6	282	23	5	248
"	7	276	"	7	283
"	11	147	"	8	249

INDEX OF ARTICLES OF THE STATUTE

Pages.	Volume E.	Article.	Pages.	Volume E.	Article.
196	3	34	160	9	23
197	3	35	164-166	16	"
276	4	"	183-184	3	23 (1)
253	5	"	184-185	3	23 (2)
287	6	"	272	4	"
284	6	"	284	6	"
255	8	35 (2)	186	3	23 (3)
199	3	36	248-249	5	"
276	4	"	186	3	24
253	5	"	287	7	"
287	6	"	251	8	"
293	7	"	186	3	25
255	8	"	186	3	"
171-172	16	"	273	4	"
199	3	37	249	5	"
276	4	"	284	6	"
253	5	"	288	7	"
287	6	"	251	8	"
293	7	"	161	9	"
199	3	38	166-167	16	25 (1)
276	4	"	167-168	16	25 (3)
253	5	"	188	3	26
287	6	"	168	16	"
293	7	"	188	3	27
200	3	39	168	16	"
277	4	"	188	3	28
288	6	"	190	3	29
162	9	"	168	16	30
172-176	16	"	192	3	"
202	3	40	290	7	"
255	5	"	168	16	31
289	6	"	192	3	"
256	8	"	274	4	"
163	9	"	252	5	"
176-179	16	"	285	6	"
204	3	41	291	7	"
278	4	"	252	5	"
290	6	"	193	3	32
293	7	"	253-254	8	31 (4)
164	9	"	169-170	16	"
179-180	16	"	161	9	"
204	3	42	252	5	"
278	4	"	291	7	"
255	5	"	254	8	"
293	7	"	171	16	"
256	8	"	286	6	32 (6)
180-181	16	"	171	16	"
205	3	43 (1)	195	3	33
255	5	"	275	4	"
181	16	"	253	5	"
205	3	43 (2)	286	6	"
279-281	4	"	291	7	"
256	5	"	254	8	"
16	5	"	254	8	"

INDEX OF ARTICLES OF THE STATUTE

Pages.	Volume.	Article.	Pages.	Volume.	Article.
258	5	50	290	6	43 (2)
192-193	16	"	294	7	"
212	3	51	257-262	8	"
193	16	"	165-170	9	"
213	3	52	181	16	"
297	6	"	205-207	3	43 (3)
268	8	"	281-285	4	"
173	9	"	256-257	5	"
193-196	16	"	292-293	6	"
214	3	53	295	7	"
289	4	"	257-262	8	"
258	5	"	165-170	9	"
196	16	"	181-183	16	"
214	3	54	205-207	3	43 (4)
289	4	"	281-285	4	"
259	5	"	256-257	5	"
297	6	"	292-293	6	"
297	7	"	295	7	"
269	8	"	207-208	3	43 (5)
173	9	"	285	4	"
196-198	16	"	293-294	6	"
174	9	55	295-296	7	"
216	3	55	262-266	8	"
216	3	55 (1)	170-171	9	"
291	4	"	186	16	"
299	6	"	208	3	44
298	7	"	285	4	"
270	8	"	294	6	"
198	16	"	208	3	45
216	3	"	257	5	"
174	9	56	209	3	46
198	16	56 (2)	286	4	"
216	3	"	294	6	"
291	4	"	296	7	"
299	6	"	209	3	47
298	7	"	186-187	16	"
198-199	16	"	210	3	48
217	3	58	287	4	"
292	4	"	257	5	"
299	6	"	294	6	"
298	7	"	297	7	"
270	8	"	266	8	"
175	9	"	171	9	"
199	16	"	187-191	16	49
217	3	59	212	3	"
292	4	"	289	4	"
300	6	"	297	6	"
299	7	"	268	8	"
271	8	"	172	9	"
218	3	60	191-192	16	"
293	4	"	212	3	50

INDEX OF ARTICLES OF THE STATUTE

243

<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>	<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>
60	5	260	63	9	175
„	7	299	„	16	199-200
61	3	219	64	3	221
62	3	219	„	5	261
63	3	220	„	9	176
„	7	299	66	16	200-201
„	8	272	68	16	201

SECTION C.—INDEX OF ARTICLES
OF THE RULES OF COURT ¹.

Article.	Volume Series E.	Pages.	Article.	Volume Series E.	Pages.
<i>Preamble</i>	3	192	17 (20)	3	181
1 (1)	3	175	„ (,,)	4	271
2 (2)	7	276	„ (,,)	7	282
2, 1 (2, 1)	3	176	18 (21)	3	181-182
2 (2, 4)	3	176, 193	„ (,,)	4	272
3 (4)	3	193	„ (,,)	5	247
4, 1 (4)	3	188	„ (,,)	7	282
5 (5)	3	179, 193	19 (22)	3	182
„ (,,)	7	278	20 (28, 1)	3	184-185
6 (6)	3	178	„ (,, ,)	5	248
7, 1, 2 (7)	3	189-190	„ (,, ,)	7	283-284, 286-287
7, 3 (35, 3)	3	190	21, 1, 3 (24)	3	182
8 (8)	3	179	„ „ „ (,,)	6	284
9 (9)	3	179-180	„ „ „ (,,)	7	280-281, 284-286
„ (,,)	4	271	„ „ „ (,,)	8	248
„ (,,)	7	278-279	21, 2 (25)	3	182
„ (,,)	16	163	21, 4 (43)	3	209
10 (10)	3	180	„ „ (,,)	4	286
„ (,,)	5	257	22 (65)	3	217
11 (11)	3	180	„ (,,)	4	292
„ (,,)	7	279	„ (,,)	7	296
12 (12)	3	183	„ (,,)	16	199
„ (,,)	7	279	23 (26)	3	183, 195-196
13 (13)	3	180, 216	24 (14)	3	190
„ (,,)	4	291	„ (,,)	16	168
„ (,,)	7	276, 279	24, 1-4 (14)	3	190
„ (,,)	8	247-248	24, 5 (15)	3	190
13, 1 (13)	16	163	25 (27)	3	183-184
14 (17)	3	180-181	„ (,,)	7	284-285
„ (,,)	5	247	25, 1 (27, 1)	8	240
„ (,,)	6	283-284	„ „ (,, ,)	9	160
„ (,,)	7	280, 281	25, 2 (27, 2)	8	241
„ (,,)	16	163	„ „ (,, ,)	9	160
14, 6 —	16	164	„ „ (,, ,)	16	165
15 (18)	3	181	25, 3, (27, 3)	8	249
16 (19)	3	183			
„ (,,)	7	283			

¹ This index relates to the Rules in force since March 11th, 1936 (the reference to the old Rules is given between brackets).

INDEX OF ARTICLES OF THE RULES

245

<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>	<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>
25, 4 —	16	165	38 (33, 1)	3	205-207
26 (27, 5)	7	285-286	„ (,, ,)	4	279-281
„ (,, ,)	8	249-250	„ (,, ,)	8	257-258
„ (,, ,)	9	160-161	„ (,, ,)	9	165-166
26, 1	16	165-166	„ —	16	181-183
27 (27, 4)	7	285	39 (37)	3	200-201
„ —	16	166	„ (,,)	4	277
28, 1 (29)	3	209	„ (,,)	6	289
„ „ (,,)	5	257	„ (,,)	9	162
„ „ (,,)	7	289	„ —	16	174-175
29 (30)	3	188	40 (34)	3	205
„ (,,)	5	251-252	„ (,,)	4	279-281
„ (,,)	7	289	„ (,,)	5	256
„ (,,)	8	252	„ (,,)	6	291-292
30 (31)	3	214-216, 217	„ (,,)	7	294
„ (,,)	4	289-290	„ (,,)	8	259-260
„ (,,)	7	297-298	„ (,,)	9	167-168
„ —	16	196-197	„ —	16	183
30, 1 (31, 1)	8	269	41 (39)	3	205
30, 6 (31, 6)	8	269-270	„ (,,)	4	281
„ „ —	16	197-198	„ (,,)	8	261
30, 7 (31, 8)	3	217	41 —	16	183-184
31 (32)	3	205	42 (40)	6	289-290,
„ (,,)	5	255			290-291
32, 2 (35, 1)	3	202	43 (40)	3	205
„ „ (,, ,)	8	256	„ (,,)	6	290-291
„ „ (,, ,)	9	163-164	„ (,,)	8	261
33, 1 —	16	170	„ (,,)	9	168-169
34 (36, 2)	3	198-199,	43, 2 (37)	3	200-201
		202-203	„ „ (,,)	4	277
35 —	16	180-181	„ „ (,,)	9	162
35 (35, 1)	3	204-205	44 (42)	6	284, 292-293
„ (,, ,)	4	278-279	„ (,,)	7	280-281, 283
„ (,, ,)	9	163-164	„ (,,)	8	248, 262,
35, 1 —	16	176-177			264-265
35, 5 (35)	7	293-294	„ (,,)	9	169-170
36 (35, 2)	3	197-198	„ —	16	184-185
„ (,, ,)	4	276	44, 1 (42, 1)	3	205
37 (33)	3	205-207, 210	„ „ (,, ,)	5	253
„ (,,)	4	279-281,	44, 2 (42, 2)	3	198-199,
		281-285, 287			220
„ (,,)	5	256, 256-257	„ „	16	185
„ (,,)	6	290-292, 296	45 (41)	7	296
„ (,,)	7	294, 295	„ —	16	181
„ (,,)	8	257-259,	46 (28)	3	184-185
		263-264	„ (,,)	4	272-273
„ (,,)	9	165-167, 170	„ (,,)	5	248
„ —	16	181-183	„ (,,)	7	283-284
37, 4 (33, 2)	8	258-259	„ (,,)	8	250
„ „ (,, ,)	9	166-167	46, 1, 2 (28, 2)	8	250
37, 5 (33, 3)	9	167	46, 1 —	16	186

<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>	<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>
47	16	181	62 (38)	4	276-277
47, 1 (41)	3	207	„ (,,)	5	253-254
„ „ (,,)	7	296	„ (,,)	6	287-288
„ „ (,,)	8	264	„ (,,)	8	260
„ „ (,,)	9	170	„ (,,)	9	164
48 —	16	185-186, 194-196	62, 1-3 —	16	177-179
49 (47)	3	210-211	62, 3 —	16	189
„ (,,)	4	287-289	62, 4 —	16	189
„ (,,)	6	292-293, 296-297	62, 5 —	16	189-190
50 (45)	3	207	63 —	16	185-186
„ (,,)	6	296	64 (58)	3	219
„ (,,)	8	268	64 (59)	3	219-220
51 (46)	3	207	66 —	16	200-201
„ (,,)	4	285	66, 1 (60)	3	220-221
„ (,,)	6	293	„ „ (,,)	9	175-176
„ (,,)	8	265-266	67 —	16	171-172
„ (,,)	9	170-171	68 (61)	5	254-255
„ —	16	188-189	„ (,,)	6	288
52 —	16	191-192	„ (,,)	8	256
53, 1 (51)	3	212-213	„ (,,)	9	174-175
53, 2 (50)	3	212	„ —	16	169, 190-191
54 (48)	3	211, 212	69 —	16	172
„ (,,)	4	289	70 (67)	3	190
„ (,,)	8	268	71, 1 (35, 3)	3	190
54 —	16	193	71, 2, 3 (68)	3	191
55 (52)	3	211	72 (69)	3	191
56 (49)	3	211	73 (70)	3	191
57, 2 (53)	3	212	74 (62)	3	216-217
58 (44)	3	201-202	„ (,,)	4	291-292
„ (,,)	4	277-278	„ (,,)	6	299
„ (,,)	6	289	„ (,,)	8	271
„ (,,)	9	163	„ —	16	191, 198-199
„ —	16	175 176	74, 2 —	16	199
59 (55)	3	209	75 (63)	3	217
„ —	16	186	„ (,,)	4	292
60 (54)	3	207-208	„ (,,)	6	299
„ (,,)	6	293-294	„ (,,)	7	298
„ (,,)	7	295	76 (64)	3	217, 218, 292-293
„ (,,)	8	266	„ (,,)	4	286-287
„ —	16	169	77 (56)	3	221
60, 2 (54, 2)	3	211	78 (66, 1)	3	219
60, 3 (54, 3)	8	257	„ (,, ,)	4	294-295
„ „ —	16	185-187	„ (,, ,)	5	260
61 (57)	3	204	79 (66, 2)	3	218-219
„ (,,)	4	278	„ (,, ,)	4	293-295
„ (,,)	7	293	„ (,, ,)	5	260
„ (,,)	9	164-165	80 (66, 3)	3	218-219
„ —	16	179-180	„ (,, ,)	4	293-295
62 (38)	3	199-200	„ (,, ,)	5	260
			81 (66, 5)	3	218-219

INDEX OF ARTICLES OF THE RULES

247

<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>	<i>Article.</i>	<i>Volume Series E.</i>	<i>Pages.</i>
81 (66, 5)	4	293-295	84 (71)	3	222
„ (,, ,)	5	260	„ (,,)	4	296
83 (71, 2)	3	222	„ (,,)	5	262
„ (,, ,)	4	296	„ (,,)	6	301
„ (,, ,)	5	262	„ (,,)	7	301
„ (,, ,)	7	303	„ (,,)	8	273
„ (,, ,)	8	253, 273	84, I (71, I)	3	216
„ —	16	169-170	„ „ (,, ,)	6	301

CHAPTER VII.

PUBLICATIONS OF THE COURT.

The Court's publications are issued in the five following series : *Series of publications.* *Series A./B.*, Judgments, Orders and Advisory Opinions ; *Series C.*, Pleadings, Oral Statements and Documents concerning Cases ; *Series D.*, Acts and Documents concerning the organization of the Court ; *Series E.*, Annual Reports ; *Series F.*, General Indexes ¹.

The Carnegie Endowment made a grant of \$5,000 to enable certain of the Court's publications to be issued ².

*New Publications issued in Series A./B.
since June 15th, 1939 :*

Fascicule

- No. 79.** ELECTRICITY COMPANY OF SOFIA AND BULGARIA (INTERIM MEASURES OF PROTECTION).—Order of December 5th, 1939.
- No. 80.** ELECTRICITY COMPANY OF SOFIA AND BULGARIA.—Order of February 26th, 1940.
- No. 80.** Supplement : *Index to Series A./B.* (1939) (Fascicules Nos. 76-79).

Publications recently issued in Series C. :

- No. 87.** Judicial Year 1939.—Documents relating to the Judgment of June 15th, 1939 (THE "SOCIÉTÉ COMMERCIALE DE BELGIQUE").
- No. 88.** Judicial Year 1939.—Documents relating to the Judgment of April 4th, 1939 (ELECTRICITY COMPANY OF SOFIA AND BULGARIA).

¹ See the lists in E 8, pp. 310-321, which were brought up to date in Chapter VII of E 9 to E 15. The catalogue of the Court's publications, No. 14 of which was issued in December 1938, gives a detailed list of these publications, together with summaries or extracts from the tables of contents. (See also, for Series A./B. and C., the table reproduced in Chapt. IV of the present volume, pp. 69-87).

² See Introduction, pp. 38-39, and p. 265.

New publications issued in Series D.:

- No. 1** (fourth edition—April 1940).—*Statute and Rules of Court.*
- No. 2.** Fourth addendum to No. 2.—*Elaboration of the Rules of Court of March 11th, 1936* (extracts from the Minutes of 1934, 1935, 1936, arranged according to the articles of the Rules), Geneva, 1943¹.

* * *

German edition. (See *inter alia* E 5, pp. 291-292, E 15, p. 126.)

* * *

Booklet on the Court. (See E 15, p. 126.)

* * *

The following table (p. 251) indicates since 1922 and in respect of each year the number of volumes which have appeared in the different series of publications and the total number of pages in each series.

¹ A French edition of this publication is in preparation.

PUBLICATIONS
OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

Issued in	Series A., B. and A./B.		Series C.		Series D.		Series E.		Series F.		TOTAL.	
	Vol.	Pages.	Vol.	Pages.	Vol.	Pages.	Vol.	Pages.	Vol.	Pages.		
1922	2	88	—	—	1	642	—	—	—	—	3	730
1923	6	426	6	4095	2	788	—	—	—	—	14	5309
1924	3	243	6	2846	1	392	—	—	—	—	10	3481
1925	6	378	4	1362	—	—	2	869	—	—	12	2609
1926	2	244	7	3006	3	882	2	748	—	—	14	4880
1927	7	793	2	764	—	—	2	852	—	—	11	2409
1928	6	536	9	5137	—	—	2	1099	1	251	18	7023
1929	6	510	6	2919	—	—	2	986	—	—	14	4415
1930	3	235	9	5699	—	—	2	1155	—	—	14	7089
1931	4	294	7	3623	—	—	2	932	—	—	13	4849
1932	7	725	4	2456	1	981	2	974	1	292	15	5428
1933	11	520	8	4216	—	—	2	746	—	—	21	5482
1934	2	323	9	3871	—	—	2	728	—	—	13	4922
1935	2	186	4	2288	—	—	2	690	—	—	8	3164
1936	4	220	1	372	1	158	2	866	1	272	9	1888
1937	2	338	5	2972	1	1128	2	754	—	—	10	5192
1938	3	216	3	1650	—	—	2	720	1	128	9	2714
1939	4	401	1	786	—	—	2	620	—	—	7	1807
1940	1	14	—	—	1	131	—	—	—	—	2	145
1941	—	—	—	—	—	—	—	—	—	—	—	—
1942	—	—	1	478	—	—	—	—	—	—	1	478
1943	—	—	—	—	1	428	—	—	—	—	1	428
1944	—	—	—	—	—	—	—	—	—	—	—	—
1945	—	—	—	—	—	—	2	900	—	—	2	900
	81	6,690	92	48,540	12	5,530	32	13,639	4	943	221	75,342
											vol.	pages.

N. B. The above figures do not include documents which are not intended for sale (Applications and Requests, Special Agreements for Arbitration, "Preliminary Volumes" for the use of Members of Court, etc.).

CHAPTER VIII.

THE COURT'S FINANCES.

1.—RULES FOR FINANCIAL ADMINISTRATION.

A.—BASIS AND HISTORICAL SKETCH. (See E 1, p. 279.)

B.—THE FINANCIAL REGULATIONS.

(See E 1, pp. 281-289; E 6, pp. 339-342; E 11, pp. 167-170; E 12, pp. 219-228; E 13, pp. 173-174; E 14, pp. 189-191; E 15, p. 129.)

The fourth report of the Supervisory Commission (1939¹) contains the following paragraphs:

"16. In its third report to the 1939 Assembly (doc. A. 5 (b). 1939. X, para. 17), the Commission agreed that, subject to certain indispensable safeguards, Article 29 of the Financial Regulations, which prohibits transfers from chapter to chapter, should be temporarily relaxed.

17. In pursuance, therefore, of the special powers conferred by the Resolution of the Assembly of September 30th, 1938, upon the Secretary-General and the Director of the International Labour Office acting with the approval of the Supervisory Commission, the following text will replace the present Article 29 of the Financial Regulations:

'1. Transfers from one item to another of the same chapter of the budget may be effected by a decision of the Supervisory Commission in the case of the Secretariat, and of the competent authority in the case of the other autonomous organizations.

2. Except as provided in Article 33, no transfer other than those mentioned in paragraph 1 above shall be made. Nevertheless, for the 1940 financial year, transfers from one chapter to another may be effected by a decision of the Supervisory Commission.

3. The decisions taken in pursuance of paragraphs 1 and 2 above shall at once be communicated to all Members of the League and to the Assembly at the beginning of its regular annual session.'

¹ A. 5 (c). 1939. X.

18. The effect of the amendment will be :

(a) To substitute, for the approval of transfers from item to item in the budget of the Secretariat, the Supervisory Commission, which represents the Assembly between its sessions, for the Council of the League ;

(b) to allow, for the year 1940, transfers from chapter to chapter subject to the approval of the Supervisory Commission, whichever organization may be concerned."

Transfer to the Supervisory Commission of the financial functions of the Council of the League of Nations.

The Assembly, in anticipation of the difficulties which would inevitably arise (and which might prevent the Council and Assembly from meeting), bestowed upon the Supervisory Commission, for the duration of the emergency, wide general powers, which comprised the financial and administrative functions of the Council of the League.

The decisions in question were the following :

1. Resolution of the 1939 Assembly :

"Until the next ordinary session of the Assembly, the Secretary-General and the Director of the International Labour Office, acting with the approval of the Supervisory Commission (which may take all decisions by a majority vote), shall continue to have the special powers provided for by the Assembly's Resolution of September 30th, 1938."

2. The resolution of the 1938 Assembly was as follows :

"Until the next ordinary session of the Assembly, the Secretary-General and, as regards the International Labour Organization, the Director of the International Labour Office, acting with the approval of the Supervisory Commission, which may take all decisions by a majority vote, shall have power in their discretion to take any exceptional administrative or financial measures or decisions which appear necessary (including the amendment of administrative or financial regulations), and such measures and decisions shall have the same force and effect as if they had been taken by the Assembly."

3. Resolution of the 1939 Assembly :

"During the year 1940, all the powers and functions conferred on the Council of the League of Nations by the Regulations for the Financial Administration of the League or by the Regulations of the Staff Provident Fund may be exercised by the Supervisory Commission with the same force and effect as if they were exercised by the Council itself."

C.—OTHER REGULATIONS.

(1) MEMBERS OF THE COURT. (See E 1, p. 289 ; E 5, p. 295 ; E 6, p. 342 ; E 8, p. 323 ; E 9, p. 193 ; E 10, p. 179 ; E 12, pp. 228-229 ; E 13, pp. 175-176 ; E 15, pp. 129-131.)

Salaries, allowances and indemnities of members of the Court.
—The question of the remuneration of members of the Court having been referred by the Council of the League to the Supervisory Commission (see E 15, p. 131), the latter, after consideration, adopted the following report and draft resolution:

“REPORT BY THE SUPERVISORY COMMISSION TO THE COUNCIL.

1. On May 27th, 1939, the Council of the League of Nations, as the result of a letter sent to its President on May 12th by the chairman of the Supervisory Commission, adopted a Resolution concerning the salaries, allowances and indemnities of the members of the Permanent Court of International Justice. By this resolution, the adoption of which was occasioned by the fact that a general election of the members of the Court was about to take place, the Supervisory Commission was requested to examine the question in all its aspects and to submit its report in time to enable the Council, if necessary, to propose new revised scales to the Assembly. The resolution was preceded by a report by the representative of China on the Council, in which it was pointed out that the general position of the League of Nations had changed a great deal since 1929, when the judges' present salaries were fixed, and that in view of the present situation the 1940 budget had had to be reduced by nearly 21 %, whereas it had not been possible to reduce the budget for the Court.

2. The Supervisory Commission considered the question at its eighty-third session, held in Paris on June 26th and 27th, 1939. It had before it a memorandum, drawn up at its request by the Registrar, setting forth the systems adopted for the remuneration of judges since the Court was first constituted (Assembly Resolutions of Dec. 1920, Sept. 1929 and Sept. 1930). The memorandum also dealt in detail with the principles on which the amount of the remuneration had been based.

3. The Supervisory Commission reached the conclusion that there were two considerations to be borne in mind. On the one hand, the prestige of the Court, the members of which should, as stipulated in Article 2 of the Statute, be chosen 'from amongst persons of high moral character', must in no way be impaired; in the Commission's opinion, this requirement is more important than ever in view of the present position of the League. On the other hand, the League's position has a financial aspect; and the reduction of the League's expenses, which has been undertaken by the Supervisory Commission with the full co-operation of the competent officials, is an imperative necessity.

4. The Commission unanimously recognized that it should be guided solely by these two considerations. It, therefore, proposes to the Council the following draft resolution, which, if adopted by the Council, might be submitted to the Assembly:

'Draft resolution.

The Council of the League of Nations,
Under reference to Article 32 of the Statute of the Court;
In view of the Resolution of September 14th, 1929, by which

the Assembly, subject to the entry into force of the Revised Statute, fixed the salaries of the members of the Court as from January 1st, 1931 ;

In view of the Supervisory Commission's report dated June 27th, 1939 ;

Proposes that the Assembly should fix the salaries of the members of the Court from January 1st, 1940, as follows :

	Netherlands florins.
<i>President :</i>	
Annual salary	36,000
Special allowance,	10,000
<i>Vice-President :</i>	
Annual salary	36,000
Allowance of 50 florins for each day on which he acts as Presi- dent, up to a maximum of . .	5,000
<i>Members :</i>	
Annual salary	36,000
<i>Judges referred to in Article 31 of the Statute :</i>	
Allowance of 100 florins for each day of duty, calculated from the day of departure until the day of return.	

5. The Supervisory Commission considered whether its suggestion concerning the salaries of members of the Court should affect the Regulations regarding the granting of Pensions to Members of the Court which were adopted by the Assembly on September 14th, 1929, and amended on October 2nd, 1936. The Commission felt that, if the salary of the judges was reduced from 45,000 to 36,000 florins, the amount of the maximum pension should, in future, be reduced from 15,000 to 12,000 florins. It further thought that from January 1st, 1940, only the actual salary, excluding indemnities and special allowances, should be taken into account in calculating the pension benefits.

These suggestions, if adopted, would not, of course, in any way affect the rights possessed by judges on December 31st, 1939. Those entitled on that date to a pension of over 12,000 florins would retain that right, but without continuing, if re-elected, to be subject to the provisions of the Pensions Regulations as in force down to the end of their present term of office.

6. If the Council agrees to the Supervisory Commission's suggestions in this matter, it might adopt the following draft resolution :

'The Council,

'In view of the Supervisory Commission's report dated June 27th, 1939, and approving the recommendations of that report ;

'In view of Article 6 of the Regulations regarding the granting of Pensions to members of the Court, adopted on September 14th, 1929, and amended on October 2nd, 1936, which provides that the Assembly may amend the said Regulations ;

'Draws the attention of the Assembly to the advisability of amending those Regulations as follows :

'Article 2 to read: 'No retiring pension payable under the present Regulations shall exceed 12,000 Netherlands florins per annum...'

'Article 3, the last part of paragraph 1 to read: '... to one-thirtieth of their annual salary in respect of each period of twelve months passed in the service of the Court'."

On November 17th, 1939, the President of the Court sent the following letter to the Secretary-General of the League of Nations:

"With reference to the report submitted by the Supervisory Commission on June 7th, 1939, to the Council of the League of Nations, with regard to the salaries, allowances and indemnities of members of the Permanent Court of International Justice, I have the honour to inform you as follows:

In view of the possibility that the Assembly of the League of Nations might not meet before the end of 1939, and that, consequently, under the third paragraph of Article 13 of the Statute of the Permanent Court of International Justice, the term of office of the present members of the Court might not end on December 31st, 1939, I consulted my colleagues on the question whether, in such circumstances, they would agree to the reduction, as from January 1st, 1940, of their salaries, allowances and indemnities to the scale which the Supervisory Commission envisaged for the judges to be elected. They unanimously replied in the affirmative. I would add that my own personal views coincide with those of my colleagues.

I felt that I should inform you of the foregoing and request you at the same time to take such action as you may see fit upon the present communication."

In its report A. 5 (c). 1939. X, dated Geneva, December 5th, 1939, the Supervisory Commission, which had taken cognizance of this letter on December 24th, 1939, expressed itself as follows in regard to it:

"The Supervisory Commission appreciates very highly the understanding of present financial difficulties which has been displayed by the President and members of the Court, and wishes to thank the Registrar for the way in which he has assisted the Commission throughout."

It also noted that no change was required in the Court's revised budget, which already took account of the reduced scale of salaries proposed by the Commission in June 1939.

Subsequently, the chairman of the Supervisory Commission, speaking in the Fourth Committee of the Assembly on December 6th, 1939, made the following observations:

"You will also find in the documents before you a discussion of questions relative to the salaries, allowances and indemnities of the members of the Permanent Court of International Justice. The Statute of the Court makes it impossible for the League to change in any way the salaries, indemnities or allowances of the judges for the period for which they have been elected. Their present periods

would have expired by the end of this year, and, under Article 13 of the Statute, they may be asked to continue to discharge their duties. It is laid down that they are elected for nine years or until their places have been filled. It will be for the Assembly and the Council to decide whether there should be any elections this year, or whether the members of the Court should be asked to continue until a moment arrives more appropriate for new elections than the present.

The Registrar of the Court has been most helpful and, in the most tactful way and in a most loyal spirit, has acted as a liaison officer between the Supervisory Commission and the Permanent Court; and the President and all the members of the Court have taken the initiative of offering, as a voluntary gesture, to continue to render their services and to accept a salary reduction of 20 %, while the special allowance for the President has been reduced by 33½ %."

Special provisions relating to the remuneration of members of the Court.—The first report of the Supervisory Commission for 1941 (doc. C. 53. M. 50. 1941. X), dated Geneva, October 15th, 1941, contains the following passage concerning the Court's budget :

"III. *Permanent Court of International Justice.*—26. The Court's budget for 1941 did not provide for the payment of the salaries of the judges for 1941 on the former scale; but provision was made for a possible payment to each of the judges of 500 Swiss francs a month. The same provision is now made for 1942. A credit of 240,000 francs has been inserted in Chapter I of the budget to provide for the expenses which would be incurred if the Court meets in 1942.

The President of the Court proposed the reduction in the amount of his salary to be paid in 1942; the budget therefore carries under this item the amount of 42,240 francs instead of 52,800 francs in 1941. Moreover, the amount of voluntary contributions to be made by the Registrar and the five members of the staff of the Registry has been increased from 19,424.40 francs for 1941 to 42,564.72 francs for 1942¹. Reductions were made also in respect of indemnities provided for in the Staff Regulations and expenses of administration."

It should be added that the President subsequently agreed to the reduction by 20% of the sum which had been assigned to him as a special allowance.

(See also under "D.—Special Measures"; 1941 and 1946 budgets.)

(2) THE REGISTRAR. (See E 1, p. 292; E 8, p. 325; E 13, pp. 176-178; E 14, p. 192.)

Voluntary contributions.—In the year 1941, the Registrar and the officials in the service of the Court accepted reductions

¹ With regard to these voluntary contributions, see below under "The Registrar".

amounting, according to the categories to which they belonged, to 20 %, 10 % and 2 % of their respective salaries. In 1942, these contributions were respectively increased to 40 %, 30 % and 6 %.

When the Supervisory Commission decided, on the occasion of its examination of the 1943 budget, to reduce the exchange value of the florin as compared with the Swiss franc, these voluntary contributions were readjusted as from 1943, according to the scale applied in the Secretariat, a step which involved their reduction.

(3) OFFICIALS OF THE REGISTRY. (See E 2, p. 201; E 4, p. 327; E 5, p. 76; E 8, pp. 325-326; E 9, pp. 193-195; E 10, pp. 179-180.)

Voluntary contributions.—(See above, under “The Registrar”.)

Temporary cost-of-living allowances.—In 1943, certain temporary allowances were granted to the staff of the Secretariat of the League of Nations and of the International Labour Office at Geneva.

When the Supervisory Commission met in London in February 1945, a proposal made by the Secretary-General of the League of Nations regarding these allowances was considered by the Commission at its meeting on February 13th. On this occasion, the Registrar expressed the view that the decision taken by the Commission benefitting the officials of the Secretariat and of the International Labour Office, in consideration of the cost of living at Geneva, would be applicable to officials of the Court living in that town. He stated however that, in view of certain special circumstances and in agreement with these officials, he would not ask that the allowances in question should be granted to them. In this connection, he referred to the fact that, in 1943, cost-of-living allowances which had been granted to the staff of the Secretariat of the League of Nations and of the International Labour Office had not been extended to the officials of the Court. At its ninety-sixth session, the Commission decided that this special temporary allowance should apply also to the staff of the Permanent Court of International Justice.

D.—SPECIAL MEASURES.

(1) BUDGETS FOR 1938 AND 1939. (See E 13, pp. 184 and 189; E 14, pp. 193-194; E 15, p. 131.)

(2) BUDGET FOR 1940. (See E 15, pp. 132-135.)

This budget was adopted by the Assembly of the League of Nations at its Twentieth Ordinary Session on December 14th,

1939. (For the observations whereby the Registrar had prefaced the budget estimates and for the relevant report of the Supervisory Commission, see *League of Nations, Official Journal*, XXth year, Nos. 11-12, pp. 453 and 420, Nos. 19-21.)

(3) BUDGET FOR 1941.

In September 1940, the Supervisory Commission was convened at Estoril (Portugal). The Registrar, on the instructions of the President, submitted to the Supervisory Commission the budget and estimates for 1941, representing a total of one million Swiss francs. The Commission reduced this sum by half; it included a credit of 240,000 Swiss francs to cover the contingency of a meeting of the Court. It also expressed the opinion that the system in force for the remuneration of members of the Court did not correspond to existing circumstances and decided to "appeal to the judges' spirit of understanding" and to invite them to institute a system of remuneration consisting partly of a fixed annual salary and partly of allowances for each working day. The Commission asked the Registrar to prepare the details of the 1941 budget, in consultation with the Court. The Registrar, in accordance with the President's instructions, informed the Commission that he was unable to agree to its proposals.

Furthermore, the Commission, on being informed by the Registrar that, owing to the financial situation, the Court had not been able normally to pay the salaries of its members, authorized the Secretary-General to remit to the Registrar the sums necessary for payments in respect of salaries which were due at that date and which would become due up to the end of 1940.

The President and the Registrar, after having as far as possible consulted the members of the Court, proceeded to draw up a budget for 1941, on the basis of the credit of 500,000 Swiss francs allocated by the Supervisory Commission. The President and the Registrar sought to solve the current difficulties whilst at the same time safeguarding the existence of the Court and reserving the rights of the judges.

On the basis of the credit approved by the Supervisory Commission, the President and the Registrar, after consulting members of the Court, drew up the budget for 1941, prefacing it with the following report:

"The report of the Supervisory Commission for the year 1940 (doc. C. 152. M. 139. 1940. X) contains the following passage regarding the budget of the Permanent Court of International Justice for the year 1941:

'33. The Commission noted that, in the budget proposals of the Secretary-General, the sum of one million Swiss francs had been inserted to meet the expenditure of the Court. In its endeavour to

achieve a substantial reduction in the general budget of the League, the Commission found itself compelled to reduce this sum to 740,000 Swiss francs, it being understood that 240,000 Swiss francs should be treated as a global reduction on the budget of the Court and only be drawn upon through the Guarantee Fund if and when the balance of the net budgetary provision of 500,000 Swiss francs had been exhausted.

The Commission, moreover, considered that the system in force for the remuneration of the members of the Court no longer conformed to present circumstances. It therefore decided to appeal to the spirit of understanding of which the judges had already given proof in the preparation of the budget for 1940 and to invite them to institute a system of remuneration which would consist partly of a fixed annual salary and partly of allowances for each working-day.

The Commission decided to ask the Registrar to prepare, in consultation with the Court, the details of the budget of the Court for the year 1941.

The Registrar informed the Commission with deep regret that, on instructions received from the President of the Court, it was impossible for him to agree to the proposals of the Commission. The Commission took note of the Registrar's remarks and invited him to continue his consultations with the Court.'

The reduction effected by the Supervisory Commission in the Court's budget for 1941, as compared with that for the year 1940, is 79.1 %.

In deciding to make this reduction, the Supervisory Commission doubtless had in mind the fact that, for the year 1941, it would not be possible to pay to the members of the Court the reduced salaries which, in agreement with the judges, had been fixed in the budget for 1940. A further reduction of salaries therefore became necessary. Having regard, on the one hand, to the fact that Article 32 of the Court's Statute provides that the annual salaries of the members of the Court may not be decreased during their term of office and, on the other hand, to the fact that the amount of the salaries for 1941 would have to be fixed on the basis of the sum remaining available after the allocation of credits to other statutory obligations, the Supervisory Commission confined itself to an appeal to the members of the Court, calling upon them to adjust their salaries in accordance with the financial situation and to establish a system of remuneration comprising a fixed annual salary and allowances for each day of work done.

The Court was not assembled when the Commission's decision was taken. Moreover, it was impossible to obtain the opinion of members of the Court with the requisite speed. The President, in these circumstances, considered that it was impossible for him to authorize the Registrar to accept the proposals of the Supervisory Commission, since these proposals would have a far-reaching effect upon the structure of the budget and went so far as to envisage the modification of one of the principles on which the Revision Protocol of 1929 was based.

In compliance with the decision of the Supervisory Commission, the President subsequently communicated with his colleagues asking

them for their opinions. Owing to circumstances, it was not possible to consult all the members of the Court, nor was it possible for these consultations to be as complete as the situation required. Nevertheless, the members consulted unanimously agreed upon the necessity for keeping the Court in existence. They were also of opinion that it was essential to preserve a nucleus consisting of the President, the Registrar and a small number of officials.

In order to achieve this object—which they regard as of vital importance—members of the Court are prepared to make all the necessary sacrifices.

In the light of the outcome of these consultations and after a thorough examination of the situation in all its aspects, the President of the Court has reached the following conclusions¹:

(a) The system of remuneration which provided for an annual salary, an allowance for each day of duty and a daily subsistence allowance was abolished by the Protocol for the Revision of the Statute of the Court of 1929 and replaced by a new system with a fixed annual salary. The Protocol only came into effect after it had been ratified by all signatories of the Statute. It is therefore legally impossible to modify this system, adopted by the States after a thorough discussion and in accordance with an established procedure, simply by means of the consent of the members of the Court.

(b) The members of the Court, though ready to make the necessary sacrifices, have no power to accept the principle that their salaries should be fixed on the basis of the available balance of the budget, even if the amount of such salaries were compatible with the dignity of their high office.

(c) In order to safeguard the existence of the Court without increasing the difficulties of the present time, the President has, however, assumed the responsibility of applying the 1941 budget on the basis of the credit voted by the Supervisory Commission, on the following conditions:

1. The right of members of the Court to the salaries fixed for 1940 and the rights ensuing therefrom remain reserved.

2. The payment of the salaries of members of the Court is suspended for 1941; they may, however, if they wish, receive, by way of a payment on account, the amount available for each member—*i.e.*, 500 Swiss francs per month.

If the Court were to meet in 1941, members taking part in the meeting would also receive, by way of payment on account, a sum to be fixed by the Court itself, which would be paid out of the credit of 240,000 francs allocated by the Supervisory Commission. This credit would also serve to pay the expenses entailed by the meeting of the Court for which no credits could be provided in the budget².

¹ [Note by the chairman and rapporteur of the Supervisory Commission.] "Having regard to its responsibility for the good ordering of the financial affairs of the League and to the special responsibilities now vested in the Supervisory Commission, the chairman and rapporteur, in the name of the Commission, make every possible reservation as to any future financial liability which might seem to follow from the opinion expressed by the President of the Court."

² The same note was repeated in subsequent budgets, as well as note 1 above.

3. Since, according to the Statute, the President must reside throughout the year at the seat of the Court and continue permanently to carry out his duties, it appears quite warranted—in the unanimous opinion of the members of the Court—that he should receive remuneration and also a special allowance. The President would therefore receive the special allowance fixed in the 1940 budget and, by way of a payment on account, one-third of his salary.

4. The staff of the Registry, which consisted of twenty-two officials in 1940, will consist in 1941 of the Registrar and five officials, including one messenger. Furthermore, the budget will be reduced by the voluntary contribution which the officials remaining in the Court's service have shown themselves prepared to make.

It is with the greatest regret that the President and the Registrar find themselves obliged, on account of circumstances, to dispense with the devoted services of an important number of members of the Court staff. The President and the Registrar wish to express to them their deep gratitude."

(4) BUDGETS FOR 1942, 1943, 1944 AND 1945.

There is nothing which calls for special mention in connection with these budgets¹, which were adopted at Montreal by the Supervisory Commission in virtue of the powers conferred upon it by the Assembly of the League of Nations.

(5) BUDGET FOR 1946.

The first report of the Supervisory Commission for 1945, dated Geneva, November 20th, 1945 (doc. 118. M. 118. 1945. X), contains the following passage relating to the budget of the Court for 1946:

"III.—*Permanent Court of International Justice.*

I.—The ordinary budget of the Permanent Court of International Justice for 1946 amounts to 452,401 florins, or 746,462 Swiss francs. The amount provided for 1945 was 205,255 florins, or 471,226 Swiss francs. The liberation of the Netherlands and the re-establishment of the seat of the Court at The Hague necessitated the resumption of the payment of certain annual liabilities. The main increases are as follows:

(a) A provision of 110,000 florins, or 181,500 Swiss francs, has been inserted to repay amounts due to the Carnegie Foundation in respect of annual amortization payments to meet the cost of reconstruction of the Peace Palace undertaken in 1928-1929 and 1932-1933 at the request of the Court.

(b) The pension provision has been increased by 23,925 florins, or 39,475 Swiss francs, to correspond with the actual annual contribution due to the Pensions Fund.

¹ See however above, p. 260, in connection with the budget for 1942, the extract quoted from the first report of the Supervisory Commission for 1941 (doc. C. 53. M. 50. 1941. X), dated October 15th, 1941.

(c) A sum of 22,714 florins, or 37,479 Swiss francs, has been provided for temporary staff employed for the purpose of preparing the information necessary for the transfer of records, equipment, furniture, etc., to the new Court and for the grant of a special temporary allowance to the staff of the Court to meet the increase in the cost of living.

2.—The end of the war and the approaching replacement of the Permanent Court of International Justice by the new International Court of Justice under the auspices of the United Nations Organization made it necessary for the Commission to deal finally with a matter that had been outstanding for a number of years. It will be remembered that, in 1940, when the prospects of the League of Nations were exceedingly precarious and when the likelihood of the Court's sitting during the war was remote, the Supervisory Commission did not see its way to provide in the budget for 1941 for the normal salaries of the judges. It voted, however, a sum to the Court which would be sufficient to provide for a payment of 6,000 Swiss francs a year to each of the judges, and, in addition, made provision for additional expenditure in the event of the Court's meeting. Special provision was made in the case of the President, who continued to carry out the administrative duties of his office.

The judges made representations in regard to the decision embodied in the budget of 1941. The Commission did not, however, feel able to deal further with the question at the time, and reserved its position, though it did not regard the action taken under exceptional conditions in 1940 as a final settlement of the matter.

In view of the changed situation, the Commission has accordingly now discussed the whole question with the President of the Permanent Court and a delegation of judges. It has to be borne in mind that the judges, many of whom could have taken their pension under the ordinary rules, refrained from doing so in order that the Court should continue in being in case it should be required to deal with urgent matters. The Supervisory Commission has already recorded its appreciation of the action of the judges in this regard. Furthermore, it is a condition of service on the Court that no judge, while holding himself at the disposal of the Court, should undertake remunerative activity in any other direction, and the observance of this condition had the consequence that the judges were precluded from taking up such employment in their own countries during the war.

After the most careful examination of all the considerations involved in this question, the Commission, in agreement with the President of the Court, decided that the claims of the judges would be equitably met by the following decisions :

(A) For 1941-1945, two-thirds of salary to each judge, viz. 24,000 florins per annum; for 1941-1945, the emoluments of the President to be 34,000 florins per annum: less, in both cases, the amount paid since January 1st, 1941. (For the purpose of calculating the interim payments referred to, conversion from Swiss francs into Dutch florins shall be effected at the rate prevailing at the date of payment.)

(B) From January 1st, 1946, payments not to exceed 15,000 florins in the form of pay or pension according to circumstances. (The President shall continue to receive his indemnity as President of the Court at the rate of 10,000 florins a year until such date as he retires.)

(C) The Court to give weight to the consideration that arrears of salary should be paid only to judges who were at the disposal of the Court.

3.—A special credit has also been included—on the lines adopted for the Secretariat—amounting to 116,548 florins, or 192,305 Swiss francs, to meet contractual liabilities resulting from the winding-up of the Court.

4.—Apart from the ordinary and special budgets for 1946, the Court has had to incur expenditure for the current year (1945), with the approval of the Supervisory Commission. This expenditure has been met from the Guarantee Fund, to which it must be reimbursed. It amounts to 51,723 florins, or 85,343 Swiss francs, and is made up as follows:

	Florins.	Swiss francs.
(a) Cost of meeting of the members of the Court at The Hague	30,000	49,500
(b) Repayment of moneys borrowed by the resident judge at The Hague to pay certain expenses which were subsequently approved by the Court	21,723	35,843
	51,723	85,343

This credit is not shown in the ordinary budget of the Court for 1946, but as a separate item in the summary in Part III (Permanent Court of International Justice) of the general budget of the League, where it figures as a credit for reimbursement to the Guarantee Fund."

*Grant made to the Court by the "Carnegie Endowment for International Peace"*¹.

In its first report for 1941 (doc. 53. M. 50. 1941. X), the Supervisory Commission approved the acceptance of a grant made by the "Carnegie Endowment for International Peace" to the Permanent Court of International Justice and amounting to a sum not exceeding \$5,000, designed to enable certain publications of the Permanent Court to be issued.

¹ The circumstances in which this grant was made are described below, in the chapter concerning Publications, pp. 38-39.

2.—ANNUAL ACCOUNTS.

1.—BUDGET. (See E 15, p. 140.)

2.—ACCOUNTS.

	Credits.	Expenditure.
	Dutch florins.	
SECTION 1.—ORDINARY EXPENDITURE.		
<i>Chapter I.</i> Members of the Court	727,000.—	697,802.47
<i>Chapter II.</i> The Registrar and officials of the Registry	279,304.34	230,537.28
<i>Chapter III.</i> Judges <i>ad hoc</i> , assessors, etc.	66,000.—	26,826.18
<i>Chapter IV.</i> Premises	60,000.—	60,000.—
<i>Chapter V.</i> Administrative expenses	50,135.—	27,564.80
<i>Chapter VI.</i> Cost of administration of the Court's funds	200.—	57.13
<i>Chapter VII.</i> Contribution to the Pensions' Fund for members of the Court	140,626.—	140,626.—
Total of Section 1	<u>1,323,265.34</u>	<u>1,183,413.86</u>
Deduction to be made from Section 1:		
Contribution to the expenses of the Court by non-Member States	6,101.—	—
	<u>1,317,164.34</u>	<u>1,183,413.86</u>
SECTION 2.—CAPITAL ACCOUNT.		
<i>Chapter VIII.</i> Permanent installations, etc.	12,300.—	2,565.32
Total of Sections 1 and 2	<u>1,329,464.34</u>	<u>1,185,979.18</u>
Receipts to be deducted:		
Bank interest	150.—	174.20
	<u>1,329,314.34</u>	<u>1,185,804.98</u>
Deductions to be made in Chapters I, II and III, in view of the creation of a guarantee fund:		
	Dutch florins.	
Chapter I	14,000.—	
„ II	20,000.—	
„ III	33,800.—	
	<u>67,800.—</u>	—
	<u>1,261,514.34</u>	<u>1,185,804.98</u>
To be deducted:		
Contributions of States non-Members of the League of Nations received in 1937	88,089.27	88,089.27
Total chargeable to Members of the League of Nations for 1939	<u><u>1,173,425.07</u></u>	<u><u>1,097,715.71</u></u>

3.—STATEMENT OF LIABILITIES AND ASSETS

<i>Liabilities.</i>		Dutch florins.	Gold francs.
A. Debts :			
Loan obtained from the Working Capital Fund . . .		146,950.49	248,043.70
B. Special Funds not belonging to the League of Nations — —			
C. General Funds belonging to the League of Nations :			
Furniture, various installations, typewriters, etc. Account (sum expended to date Fls. 124,014.59)		1.—	2.—
Library Account (sum expended to date Fls. 27,946.10)		1.—	2.—
Contributions from non-Member States Fund		6,251.67	10,642.28
Contributions in arrears :			
Member States		293,367.45	500,723.60
		<u>446,571.61</u>	<u>759,413.58</u>

At the end of the financial year 1939, the amount outstanding of the cost of installation of new premises for the Court repayable to the Carnegie Foundation was as follows :

<i>Article 9 (c) of the Court's budget :</i>		Dutch florins.
Amount of the loan		240,000.—
(repayment to be effected by twenty-four annual payments of Fls. 10,000.—).		
To be deducted :		
Payments made during the financial years 1929-1939: eleven payments of Fls. 10,000.—		110,000.—
		<u>130,000.—</u>
<i>Article 9 (d) of the Court's budget :</i>		
Amount of the loan		273,400.—
(repayment to be effected by twenty-seven annual payments of Fls. 10,000.— and one payment of Fls. 3,400.—).		
To be deducted :		
Payments made during the financial years 1933-1939: seven payments of Fls. 10,000.—		70,000.—
		<u>203,400.—</u>
		<u>333,400.—</u>

AS AT DECEMBER 31st, 1939.

<i>Assets.</i>		Dutch florins.	Gold francs.
Furniture, various installations		1.—	2.—
Library		1.—	2.—
Outstanding claims :			
Contributions in arrears		293,367.45	500,723.60
At Bank		4,726.21	} 10,642.28
Cash in hand		1,525.46	
Deficit for the financial year 1939		146,950.49	248,043.70
		<u>446,571.61</u>	<u>759,413.58</u>

Although the balance sheet shows a deficit for the financial year 1939 of Fls. 146,950.49, it is to be noted that the Court, during this financial year, has effected a budgetary saving of Fls. 143,335.16 :

	Dutch florins.
Budget	1,329,314.34
Expenditure chargeable to the budget account (after deduction of bank interest)	<u>1,185,979.18</u>
Budgetary saving	<u>143,335.16</u>

1940.

I.—BUDGET.

	Dutch florins.
<i>Chapter I.</i> Members of the Court	575,001.—
<i>Chapter II.</i> The Registrar and officials of the Registry	238,548.—
<i>Chapter III.</i> Judges <i>ad hoc</i> , assessors, etc.	31,800.—
<i>Chapter IV.</i> Premises	60,000.—
<i>Chapter V.</i> Administrative expenses	28,835.—
<i>Chapter VI.</i> Cost of administration of the Court's funds	200.—
<i>Chapter VII.</i> Pensions of members of the Court	173,991.—
<i>Chapter VIII.</i> Permanent installations, etc.	2,800.—
Total of the budget	<u>1,111,175.—</u>
To be deducted :	
(a) Bank interest	25.—
(b) Withdrawals from the Guarantee Fund :	
Dutch florins.	
For Chapter I	6,000.—
" " II	10,000.—
" " III	23,850.—
	<u>39,850.—</u>
(c) Contributions of States non-Members :	
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	3,500.—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence)	1.—
Contributions received in 1937	—
Balance of contributions received in 1937	6,251.67
Total chargeable to Members of the League of Nations	<u><u>1,061,547.33</u></u>

1940.

1.—BUDGET. (See E 16, p. 270.)

2.—ACCOUNTS.

ORDINARY EXPENDITURE.	Credits.	Expenditure.
	Dutch florins.	
<i>Chapter I.</i> Members of the Court	575,001.—	478,406.62
<i>Chapter II.</i> The Registrar and officials of the Registry	238,548.—	207,231.31
<i>Chapter III.</i> Judges <i>ad hoc</i> , assessors, etc.	31,800.—	—
<i>Chapter IV.</i> Premises	60,000.—	20,000.—
<i>Chapter V.</i> Administrative expenses	28,835.—	3,638.64
<i>Chapter VI.</i> Cost of administration of the Court's funds	200.—	39.44
<i>Chapter VII.</i> Contribution to the Pensions' Fund for members of the Court	105,626.—	11,000.—
<i>Chapter VIII.</i> Permanent installations, etc.	2,800.—	403.59
Total of the budget	1,042,810.—	720,719.60
To be deducted:		
(a) Bank interest.	25.—	172.75
(b) Withdrawals from the Guarantee Fund	39,850.—	—
(c) Contributions of States non-Members:		
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	3,500.—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence)	1.—	—
Balance of contributions received in 1937	6,251.67	6,251.67
Contribution received in 1940 ¹	—	36,832.95
Total chargeable to Members of the League of Nations.	993,182.33	677,462.23

¹ During the year 1940, the Government of the United States of Brazil paid to the Registry of the Court a contribution of 84,561.10 Swiss francs. After consulting the Secretary-General and subject to ratification by the Supervisory Commission, this sum, in view of the financial position, was considered as an appropriation-in-aid to the 1940 budget.

3.—STATEMENT OF LIABILITIES AND

		<i>Liabilities.</i>	
		Dutch florins.	Gold francs.
A.	Debts ¹ :		
	Loan obtained from the Working Capital Fund:		
	In 1939	146,950.49	248,043.70
	In 1940	249,285.09	406,525.28
B.	Special Funds not belonging to the League of Nations:		
	Suspense accounts	32,578.33	52,901.82
C.	General Funds belonging to the League of Nations:		
	Furniture, various installations, typewriters, etc.		
	Account (sum expended to date: Fls. 124,014.59)	1.—	2.—
	Library Account (sum expended to date:		
	Fls. 28,349.69)	1.—	2.—
	Contributions in arrears:		
	Member States	701,760.74	1,193,828.51
		<u>1,130,576.05</u>	<u>1,901,303.31</u>

¹ At the end of the financial year 1940, the amount outstanding of the cost of installation of new premises for the Court repayable to the Carnegie Foundation was as follows:

		Dutch florins.	
<i>Article 9 (c) of the Court's budget:</i>			
	Amount of the loan	240,000.—	
	(repayment to be effected by twenty-four annual payments of Fls. 10,000.—).		
	To be deducted:		
	Payments made during the financial years 1929-1939: eleven payments of Fls. 10,000.—	110,000.—	
			130,000.—
<i>Article 9 (d) of the Court's budget:</i>			
	Amount of the loan	273,400.—	
	(repayment to be effected by twenty-seven annual payments of Fls. 10,000.— and one payment of Fls. 3,400.—).		
	To be deducted:		
	Payments made during the financial years 1933-1940: eight payments of Fls. 10,000.—	80,000.—	
			193,400.—
			<u>323,400.—</u>

ASSETS AS AT DECEMBER 31st, 1940.

<i>Assets.</i>		
	Dutch florins.	Gold francs.
Furniture, various installations	1.—	2.—
Library	1.—	2.—
Outstanding claims :		
Contributions in arrears	701,760.74	1,193,828.51
Sundry debtors	10,383.37	17,215.59
Cash in hand	60,697.31	98,562.38
Deficit for the financial year 1939	146,950.49	248,043.70
Deficit for the financial year 1940	210,782.74	343,649.13
	<u>1,130,576.65</u>	<u>1,901,303.31</u>

Although the balance sheet shows a deficit for the financial year 1940 of Fls. 210,782.74, it is to be noted that the Court, during this financial year, has effected a budgetary saving of Fls. 318,737.15 :

Budget	Dutch florins. 1,039,284.—
Expenditure chargeable to the budget account (after deduction of bank interest)	<u>720,546.85</u>
Budgetary saving	<u>318,737.15</u>

1941.

I.—BUDGET.

	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	240,000.—	100,000.—
<i>Chapter II.</i> Members of the Court . . .	138,800.—	57,833.33
<i>Chapter III.</i> The Registrar and officials of the Registry	216,183.28	90,076.36
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—
<i>Chapter V.</i> Premises	—	—
<i>Chapter VI.</i> Administrative expenses . .	14,300.—	5,958.33
<i>Chapter VII.</i> Cost of administration of the Court's funds.	—	—
<i>Chapter VIII.</i> Pensions of members of the Court	150,141.12	62,558.81
<i>Chapter IX.</i> Permanent installations, etc.	—	—
Total of the budget	<u>759,424.40</u>	<u>316,426.83</u>
To be deducted :		
(a) Bank interest	—	—
(b) Withdrawals from the Guarantee Fund :		
For the 1941 budget.	240,000.—	100,000.—
	Dutch florins.	
For Chapter I	6,000.—	
" " II	10,000.—	
" " III	23,850.—	
	<u>39,850.—</u>	—
(c) Contributions of States non-Mem- bers :		
(1) As parties to a case (Statute, Art. 35, para. 3, first sen- tence)	—	—
(2) As participants in the expen- ses of the Court (Statute, Art. 35, para. 3, second sen- tence)	—	—
Contributions received in 1937 . .	—	—
Balance of contributions received in 1937.	—	—
Total	<u>519,424.40</u>	<u>216,426.83</u>
To be deducted :		
Voluntary contributions of the Regis- trar and officials	19,424.40	8,093.50
	<u>500,000.—</u>	<u>208,333.33</u>

1941.

1.—BUDGET. (See E 16, p. 274.)

2.—ACCOUNTS.

ORDINARY EXPENDITURE.	Credits.		Expenditure.	
	Swiss francs.	Dutch florins.	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court	240,000.—	100,000.—	—	—
<i>Chapter II.</i> Members of the Court	138,800.—	57,833.33	243,302.85	103,573.66
<i>Chapter III.</i> The Registrar and officials of the Registry	216,183.28	90,076.36	203,992.88	86,292.45
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—	—	—
<i>Chapter V.</i> Premises	—	—	—	—
<i>Chapter VI.</i> Administrative expenses	14,300.—	5,958.33	8,663.90	3,626.41
<i>Chapter VII.</i> Cost of administration of the Court's funds	—	—	—	—
<i>Chapter VIII.</i> Contribution to the Pensions' Fund for members of the Court	150,141.12	62,558.81	46,374.07	20,199.52
<i>Chapter IX.</i> Permanent installations, etc.	—	—	—	—
Total of the budget	<u>759,424.40</u>	<u>316,426.83</u>	<u>502,333.70</u>	<u>213,692.04</u>
To be deducted :				
(a) Bank interest	—	—	13.15	5.72
(b) Withdrawals from the Guarantee Fund	240,000.—	100,000.—	—	—
(c) Contributions of States non-Members :				
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence)	—	—	—	—
Contribution received in 1941 ¹	—	—	27,747.90	12,086.38
Voluntary contributions of the Registrar and officials	<u>19,424.40</u>	<u>8,093.50</u>	<u>19,424.40</u>	<u>8,093.46</u>
Total chargeable to Members of the League of Nations	<u>500,000.—</u>	<u>208,333.33</u>	<u>455,148.25</u>	<u>193,506.48</u>

¹ During the year 1941, the Government of the United States of Brazil paid to the Registrar of the Court, as its contribution for the year 1941, the sum of Swiss francs 33,882.45. Of this amount, Swiss francs 27,747.90 were utilized, with the consent of the Supervisory Commission, in order to meet the expenditure of the Court for the year 1941, and Swiss francs 6,134.55 will be utilized to meet the expenditure of the Staff Pensions Fund, appropriations in respect of which are provided for in Part VII of the general budget of the League of Nations for the year 1943.

3.—STATEMENT OF LIABILITIES AND

<i>Liabilities.</i>		
	Swiss francs.	Gold francs.
A. Debts ¹ :		
Loan obtained from the Working Capital Fund :		
In 1940	485,856.—	343,649.13
In 1941	24,858.46	17,582.54
B. Special Funds not belonging to the League of Nations :		
Suspense accounts	—	—
C. General Funds belonging to the League of Nations :		
Furniture, various installations, typewriters, etc.		
Account (sum expended to date: Fls. 124,014.59)	2.—	2.—
Library Account (sum expended to date :		
Fls. 28,349.69)	2.—	2.—
Suspense accounts	3,204.42	2,266.51
Contributions in arrears :		
Member States	1,656,375.35	1,171,565.14
	2,170,298.23	1,535,067.32
	2,170,298.23	1,535,067.32

¹ At the end of the financial year 1941, the amount outstanding of the cost of installation of new premises for the Court repayable to the Carnegie Foundation was as follows :

	Dutch florins.	
<i>Article 9 (c) of the Court's budget :</i>		
Amount of the loan	240,000.—	
(repayment to be effected by twenty-four annual payments of Fls. 10,000.—).		
To be deducted :		
Payments made during the financial years 1929-1939: eleven payments of Fls. 10,000.—	110,000.—	
<i>Article 9 (d) of the Court's budget :</i>		
Amount of the loan	273,400.—	130,000.—
(repayment to be effected by twenty-seven annual payments of Fls. 10,000.— and one payment of Fls. 3,400.—).		
To be deducted :		
Payments made during the financial years 1933-1940: eight payments of Fls. 10,000.—	80,000.—	
	80,000.—	193,400.—
		323,400.—

ASSETS AS AT DECEMBER 31st, 1941.

<i>Assets.</i>	Swiss francs.	Gold francs.
Furniture, various installations	2.—	2.—
Library	2.—	2.—
Outstanding claims :		
Contributions in arrears (Fls. 688,645.63)	1,656,375.35	1,171,565.14
Cash in hand	28,062.88	19,849.05
Deficit for the financial year 1940	485,856.—	343,649.13
Deficit for the financial year 1941	—	—
	2,170,298.23	1,535,067.32

1942.

I.—BUDGET.

	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	240,000.—	100,000.—
<i>Chapter II.</i> Members of the Court . . .	128,240.—	53,433.33
<i>Chapter III.</i> The Registrar and officials of the Registry	199,937.30	83,307.20
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—
<i>Chapter V.</i> Premises	—	—
<i>Chapter VI.</i> Administrative expenses . .	11,800.—	4,916.65
<i>Chapter VII.</i> Cost of administration of the Court's funds	—	—
<i>Chapter VIII.</i> Pensions of members of the Court	202,587.42	84,411.45
<i>Chapter IX.</i> Permanent installations, etc.	—	—
Total of the budget	782,564.72	326,068.63
To be deducted :		
(a) Bank interest	—	—
(b) Withdrawals from the Guarantee Fund :		
For the 1942 budget	240,000.—	100,000.—
	Dutch florins.	
For Chapter I	6,000.—	
" " II.	10,000.—	
" " III	23,850.—	
	39,850.—	—
(c) Contributions of States non-Mem- bers :		
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence) . . .	—	—
Balance of contributions received in 1937	—	—
Total	542,564.72	226,068.63
To be deducted :		
Voluntary contributions of the Regis- trar and officials	42,564.72	17,735.30
	500,000.—	208,333.33

1942.

1.—BUDGET. (See E 16, p. 278.)

2.—ACCOUNTS.

ORDINARY EXPENDITURE.	Credits for 1942.		Expenditure.	
	Swiss francs.	Dutch florins.	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	240,000.—	100,000.—	—	—
<i>Chapter II.</i> Members of the Court . . .	128,240.—	53,433.33	112,340.89	48,267.54
<i>Chapter III.</i> The Registrar and officials of the Registry	199,937.30	83,307.20	186,751.25	79,433.68
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—	—	—
<i>Chapter V.</i> Premises	—	—	—	—
<i>Chapter VI.</i> Administrative expenses	11,800.—	4,916.65	7,147.19	3,113.17
<i>Chapter VII.</i> Cost of administration of the Court's funds	—	—	489.50	213.22
<i>Chapter VIII.</i> Contribution to the Pensions' Fund for members of the Court	202,587.42	84,411.45	102,769.03	44,763.93
<i>Chapter IX.</i> Permanent installations, etc.	—	—	—	—
Total of the budget	<u>782,564.72</u>	<u>326,068.63</u>	<u>409,497.86</u>	<u>175,791.54</u>
To be deducted :				
(a) Bank interest	—	—	—	—
(b) Withdrawals from the Guarantee Fund	240,000.—	100,000.—	—	—
(c) Contributions of States non-Members :				
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence).	—	—	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence).	—	—	—	—
Contribution received in 1942 ¹	—	—	27,258.45	11,873.18
Voluntary contributions of the Registrar and officials	42,564.72	17,735.30	42,651.36	17,771.40
Total chargeable to Members of the League of Nations.	<u>500,000.—</u>	<u>208,333.33</u>	<u>339,588.05</u>	<u>146,146.96</u>

¹ During the year 1942, the Government of the United States of Brazil paid to the Registrar of the Court, as its contribution for the year 1942, the sum of Swiss francs 33,882.45. Of this amount, Swiss francs 27,258.45 were utilized, with the consent of the Supervisory Commission, in order to meet the expenditure of the Court for the year 1942, and Swiss francs 6,624 will be utilized to meet the expenditure of the Staff Pensions Fund, appropriations in respect of which are provided for in Part VI of the general budget of the League of Nations for the year 1944.

3.—STATEMENT OF LIABILITIES AND

<i>Liabilities.</i>		Swiss francs.	Gold francs.
A. Debts ¹ :			
Loan obtained from the Working Capital Fund:			
In 1942		32,190.24	22,768.45
B. Special Funds not belonging to the League of Nations:			
Extra-budgetary account		38,959.30	27,556.17
C. General Funds belonging to the League of Nations:			
Furniture, various installations, typewriters, etc.			
Account (sum expended to date: Fls. 124,014.59)		2.—	2.—
Library Account (sum expended to date:			
Fls. 28,393.17)		2.—	2.—
Suspense accounts		3,204.42	2,266.51
Contributions in arrears:			
Member States		1,384,316.40	979,136.06
		<u>1,458,674.36</u>	<u>1,031,731.19</u>

¹ At the end of the financial year 1942, the amount outstanding of the cost of installation of new premises for the Court repayable to the Carnegie Foundation was as follows:

	Dutch florins.	
<i>Article 9 (c) of the Court's budget:</i>		
Amount of the loan	240,000.—	
(repayment to be effected by twenty-four annual payments of Fls. 10,000.—).		
To be deducted:		
Payments made during the financial years 1929-1939: eleven payments of Fls. 10,000.—	110,000.—	
	<u> </u>	130,000.—
<i>Article 9 (d) of the Court's budget:</i>		
Amount of the loan	273,400.—	
(repayment to be effected by twenty-seven annual payments of Fls. 10,000.— and one payment of Fls. 3,400.—).		
To be deducted:		
Payments made during the financial years 1933-1940: eight payments of Fls. 10,000.—	80,000.—	
	<u> </u>	193,400.—
		<u>323,400.—</u>

ASSETS AS AT DECEMBER 31st, 1942.

<i>Assets.</i>		
	Swiss francs.	Gold francs.
Furniture, various installations	2.—	2.—
Library	2.—	2.—
Outstanding claims :		
Contributions in arrears (Fls. 576,798.50)	1,384,316.40	979,136.06
At Bank	67,770.98	47,934.94
Cash in hand	6,582.98	4,656.19
Deficit for the financial year 1942	—	—
	<u>1,458,674.36</u>	<u>1,031,731.19</u>

1943.

1.—BUDGET.

	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	229,000.—	100,000.—
<i>Chapter II.</i> Members of the Court . . .	121,570.66	53,087.62
<i>Chapter III.</i> The Registrar and officials of the Registry	191,139.88	83,467.20
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—
<i>Chapter V.</i> Premises	—	—
<i>Chapter VI.</i> Administrative expenses . .	14,121.63	6,166.65
<i>Chapter VII.</i> Cost of administration of the Court's funds	—	—
<i>Chapter VIII.</i> Pensions of members of the Court	170,569.89	74,484.53
<i>Chapter IX.</i> Permanent installations, etc.	—	—
Total of the budget	<u>726,402.06</u>	<u>317,206.—</u>
To be deducted :		
(a) Bank interest	—	—
(b) Withdrawals from the Guarantee Fund :	229,000.—	100,000.—
(c) Contributions of non-Member States :		
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence) ¹ . . .	—	—
Total	<u>497,402.06</u>	<u>217,206.—</u>
To be deducted :		
Voluntary contributions of the Registrar and officials	40,794.06	17,814.—
	<u>456,608.—</u>	<u>199,392.—</u>

The Government of the United States of Brazil paid to the Registry of the Court, as a contribution for the year 1941, the sum of 33,882.45 Swiss francs. Of this amount, 27,747.90 Swiss francs were utilized, with the consent of the Supervisory Commission, to cover the expenditure of the Court relating to the year 1941, and 6,134.65 Swiss francs will be utilized to cover the expenditure of the Staff Pensions Fund, estimates for which are included in Part VI of the general budget of the League of Nations for the year 1943.

1943.

I.—BUDGET. (See E 16, p. 282.)

2.—ACCOUNTS.

ORDINARY EXPENDITURE.	Credits for 1943.		Expenditure.	
	Swiss francs.	Dutch florins.	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	229,000.—	100,000.—	—	—
<i>Chapter II.</i> Members of the Court . .	121,570.66	53,087.62	116,540.02	50,762.31
<i>Chapter III.</i> The Registrar and officials of the Registry	191,139.88	83,467.20	182,299.14	79,405.52
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—	—	—
<i>Chapter V.</i> Premises	—	—	—	—
<i>Chapter VI.</i> Administrative expenses .	14,121.63	6,166.65	7,090.78	3,088.57
<i>Chapter VII.</i> Cost of administration of the Court's funds	—	—	541.18	235.73
<i>Chapter VIII.</i> Contribution to the Pensions' Fund for members of the Court	170,569.89	74,484.53	38,183.57	16,631.93
<i>Chapter IX.</i> Permanent installations, etc.	—	—	—	—
Total of the budget	<u>726,402.06</u>	<u>317,206.—</u>	<u>344,654.69</u>	<u>150,124.06</u>
To be deducted :				
(a) Bank interest	—	—	1.29	—,56
(b) Withdrawals from the Guarantee Fund	229,000.—	100,000.—	—	—
(c) Contributions of States non-Mem- bers :				
(1) As parties to a case (Statute, Art. 35, para. 3, first sen- tence).	—	—	—	—
(2) As participants in the ex- penses of the Court (Statute, Art. 35, para. 3, second sen- tence).	—	—	—	—
Contribution received in 1943 ¹ . .	—	—	28,994.45	12,629.35
Voluntary contributions of the Re- gistrar and officials	40,794.06	17,814.—	16,749.30	7,295.60
Total chargeable to Members of the League of Nations	<u>456,608.—</u>	<u>199,392.—</u>	<u>298,909.65</u>	<u>130,198.55</u>

¹ During the year 1943, the Government of the United States of Brazil paid to the Registrar of the Court, as its contribution for the year 1943, the sum of Swiss francs 36,370.35. Of this amount, Swiss francs 28,994.45 were utilized, with the consent of the Supervisory Commission, in order to meet the expenditure of the Court for the year 1943, and Swiss francs 7,375.90 will be utilized to meet the expenditure of the Staff Pensions Fund, appropriations in respect of which are provided for in Part VI of the general budget of the League of Nations for the year 1945.

3.—STATEMENT OF LIABILITIES AND

<i>Liabilities.</i>		
	Swiss francs.	Gold francs.
A. Debts ¹ :		
Loan obtained from the Working Capital Fund:		
In 1943.	5,374.01	3,801.08
B. Special Funds not belonging to the League of Nations:		
Extra-budgetary account	23,216.80	16,421.39
C. General Funds belonging to the League of Nations:		
Furniture, various installations, typewriters, etc. Account (sum expended to date: Fls. 124,014.59).	2.—	2.—
Library Account (sum expended to date: Fls. 28,393.17)	2.—	2.—
Suspense accounts.	3,204.42	2,266.51
Contributions in arrears:		
Member States	618,403.15	437,400.68
	650,202.38	459,893.66
	650,202.38	459,893.66

¹ At the end of the financial year 1943, the amount outstanding of the cost of installation of new premises for the Court repayable to the Carnegie Foundation was as follows:

	Dutch florins.	
<i>Article 9 (c) of the Court's budget:</i>		
Amount of the loan	240,000.—	
(repayment to be effected by twenty-four annual payments of Fls. 10,000.—).		
To be deducted:		
Payments made during the financial years 1929-1939: eleven payments of Fls. 10,000.—	110,000.—	130,000.—
<i>Article 9 (d) of the Court's budget:</i>		
Amount of the loan	273,400.—	
(repayment to be effected by twenty-seven annual payments of Fls. 10,000.— and one payment of Fls. 3,400.—).		
To be deducted:		
Payments made during the financial years 1933-1940: eight payments of Fls. 10,000.—	80,000.—	193,400.—
		323,400.—
		323,400.—

ASSETS AS AT DECEMBER 31st, 1943.

<i>Assets.</i>	Swiss francs.	Gold francs.
Furniture, various installations	2.—	2.—
Library	2.—	2.—
Outstanding claims :		
Contributions in arrears (Fls. 261,441.67)	618,403.15	437,400.68
At Bank	28,131.03	19,897.26
Cash in hand	3,664.20	2,591.72
Deficit for the financial year 1943	—	—
	650,202.38	459,893.66

1944.

I.—BUDGET.

	Swiss francs ¹ .	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	240,000.—	104,538.72
<i>Chapter II.</i> Members of the Court . . .	128,007.60	55,757.30
<i>Chapter III.</i> The Registrar and officials of the Registry	177,371.05	77,258.87
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—
<i>Chapter V.</i> Premises	—	—
<i>Chapter VI.</i> Administrative expenses . . .	11,850.—	5,161.60
<i>Chapter VII.</i> Cost of administration of the Court's funds	500.—	217.79
<i>Chapter VIII.</i> Pensions of members of the Court	170,570.—	74,296.54
<i>Chapter IX.</i> Permanent installations, etc.	—	—
Total of the budget	728,298.65	317,230.82
To be deducted :		
(a) Bank interest	—	—
(b) Withdrawals from the Guarantee Fund :	240,000.—	104,538.72
(c) Contributions of non-Member States :		
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence) ² . . .	—	—
Total	488,298.65	212,692.10
To be deducted :		
Voluntary contributions of the Registrar and officials	16,833.65	7,332.37
	471,465.—	205,359.73

¹ Converted at the rate of 229.58 Swiss francs for 100 florins.

² The Government of the United States of Brazil paid to the Registry of the Court, as a contribution for the year 1942, the sum of 33,882.45 Swiss francs. Of this amount, 27,258.45 Swiss francs were utilized, with the consent of the Supervisory Commission, to cover the expenditure of the Court relating to the year 1942, and 6,624 Swiss francs will be utilized to cover the expenditure of the Staff Pensions Fund, estimates for which are included in Part VI of the general budget of the League of Nations for the year 1944.

1944.

1.—BUDGET. (See E 16, p. 286.)

2.—ACCOUNTS.

ORDINARY EXPENDITURE.	Credits for 1944.		Expenditure.	
	Swiss francs.	Dutch florins.	Swiss francs.	Dutch florins.
<i>Chapter I.</i> Sessions of the Court	240,000.—	104,538.72	—	—
<i>Chapter II.</i> Members of the Court	128,007.60	55,757.30	116,507.52	50,748.15
<i>Chapter III.</i> The Registrar and officials of the Registry	177,371.05	77,258.87	159,987.54	69,687.—
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—	—	—
<i>Chapter V.</i> Premises	—	—	—	—
<i>Chapter VI.</i> Administrative expenses	11,850.—	5,161.60	7,077.—	3,082.64
<i>Chapter VII.</i> Cost of administration of the Court's funds	500.—	217.79	679.63	296.05
<i>Chapter VIII.</i> Contribution to the Pensions' Fund for members of the Court	170,570.—	74,296.54	116,400.13	50,701.26
<i>Chapter IX.</i> Permanent installations, etc.	—	—	—	—
Total of the budget	728,298.65	317,230.82	400,651.82	174,515.10
To be deducted :				
(a) Bank interest	—	—	2.02	0.88
(b) Withdrawals from the Guarantee Fund	240,000.—	104,538.72	—	—
(c) Contributions of States non-Members :				
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence)	—	—	—	—
Voluntary contributions of the Registrar and officials	16,833.65	7,332.37	16,797.65	7,316.67
Total chargeable to Members of the League of Nations	471,465.—	205,359.73	383,852.15	167,197.55

3.—STATEMENT OF LIABILITIES AND

<i>Liabilities.</i>		
	Swiss francs.	Gold francs.
A. Debts ¹ :		
Loan obtained from the Working Capital Fund:		
In 1944	3,938.24	2,785.54
B. Special Funds not belonging to the League of Nations:		
Extra-budgetary account	21,513.80	15,216.85
C. General Funds belonging to the League of Nations:		
Furniture, various installations, typewriters, etc. Account (sum expended to date: Fls. 124,014.59)	2.—	2.—
Library Account (sum expended to date: Fls. 28,393.17)	2.—	2.—
Suspense accounts	3,204.42	2,266.51
Contributions in arrears:		
Member States	540,355.25	382,196.79
	569,015.71	402,469.69
	569,015.71	402,469.69

¹ At the end of the financial year 1944, the amount outstanding of the cost of installation of new premises for the Court repayable to the Carnegie Foundation was as follows:

	Dutch florins.	
<i>Article 9 (c) of the Court's budget:</i>		
Amount of the loan	240,000.—	
(repayment to be effected by twenty-four annual payments of Fls. 10,000.—).		
To be deducted:		
Payments made during the financial years 1929-1939: eleven payments of Fls. 10,000.—	110,000.—	
	110,000.—	130,000.—
<i>Article 9 (d) of the Court's budget:</i>		
Amount of the loan	273,400.—	
(repayment to be effected by twenty-seven annual payments of Fls. 10,000.— and one payment of Fls. 3,400.—).		
To be deducted:		
Payments made during the financial years 1933-1940: eight payments of Fls. 10,000.—	80,000.—	
	80,000.—	193,400.—
		323,400.—
		323,400.—

ASSETS AS AT DECEMBER 31st, 1944.

<i>Assets.</i>	Swiss francs.	Gold francs.
Furniture, various installations	2.—	2.—
Library	2.—	2.—
Outstanding claims :		
Contributions in arrears (Fls. 235,366.87)	540,355.25	382,196.79
At Bank	25,235.86	17,849.49
Cash in hand	3,420.60	2,419.41
Deficit for the financial year 1944	—	—
	<u>569,015.71</u>	<u>402,469.69</u>

1945.

1.—BUDGET.

	Swiss francs ¹ .	Dutch florins.
<i>Chapter I.</i> Sessions of the Court	240,000.—	104,538.72
<i>Chapter II.</i> Members of the Court	128,007.60	55,757.30
<i>Chapter III.</i> The Registrar and officials of the Registry	160,147.45	69,756.66
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—
<i>Chapter V.</i> Premises	—	—
<i>Chapter VI.</i> Administrative expenses	11,850.—	5,161.60
<i>Chapter VII.</i> Cost of administration of the Court's funds	500.—	217.79
<i>Chapter VIII.</i> Pensions of members of the Court	187,570.—	81,701.37
<i>Chapter IX.</i> Permanent installations, etc.	—	—
Total of the budget	728,075.05	317,133.44
To be deducted :		
(a) Bank interest	—	—
(b) Withdrawals from the Guarantee Fund :	240,000.—	104,538.72
(c) Contributions of non-Member States :		
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence) ²	—	—
Total	488,075.05	212,594.72
To be deducted :		
Voluntary contributions of the Registrar and officials	16,849.75	7,339.37
	471,225.30	205,255.35

¹ Converted at the rate of 229.58 Swiss francs for 100 florins.

² The Government of the United States of Brazil paid to the Registry of the Court, as a contribution for the year 1943, the sum of 36,370.35 Swiss francs. Of this amount, 28,994.45 Swiss francs were utilized, with the consent of the Supervisory Commission, to cover the expenditure of the Court relating to the year 1943, and 7,375.90 Swiss francs will be utilized to cover the expenditure of the Staff Pensions Fund, estimates for which are included in Part VI of the general budget of the League of Nations for the year 1945.

1946.

I.—BUDGET.

	Swiss francs ¹ .	Dutch florins.
<i>Chapter I.</i> Sessions of the Court . . .	—	—
<i>Chapter II.</i> Members of the Court . . .	232,375.—	140,833.34
<i>Chapter III.</i> The Registrar and officials of the Registry	158,101.41	95,819.04
<i>Chapter IV.</i> Judges <i>ad hoc</i> , assessors, etc.	—	—
<i>Chapter V.</i> Premises	181,500.—	110,000.—
<i>Chapter VI.</i> Administrative expenses	11,850.—	7,181.82
<i>Chapter VII.</i> Cost of administration of the Court's funds	500.—	303.03
<i>Chapter VIII.</i> Pensions of members of the Court	174,282.90	105,626.—
<i>Chapter IX.</i> Permanent installations, etc.	—	—
<i>Chapter X.</i>		
(a) Arrears of judges, salaries: } 1,992,314.36 Swiss francs, or 1,207,463.25 florins	2,184,619.36	1,324,011.74
(b) Special credit to meet contractual liabilities which may become due in 1946: 192,305.— Swiss francs, or 116,548.49 florins		
Total of the budget	2,943,228.67	1,783,774.97
To be deducted:		
(a) Bank interest	—	—
(b) Withdrawals from the Guarantee Fund	—	—
(c) Contributions of non-Member States:		
(1) As parties to a case (Statute, Art. 35, para. 3, first sentence)	—	—
(2) As participants in the expenses of the Court (Statute, Art. 35, para. 3, second sentence)	—	—
Total	2,943,228.67	1,783,774.97
To be deducted:		
Voluntary contributions of the Registrar and officials	12,147.42	7,362.04
	2,931,081.25	1,776,412.93

¹ Converted at the rate of 165 Swiss francs for 100 florins.

CHAPTER IX.

No. 16.

BIBLIOGRAPHICAL LIST OF OFFICIAL AND UNOFFICIAL
PUBLICATIONS CONCERNING THE PERMANENT COURT
OF INTERNATIONAL JUSTICE¹WITH A SUPPLEMENTARY LIST CONCERNING THE
INTERNATIONAL COURT OF JUSTICE.

The present list is a continuation of the bibliographical lists which have appeared in Chapter IX of the Annual Reports (Series E., Nos. 2-15²). It supplements and refers to them, the system of grouping being the same. Any omissions due to the exceptional circumstances of the war period will be rectified in subsequent lists.

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 present Bibliography.

¹ This list, like those in the fifteen preceding Annual Reports of the Court, has been prepared by M. J. DOUMA, Head of the Documentation Service and Librarian of the Court.

² Explanation of abbreviations used for references :

E 2 : Second Annual Report.

E 3 : Third ,, ,, , etc.

CONTENTS.

	Nos.
INTRODUCTION	6510-6515
<i>Bibliographies concerning the Court.</i>	6510-6515
A.—OFFICIAL AND PRIVATE DRAFT PLANS	—
1. <i>From the Second Hague Peace Conference (1907) to the World War</i>	—
2. <i>During the World War</i>	—
3. <i>The Peace Conference of Versailles. Plans of the Neutral Powers. Advisory Committee of Jurists</i>	—
B.—THE PERMANENT COURT OF INTERNATIONAL JUSTICE (ITS CONSTITUTION.—ITS ORGANIZATION.—ITS PROCEDURE.—ITS JURISDICTION.)	6516-6597
1. <i>Preparation of the Statute by the Council and by the First Assembly of the L. N.</i>	—
A. Official Documents	—
B. Unofficial Publications	—
1 bis. <i>Revision of the Statute of the Court in pursuance of a decision of the Ninth Assembly of the L. N.</i>	—
A. Official Documents	—
B. Unofficial Publications	—
2. <i>Texts of the Protocols of Signature and of the Statute</i>	6516-6517
A. Official Texts	6516
B. Unofficial Publications. Commentaries	6517
3. <i>Legislative Instruments of various Countries Parliamentary Documents and Debates. Laws and Decrees of approval and publication</i>	6518-6519
3 bis. <i>Ratification of various Countries</i>	6520-6523
4. <i>The Election of Judges. Judges "ad hoc". Biographies of Judges</i>	6524-6527
5. <i>Inauguration of the Court</i>	—
6. <i>Preparation of the Rules of Court. Procedure. Texts of the Rules and of the Revised Rules of Court</i>	6528-6540
A. Official Documents	6528-6529
B. Unofficial Publications. Commentaries	6530-6540
7. <i>Jurisdiction and Extension of Jurisdiction of the Court.—Requirements for voting a resolution requesting an advisory opinion from the Court</i>	6541-6593
A. Official Documents	6541-6577
B. Unofficial Publications	6578-6593

	Nos.
8. <i>Diplomatic Privileges and Immunities of Judges and Officials of the Registry</i>	6594-6595
9. <i>Organization of the Registry of the Court</i>	—
10. <i>Premises for the Court in the Palace of Peace</i>	6596-6597
C.—THE JUDICIAL AND ADVISORY FUNCTIONS OF THE COURT	6598-6646
1. <i>Acts and Documents relating to Judgments and Opinions</i>	6598-6599
2. <i>The Texts of Judgments and Opinions</i>	6600-6607
A. Official Texts	6600-6601
B. Unofficial Publications	6602-6607
3. <i>Works and Articles on Judgments and Opinions</i>	6608-6641
4. <i>Effects of Judgments and Opinions</i>	6642-6646
D.—GENERAL	6647-6699
1. <i>Official Sources</i>	6647-6661
2. <i>Monographs on the Court in general</i>	6662-6699
A. Complete Works and Pamphlets	6662-6664
B. General Studies published in Reviews	6665-6699
E.—WORKS OF VARIOUS KINDS CONTAINING CHAPTERS ON THE COURT	6700-6800
1. <i>Works on the L. N.</i>	6700-6713
2. <i>Works on the International Labour Organization.</i>	—
3. <i>The Court in recent Handbooks of International Law. Codification of International Law</i>	6714-6755
4. <i>Pacific Settlement of International Disputes</i>	6756-6781
A. General.	6756-6763
B. Arbitration and Justice	6764-6781
C. The Geneva Protocol.	—
D. The Locarno Agreements	—
E. General Act of Arbitration adopted by the Ninth Assembly of the L. N.	—
F. The Kellogg Pact	—
5. <i>Relations between States. Politics. Diplomacy</i>	6782-6798
6. <i>Pacifism. Disarmament. Internationalism</i>	6799
7. <i>History. Encyclopædias. Newspapers. Year Books</i>	6800
F.—SPECIAL QUESTIONS	6801-6814
1. <i>The United States and the Court.</i>	6801-6807
2. <i>Great Britain and the Optional Clause.</i>	—
3. <i>A Permanent Court of International Criminal Justice</i>	6808-6810
4. <i>The Hungarian-Roumanian Dispute</i>	—
5. <i>Various</i>	6811-6814
SUPPLEMENTARY LIST CONCERNING THE INTERNATIONAL COURT OF JUSTICE	6815-6875
1. <i>Official documents</i>	6815-6836
A. Conference of Dumbarton Oaks	6815-6819
B. Conference of San Francisco	6820-6832

	Nos.
C. First Session of the General Assembly and of the Security Council of the United Nations. London, 1946	6833-6836
2. <i>Unofficial publications</i>	6837-6875
A. Documents	6837-6847
B. Commentaries	6848-6875

Cumulative Index of Authors' Names¹.

„ „ „ Subjects¹.

¹ For reasons of economy, it has been necessary to omit the alphabetical and cumulative indexes of authors and of subjects, to be found at the end of the Bibliographical List in previous Reports.

INTRODUCTION.

BIBLIOGRAPHIES CONCERNING THE COURT.

(See E 5, pp. 308-310; E 6, pp. 358-359; E 7, p. 365; E 8, p. 347; E 9, p. 214; E 10, p. 190; E 11, p. 178; E 12, p. 240; E 13, p. 194; E 14, p. 204; E 15, p. 146.)

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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; E 7, p. 365; E 8, p. 348.)

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; E 8, p. 348.)

**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
THE FIRST ASSEMBLY OF THE LEAGUE OF NATIONS.**

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; E 7, p. 366;
E 8, p. 349; E 11, p. 179.)

**I bis. REVISION OF THE STATUTE OF THE COURT IN PURSUANCE
OF A DECISION OF THE NINTH ASSEMBLY OF THE LEAGUE OF
NATIONS.**

A.—Official Documents.

(See E 5, p. 312; E 6, pp. 360-361; E 7, pp. 366-367;
E 9, p. 215; E 12, pp. 241-242.)

B.—Unofficial Publications.

(See E 5, p. 313; E 6, pp. 361-362; E 7, pp. 367-368; E 8, p. 349; E 9,
pp. 215-216; E 12, pp. 242-243; E 13, p. 105.)

2. TEXTS OF THE PROTOCOLS OF SIGNATURE AND OF THE STATUTE.

A.—Official Texts.

(See E 2, p. 232; E 3, p. 260; E 4, p. 343; E 6, pp. 362-363; E 7,
p. 368; E 12, p. 243; E 13, p. 196.)

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MENTARY 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; E 7, pp. 368-377; E 8, pp. 350-356; E 9, pp. 216-218;
E 10, pp. 192-193; E 11, pp. 179-184; E 12, pp. 244-246; E 13, pp. 196-198;
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4. THE ELECTION OF JUDGES.—JUDGES "AD HOC".—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; E 7, pp. 378-380; E 8, p. 357; E 9, p. 219; E 10, pp. 193-194; E 11, pp. 185-187; E 12, pp. 246-253; E 13, pp. 199-206; E 14, pp. 207-209; E 15, pp. 150-151.)

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5. INAUGURATION OF THE COURT.

(See E 2, pp. 261-262; E 3, p. 271.)

6. PREPARATION OF THE RULES OF COURT.—PROCEDURE.—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; E 7, p. 381; E 8, p. 358; E 9, p. 219; E 10, p. 194; E 11, pp. 187-188; E 12, p. 254; E 13, pp. 206-207; E 14, p. 210; E 15, pp. 151-152.)

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7. JURISDICTION AND EXTENSION OF JURISDICTION OF THE COURT.
—REQUIREMENTS FOR VOTING A RESOLUTION REQUESTING AN
ADVISORY OPINION FROM THE COURT.

A.—Official Documents.

- (See E 2, p. 263; E 3, p. 272; E 4, p. 349; E 5, p. 318; E 6, p. 379; E 8, p. 359; E 10, p. 195; E 11, p. 188; E 12, pp. 255-256; E 13, pp. 207-208; E 14, pp. 210-211; E 15, pp. 152-153.)
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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; E 7, pp. 382-383; E 8, pp. 359-361; E 9, pp. 219-221; E 10, pp. 195-198; E 11, pp. 188-190; E 12, pp. 256-259; E 13, pp. 208-210; E 14, pp. 211-212; E 15, pp. 153-155.)

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(See E 2, p. 348 [No. 1292]; E 3, p. 314 [No. 1847]; E 4, p. 351; E 5, p. 320; E 6, p. 381; E 7, pp. 383-384; E 8, p. 361; E 9, p. 221; E 10, p. 198; E 11, p. 190; E 12, pp. 259-260; E 13, pp. 210-211; E 15, p. 155.)

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9. ORGANIZATION OF THE REGISTRY OF THE COURT.

(See E 7, p. 384; E 12, p. 260.)

10. PREMISES FOR THE COURT IN THE PALACE OF PEACE.

(See E 9, pp. 221-222; E 10, p. 199; E 11, pp. 190-191; E 15, p. 155.)

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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; E 7, pp. 385-386; E 8, pp. 361-362; E 9, pp. 222-223; E 10, pp. 199-200; E 11, pp. 191-192; E 12, pp. 260-261; E 13, p. 212; E 14, p. 213; E 15, p. 156.)

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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; E 7, p. 386; E 8, pp. 362-363; E 9, pp. 223-225; E 10, p. 201; E 11, p. 192; E 12, p. 261; E 13, pp. 212-213; E 14, p. 213; E 15, pp. 156-157.)

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- (See E 2, pp. 268-276; E 3, pp. 276-277; E 4, pp. 354-357; E 5, pp. 323-324; E 6, pp. 384-387; E 7, pp. 386-388; E 8, pp. 363-367; E 9, pp. 225-227; E 10, pp. 201-204; E 11, pp. 192-195; E 12, pp. 261-263; E 13, pp. 213-214; E 14, pp. 213-215; E 15, p. 157.)
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- (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; E 7, pp. 389-394; E 8, pp. 370-379; E 9, pp. 230-237; E 10, pp. 208-218; E 11, pp. 195-201; E 12, pp. 263-270; E 13, pp. 214-219; E 14, pp. 215-218; E 15, pp. 158-159.)
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4. 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; E 7, pp. 388-389; E 8, pp. 367-370; E 9, pp. 227-230; E 10, pp. 203-208; E 11, pp. 201-202; E 12, pp. 270-273; E 13, pp. 219-220; E 14, pp. 218-219; E 15, pp. 159-160.)

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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; E 7, pp. 394-395; E 8, pp. 379-381; E 9, pp. 237-239; E 10, pp. 218-219; E 11, pp. 202-204; E 12, pp. 274-276; E 13, pp. 221-222; E 14, p. 220; E 15, p. 161.}
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- 6648.** *Official Journal [of the] League of Nations.* XXIst year, Nos. 1-3, 1940, Jan.-Febr.-March.
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(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; E 7, p. 396; E 8, pp. 381-382; E 9, p. 239; E 10, p. 219; E 11, p. 204; E 12, pp. 276-277; E 13, pp. 222-223; E 14, p. 221; E 15, p. 162.)

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(See E 2, pp. 311-316; E 3, pp. 289-293; E 4, pp. 370-373; E 5, pp. 336-339; E 6, pp. 400-403; E 7, pp. 398-401; E 8, pp. 386-388; E 9, pp. 241-244; E 10, pp. 221-223; E 11, pp. 205-207; E 12, pp. 279-282; E 13, p. 225; E 14, pp. 223-224; E 15, pp. 164-165.)

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3. THE COURT IN RECENT HANDBOOKS OF INTERNATIONAL LAW.
—CODIFICATION OF INTERNATIONAL LAW.

(See E 2, pp. 317-321; E 3, pp. 294-297; E 4, pp. 373-378; E 5, pp. 340-343; E 6, pp. 404-407; E 7, pp. 401-403; E 8, pp. 388-391; E 9, pp. 244-246; E 10, pp. 223-226; E 11, pp. 207-209; E 12, pp. 282-286; E 13, pp. 226-227; E 14, pp. 224-225; E 15, pp. 165-166.)

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(See E 2, p. 326; E 3, p. 300; E 4, p. 379; E 5, p. 345; E 7, p. 404; E 9, p. 247; E 12, p. 287; E 13, pp. 228-229.)

E.—*General Act of Arbitration adopted by the Ninth Assembly of the League of Nations.*

(See E 5, pp. 346-347; E 6, p. 409; E 7, p. 405; E 8, p. 391; E 9, p. 247; E 10, pp. 227-228; E 12, pp. 287-288; E 14, p. 227.)

F.—*The Kellogg Pact.*

(See E 5, p. 347; E 6, p. 410; E 7, p. 405; E 10, p. 228; E 11, p. 211; E 12, p. 288.)

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(See E 2, pp. 347-348; E 3, pp. 312-313; E 4, p. 386; E 5, p. 357; E 6, p. 421; E 8, p. 403; E 10, p. 232; E 11, pp. 216-217; E 12, p. 292; E 13, pp. 232-233; E 14, pp. 229-230; E 15, pp. 169-170.)

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6860. HUDSON (M. O.), *The new Court*. (Foreign Affairs, XXIV, 1945, Oct., pp. 75-84.)
6861. JESSUP (PHILIP J.), *The International Court of Justice of the United Nations*. (Foreign Policy Reports, New York, Vol. XXI, No. 11, 1945, August 15, pp. 154-172.)
6862. JESSUP (P. C.), *The Court as an organ of the United Nations*. (Foreign Affairs, New York, Vol. 23, No. 2, 1945, Jan., pp. 233-246.)
6863. NORDON (C. L.), *The World Court of International Justice. A draft protocol*. (Law Journal, London, 94, 1944, Oct. 21, pp. 340-342.)
6864. RADICE (C. A.) and H. BENSON, *International justice, the basis of international peace*. (The Arbitrator, No. 674, 1946, Jan.-Febr., p. 257.) [On International Court of Justice.]
6865. WEHBERG (HANS), *Statssamfundets Organisation efter Krigen*. (Nordisk Tidsskrift for International Ret, Vol. 16, Fasc. 1-3, 1945, pp. 72-104.)
6866. *World Court number [of] World affairs*. [I:] GREEN H. HACKWORTH, *The International Court of Justice*. [II:] MANLEY O. HUDSON, *Advisory opinions*. [III:] LAWRENCE PREUSS, *The International Court of Justice: Optional versus compulsory jurisdiction*. [IV:] PHILIP C. JESSUP, *The International Court of Justice and the rule of law*. [V:] *Statute of the International Court of Justice*. (Vol. 108, No. 4, 1945, Dec., pp. 223-248.)
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6867. *Lawyers of America unite for World Court*. (American Bar Association Journal, Vol. 31, 1945, April, pp. 172-179.)
6868. *The International Court of the United Nations Organization. A consensus of American and Canadian views, n. pl.* Canadian Bar Association, Committee on legal problems of International organization for the maintenance of peace, and American Bar Association, Committee on proposals for the organization of the nations for peace, justice and law. 1945, 24 pages.
6869. *Consensus of views on the International Court of the United Nations Organization [of the] American and Canadian bar associations*. (The American Journal of International Law, Official documents, Vol. 39, 1945, April, pp. 143-157.)
6870. *The International Court of the United Nations Organization. A consensus of American and Canadian views. Joint statement by the chairman of the two committees*. (The Canadian Bar Review, Vol. XXIII, No. 4, 1945, April, pp. 293-308.)
6871. *The International Court of the United Nations Organization. Statement of principles and joint action by the Canadian bar association and the American bar association, adopted unanimously on April 4, 1945*. (The Canadian Bar Review, Vol. XXIII, No. 4, 1945, April, pp. 317-321.)

- 6872.** *The International Court of the United Nations Organization. A consensus of American and Canadian views.* (International Conciliation, No. 411, 1945, May, pp. 345-362.)
- 6873.** *The equity tribunal.* [Report by a Committee of Austrian lawyers.] (New Commonwealth, London, VIII, 1944, Nov., pp. 305-306.)
- 6874.** *The new World Court.* (Law Journal, Vol. 95, 1945, August 18, pp. 265-266.)
- 6875.** *Universities committee on post-war international problems.* (International Conciliation, No. 414, 1945, Oct.) [See "Peaceful settlement of international difficulties".]

NOTE.

For reasons of economy, it has been necessary to omit the alphabetical and cumulative indexes of authors and of subjects, to be found at the end of the Bibliographical List in previous Reports.

CHAPTER X.

NINTH ADDENDUM
TO THE FOURTH EDITION
OF THE COLLECTION OF TEXTS
GOVERNING THE JURISDICTION OF THE COURT.

Contents of the Chapter.

The fourth edition of the *Collection of Texts governing the jurisdiction of the Court*¹, dated January 31st, 1932, mentions all the instruments already in force or merely signed which in any manner confer jurisdiction on the Court or on its President, and which had come to the knowledge of the Registry before that date. In the case of instruments for the pacific settlement of disputes, the *Collection* gives the complete text; in the case of other instruments, only the relevant extracts are given.

The first to eighth addenda to the *Collection* give all the information on the subject which had reached the Registry up to June 15th, 1939².

Below is given, in the form of a "ninth addendum", additional information obtained between June 15th, 1939, and December 31st, 1945. In the circumstances, however, it has not been possible to follow the usual procedure in preparing this addendum, which is based solely on the volumes of the League of Nations *Treaty Series* and of Martens' *Nouveau Recueil général de Traités* which have appeared since the publication of the Fifteenth Annual Report. As regards the language in which instruments are reproduced, the system adopted in the fourth edition of the *Collection* has been followed³.

¹ Publications of the Court, Series D., No. 6.

² See E 8, pp. 437-488; E 9, pp. 287-375; E 10, pp. 257-368; E 11, pp. 253-348; E 12, pp. 333-424; E 13, pp. 271-377; E 14, pp. 271-353, and E 15, pp. 211-312.

³ See D 6, p. 10.

The *Collection*, with its addenda¹, cannot claim to be absolutely complete or accurate. It relies, however, exclusively upon official information both as regards the actual existence of clauses affecting the Court's activity and as regards the text of such clauses, and the position in regard to their signature and ratification².

¹ And particularly the present ninth addendum (see above).

² For a chronological list of all instruments governing the jurisdiction of the Court, see pp. 414 *et seq.*

SECTION I.

*MODIFICATIONS AND ADDITIONS AFFECTING THE TEXTS
GIVEN IN THE FOURTH EDITION OF THE COLLECTION
OF TEXTS AND IN THE FIRST TO EIGHTH ADDENDA
TO THIS EDITION*¹.

3.—PROTOCOL OF SIGNATURE OF THE STATUTE OF THE COURT.

Geneva, December 16th, 1920.

According to a telegram dated November 29th, 1939, addressed to the League of Nations, Nicaragua had ratified the Protocol, and the instrument of ratification was to follow. The latter however has not yet been deposited.

9.—OPTIONAL CLAUSE
CONCERNING THE COURT'S COMPULSORY JURISDICTION.

The following list gives in respect of each State which has signed the Optional Clause the reference to the volume of the Court's Publications in which its declaration or declarations of acceptance and renewal are to be found.

	Volume.	Pages.		Volume.	Pages.
Union of South			Brazil ⁴	E 13	277
Africa	D 6	46	Bulgaria	D 6	36
„ ²	E 16	334	Canada	„	50
„ ³	„	332	„ ³	E 16	336
Albania	D 6	52	China	D 6	38
„ ⁴	E 12	335	Colombia	„	54
Argentina	„	335	„ ⁵	E 13	276
Australia	D 6	49	„ ²	E 14	275
„ ²	E 16	335	Costa Rica	D 6	35
„ ³	„	334	Czechoslovakia	„	47
Austria	D 6	38	Denmark	„	34
„ ⁴	„	41	„ ⁴	„	39
„ ⁴	E 13	278	„ ⁴	E 12	337
Belgium	D 6	39	Dominican		
Bolivia	E 13	276	Republic	D 6	38
Brazil	D 6	37	Egypt	E 15	216

¹ See E 8, pp. 439-459; E 9, pp. 289-311; E 10, pp. 269-336; E 11, pp. 255-280; E 12, pp. 333-369; E 13, pp. 273-304; E 14, pp. 273-298; E 15, pp. 213-246.

² New declaration.

³ Reservation.

⁴ Renewal.

⁵ Rectification.

	Volume.	Pages.		Volume.	Pages.
Estonia	D 6	38	Lithuania ¹	E 11	257
" ¹	"	42	Luxemburg	D 6	52
" ¹	E 14	275	Monaco	E 13	273
Ethiopia	D 6	40	Netherlands	D 6	35
" ¹	E 8	440	" ¹	"	40
" ¹	E 11	256	" ¹	E 13	276
Finland	D 6	35	New Zealand	D 6	47
" ¹	"	41	" ³	E 16	343
" ¹	E 13	278	" ²	"	342
France	D 6	45	Nicaragua	D 6	51
" ¹	E 12	336	Norway	"	36
" ²	E 16	337	" ¹	"	41
Germany	D 6	42	" ¹	E 12	336
" ¹	E 9	290	Panama	D 6	37
Great Britain	D 6	45	Paraguay	E 9	290
" ³	E 16	339	" ¹	E 15	227
" ²	"	337	Peru	D 6	49
Greece	D 6	44	Poland	"	54
" ¹	E 11	255	Portugal	"	33
" ¹	E 16	340	Roumania	"	53
Guatemala	D 6	41	" ¹	E 12	337
Haiti	"	37	" ⁴	E 13	277
Hungary	"	42	Salvador	D 6	34
" ¹	E 10	269	" ¹	"	51
India	D 6	48	Siam	"	49
" ³	E 16	341	" ¹	E 16	344
" ²	"	341	Spain	D 6	43
Iran	D 6	53	Sweden	"	36
Iraq	E 15	215	" ¹	"	40
Ireland	D 6	44	" ¹	E 12	336
Italy	"	43	Switzerland	D 6	34
Latvia	"	43	" ¹	"	39
" ¹	E 11	256	" ¹	E 13	277
Liberia	D 6	36	Turkey	E 12	335
Liechtenstein	E 15	213	Uruguay	D 6	35
Lithuania	D 6	37	Yugoslavia	"	51
" ¹	"	51			

Declarations of acceptance of the Optional Clause since June 15th, 1939 :

Union of South Africa.

1. Reservation.—*On September 18th, 1939, the Representative of the Union with the League of Nations sent the following letter to the Secretary-General :*

-
- ¹ Renewal.
² Reservation.
³ New declaration.
⁴ Rectification.

"I am directed by General Smuts to inform you that His Majesty's Government in the Union of South Africa have considered their position in relation to the Optional Clause of the Statute of the Permanent Court of International Justice which they accepted for ten years from the date of ratification, April 7th, 1930.

"It has, unfortunately, become clear to His Majesty's Government in the Union of South Africa that the conditions which prevailed at the time of their acceptance of the Clause no longer exist. It was not considered necessary then to make any reservation as to disputes arising out of events occurring during a war in which they might be involved, as collective action envisaged by Article 16 of the Covenant was such as to exclude the possibility of justiciable disputes between the Union as a belligerent and another Member of the League of Nations as a neutral. In the present crisis, however, a number of States Members of the League have proclaimed their neutrality, and no attempt at collective action under the Covenant has been made.

"I am therefore directed to notify you that His Majesty's Government in the Union of South Africa will not, in view of the general collapse of the means for ensuring collective action, regard their acceptance of the Optional Clause as covering disputes arising out of events occurring during the present hostilities.

"His Majesty's Government in the Union of South Africa would very much appreciate if you would kindly communicate this notification to the governments of all States which have accepted the Optional Clause, and to the Registrar of the Permanent Court of International Justice.

"I have the honour to be, etc.

(Signed) H. T. ANDREWS¹."

¹ The letter was received in the Secretariat on September 18th, 1939, and transmitted to States parties to the Protocol of Signature of 1920, to Members of the League of Nations and to the Registrar of the Court (see League of Nations Doc. C. L. 148. 1939. V).

In its reply of September 25th, 1939, the Swiss Government made "reservations ... regarding the principle which a denunciation effected in such circumstances involves".

In their letters of November 20th and 30th and December 12th, 1939, January 5th and May 6th, 1940, the Belgian, Netherlands, Peruvian, Estonian and Siamese Governments reserved their points of view (League of Nations Doc. C. L. 78. 1940. V).

The Danish Government, on January 29th, 1940, also made reservations concerning the declarations reproduced above, "more particularly as regards their effect in relation to disputes not immediately connected with the war".

The Norwegian and Swedish Governments, on December 15th and 20th, 1939, made "reservations as to the legal effect of the above-mentioned acts of denunciation, more particularly as regards disputes not connected with the war". They also drew attention to the "fact that, in virtue of Article 36 of the Statute and the declarations relating thereto, it rests with the Court itself to decide questions as to its own jurisdiction and, should the case arise, to pronounce upon the validity and, if necessary, the scope of the acts of denunciation referred to".

Lastly, the Brazilian Government, on May 7th, 1940 (League of Nations Doc. C. L. 81. 1940. V), made the fullest reservations as regards this "unilateral action ... in so far as concerns all matters relating to its rights as a neutral in the present war and coming within the jurisdiction of the Court" (see *League of Nations, Official Journal*, 1929, pp. 407-411; 1940, pp. 44-47).

2. New declaration.—*On April 7th, 1940, the Union Minister for Foreign Affairs sent the following declaration to the Secretary-General of the League of Nations*¹:

“On behalf of His Majesty’s Government in the Union of South Africa, I accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the Court in conformity with Article 36, paragraph 2, of the Statute of the Court, until such time as notice may be given to terminate the acceptance, over all disputes arising after the signing of the present declaration with regard to situations or facts subsequent to such signing, other than

“disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement, and

“disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree, and

“disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Union of South Africa, and

“disputes arising out of events occurring during any period in which the Union of South Africa is engaged in hostilities as a belligerent,

“and subject to the condition that His Majesty’s Government in the Union of South Africa reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the Parties to the dispute or determined by a decision of all the Members of the Council other than the Parties to the dispute.

“I have the honour to be, etc.

(Signed) J. C. SMUTS.”

Australia.

1. Reservation.—*On September 7th, 1939, the Prime Minister of the Commonwealth sent the following telegram to the Secretary-General of the League of Nations*:

¹ By another communication of the same date, received in the Secretariat on April 20th, 1940, the Union Minister for Foreign Affairs gave notice to terminate the acceptance of the Court’s jurisdiction recorded by the Union’s declaration of September 19th, 1929, for a period of ten years and thereafter until notice of termination had been given (see League of Nations Doc. C. L. 65. 1940. V, and D 6, p. 46).

"His Majesty's Government in the Commonwealth of Australia has found it necessary to consider problem in existing circumstances of its acceptance of Optional Clause of Statute of Permanent Court of International Justice and in this connection has perused a letter which is being addressed to you on behalf of His Majesty's Government in United Kingdom¹.

"Considerations mentioned in that letter apply equally to position of His Majesty's Government in Commonwealth of Australia, and for similar reasons His Majesty's Government in Commonwealth of Australia now notifies you that it will not regard its acceptance of Optional Clause as covering any disputes arising out of events occurring during present crisis. Please communicate this notification to governments of all States which have accepted Optional Clause and to Registrar of Permanent Court of International Justice.

(Signed) PRIME MINISTER²."

2. New declaration.—*On August 21st, 1940, the Commonwealth High Commissioner in London sent the following declaration to the Secretary-General of the League of Nations³:*

"On behalf of His Majesty's Government in the Commonwealth of Australia, I now declare that they accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the Court, in conformity with paragraph 2 of Article 36 of the Statute of the Court, for a period of five years from to-day's date and thereafter until such time as notice may be given to terminate the acceptance, over all disputes arising after August 18th, 1930, with regard to situations or facts subsequent to the said date, other than:

"disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

"disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree;

"disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Commonwealth of Australia; and

"disputes arising out of events occurring at a time when His Majesty's Government in the Commonwealth of Australia were involved in hostilities,

¹ See p. 337.

² The telegram was received in the Secretariat on September 8th, 1939 (see League of Nations Doc. C. L. 143. 1939. V). For its transmission and the reservations made in regard to it by the Swiss, Belgian, Dutch, Peruvian, Estonian, Norwegian, Siamese, Swedish and Brazilian Governments, see p. 333, note 1.

³ By the same communication, received in the Secretariat on September 2nd, 1940, the High Commissioner gave notice to terminate the acceptance of the Court's jurisdiction recorded by the declaration of September 20th, 1929, for a period of ten years and thereafter until notice of termination had been given (see League of Nations Doc. C. L. 82. 1940, and D 6, p. 49).

“and subject to the condition that His Majesty’s Government in the Commonwealth of Australia reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the Parties to the dispute or determined by a decision of all the Members of the Council other than the Parties to the dispute.

“London, August 21st, 1940.

(Signed) S. M. BRUCE.”

Canada (reservation).

On December 7th, 1939, the Permanent Canadian Delegate to the League of Nations sent the following letter to the Secretary-General of the League of Nations :

“The Canadian Government has found it necessary to consider the position, resulting from the existence of a state of war with Germany, of the Canadian acceptance of the Optional Clause of the Statute of the Permanent Court of International Justice. The acceptance of this Clause was for ten years from the date of ratification, which took place on July 28th, 1930.

“The general acceptance of the Optional Clause providing for the compulsory adjudication of certain issues was part of the system of collective action for the preservation of peace established under the Covenant of the League. It is clear that the conditions assumed when the Optional Clause was accepted do not now exist, and that it would not be possible that the only part of the procedure to remain in force should be the provisions restricting the operations of the countries resisting aggression.

“I am therefore directed to notify you that the Canadian Government will not regard their acceptance of the Optional Clause as covering disputes arising out of events occurring during the present war.

“It is requested that this notification may be communicated to the governments of all the States that have accepted the Optional Clause and to the Registrar of the Permanent Court of International Justice.

“I have the honour to be, etc.

(Signed) H. H. WRONG ¹.”

¹ The letter was received in the Secretariat on December 8th, 1939 (see League of Nations Doc. C. L. 175. 1939. V). For its transmission and the reservations made in regard to it by the Estonian, Siamese, Danish and Brazilian Governments, see p. 333, note 1.

France (reservation).

On September 10^h, 1939, the Secretary-General of the French Ministry for Foreign Affairs sent the following letter to the Secretary-General of the League of Nations¹:

“J’ai l’honneur de porter à votre connaissance que le Gouvernement de la République française a dû examiner la situation résultant pour lui, dans les circonstances actuelles, de l’adhésion qu’il a donnée à la clause de l’article 36 du Statut de la Cour permanente de Justice internationale. Cette acceptation, renouvelée par une déclaration du 7 avril 1936, est en vigueur pour une durée de cinq ans à compter du 25 août 1936.

“Les conditions dans lesquelles le Gouvernement français avait adhéré à cette clause se trouvent aujourd’hui profondément modifiées. En particulier, depuis que le système de règlement des conflits internationaux établi par le Pacte de la Société des Nations n’est plus regardé comme liant uniformément et obligatoirement tous les Membres de la Société des Nations, la question de la belligérance et des droits des neutres apparaît sous un aspect entièrement nouveau.

“Le Gouvernement français considère donc, comme le Gouvernement britannique, dont le point de vue vous a été exposé d’autre part, que son acceptation de la clause de l’article 36 du Statut de la Cour permanente de Justice internationale ne peut plus désormais avoir d’effet à l’égard des différends relatifs à des événements qui viendraient à se produire durant le cours de la présente guerre.

“Je vous serais obligé de bien vouloir porter cette communication à la connaissance de tous les États qui ont accepté la Clause facultative ainsi qu’à celle du Greffier de la Cour permanente de Justice internationale.

“Veuillez agréer, etc.

(Signé) ALEXIS LÉGER.”

Great Britain.

I. Reservation.—*On September 7^h, 1939, the Secretary of State for Foreign Affairs sent the following letter to the Secretary-General of the League of Nations:*

“I am directed by Viscount Halifax to inform you that His Majesty’s Government in the United Kingdom of Great Britain and Northern Ireland have found it necessary to consider the position, in existing circumstances, of their acceptance of the Optional Clause

Furthermore, the Swedish and Norwegian Governments, on January 9th and March 2nd, 1940, referred to their letters of December 20th and 15th, 1939 (see *ibid.*), while the Governments of the Netherlands and Belgium, on January 3rd and February 9th, 1940, reiterated their declarations of November 30th and 20th, 1939 (see *ibid.*).

Lastly, the Haitian Government, on March 4th, 1940, reserved its point of view (see League of Nations Doc. C. L. 61. 1940. V).

¹ The letter was received in the Secretariat on September 11th, 1939 (see League of Nations Doc. C. L. 142. 1939. V). For its transmission and the reservations made in regard to it by the Swiss, Belgian, Dutch, Peruvian, Estonian, Siamese, Danish, Norwegian, Swedish and Brazilian Governments, see p. 333, note 1.

of the Statute of the Permanent Court of International Justice. Their acceptance of the Clause was for ten years from the date of ratification, which took place on February 5th, 1930.

"2. The conditions under which His Majesty's Government gave their signature to the Optional Clause were described in a memorandum issued at the time, Miscellaneous No. 12. 1929, a copy of which is enclosed for convenience of reference¹. Paragraphs 15-22 of that memorandum state the considerations which then satisfied His Majesty's Government that they could accept the Optional Clause without making a reservation (which they would have been fully entitled to make) as to disputes arising out of events occurring during a war in which they might be engaged. Those considerations were, in brief, that by the building up of a new international system based on the Covenant of the League of Nations and the Pact of Paris a fundamental change had been brought about in regard to the whole question of belligerent and neutral rights. In the only circumstances in which it was contemplated that His Majesty's Government could be involved in war, the other Members of the League, so far from being in the position of neutrals with a right to trade with our enemy, would be bound under Article 16 of the Covenant to sever all relations with him. The effect of this at the time of His Majesty's Government's signature was that conditions which might produce a justiciable dispute between the United Kingdom as a belligerent and another Member of the League as a neutral would not exist, since the other Members of the League would either fulfil their obligations under Article 10 of the Covenant, or, if they did not, would have no ground on which to protest against the measures which His Majesty's Government might take to prevent action on their part which was inconsistent with those obligations.

"3. It has, however, now become evident that many of the Members of the League no longer consider themselves bound to take action of any kind under the Covenant against an aggressor State. At the League Assembly of September 1938, note was taken of this expression of opinion, and it became clear that sanctions against an aggressor under the terms of the Covenant could not be regarded as obligatory. There remained only a general understanding that Members should consult one another in the event of aggression against another Member and that such aggression could not be treated with indifference.

"4. In the present crisis it has not proved possible to give any practical effect even to so limited an understanding as that just described. No action has been taken under Articles 16 or 17 of the Covenant, or even under Article 11, and in advance of hostilities a number of States Members of the League have announced their intention of maintaining strict neutrality as between the two belligerents. His Majesty's Government are not making a complaint about this state of affairs, though they fully reserve their rights as a Member of the League. But the position to-day shows clearly that the Covenant has, in the present instance, completely broken down in practice, that the whole machinery for the preservation of

¹ Not reproduced.

peace has collapsed, and that the conditions in which His Majesty's Government accepted the Optional Clause no longer exist. This situation, so fundamentally changed from that which existed at the time of their signature of the Optional Clause, was mentioned as a possibility in paragraph 22 of the memorandum of 1929, and it was there stated that His Majesty's Government could not conceive that in the general collapse of the whole machinery for the preservation of peace, the one thing left standing should be the Optional Clause and the commitments of the signatories thereunder.

"5. I am, therefore, directed to notify you that His Majesty's Government, believing themselves to be firmly defending the principles on which the Covenant was made, will not regard their acceptance of the Optional Clause as covering disputes arising out of events occurring during the present hostilities.

"6. I am to request that this notification may be communicated to the governments of all States which have accepted the Optional Clause, and to the Registrar of the Permanent Court of International Justice.

"I am, Sir, etc.

(Signed) ALEXANDER CADOGAN¹."

2. New declaration.—On February 28th, 1940, the Secretary of State for Foreign Affairs sent the following declaration to the Secretary-General of the League of Nations²:

"On behalf of His Majesty's Government in the United Kingdom, I now declare that they accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the Court, in conformity with paragraph 2 of Article 36 of the Statute of the Court, for a period of five years from to-day's date and thereafter until such time as notice may be given to terminate the acceptance, over all disputes arising after February 5th, 1930, with regard to situations or facts subsequent to the same date, other than:

"disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

"disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree;

"disputes with regard to questions which by international law fall exclusively within the jurisdiction of the United Kingdom; and

¹ The letter was received in the Secretariat on September 11th, 1939 (see League of Nations Doc. C. L. 141. 1939. V). For its transmission and the reservations made in regard to it by the Swiss, Belgian, Dutch, Peruvian, Estonian, Siamese, Danish, Norwegian, Swedish and Brazilian Governments, see p. 333, note 1.

² By the same communication, received in the Secretariat on March 7th, 1940, the Secretary of State gave notice to terminate the acceptance of the Court's jurisdiction recorded by the declaration of September 19th, 1929, for a period of ten years and thereafter until notice of termination had been given (see League of Nations Doc. C. L. 49. 1940. V, and D 6, p. 45).

“disputes arising out of events occurring at a time when His Majesty’s Government in the United Kingdom were involved in hostilities ;

“and subject to the condition that His Majesty’s Government reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the Parties to the dispute or determined by a decision of all the Members of the Council other than the Parties to the dispute.

“London, February 28th, 1940.

(Signed) HALIFAX.”

Greece (renewal).

(*Instrument of ratification deposited February 20th, 1940.*)

“Au nom du Gouvernement royal hellénique et sous réserve de ratification, je déclare reconnaître comme obligatoire, de plein droit et sans convention spéciale, vis-à-vis de tout autre Membre de la Société des Nations ou État acceptant la même obligation, c’est-à-dire sous condition de réciprocité, et pour une nouvelle période de cinq années, à compter du 12 septembre 1939, la juridiction de la Cour permanente de Justice internationale sur les catégories de différends visées à l’alinéa 2 de l’article 36 du Statut de la Cour, à l’exception :

“a) des différends ayant trait au statut territorial de la Grèce, y compris ceux relatifs à ses droits de souveraineté sur ses ports et ses voies de communications ;

“b) des différends ayant directement ou indirectement trait à l’application des traités ou conventions acceptés par elle et prévoyant une autre procédure.

“Cette acceptation déploie ses effets dès la signature de la présente déclaration.

“Genève, le 8 septembre 1939.

(Signé) S. POLYCHRONIADIS.”

Hungary (renewal).

“Au nom du Gouvernement royal hongrois, je déclare, sous réserve de ratification, reconnaître comme obligatoire, de plein droit et sans convention spéciale, la juridiction de la Cour, conformément à l’article 36, paragraphe 2, du Statut de la Cour, vis-à-vis de tout autre Membre ou État acceptant la même obligation, c’est-à-dire

sous condition de réciprocité et pour la période du 13 août 1939 jusqu'au 10 avril 1941.

“Genève, le 11 juillet 1939.

(Signé) L. DE VELICS.”

India.

1. Reservation.—*On September 27th, 1939, the Secretary of State for India sent the following letter to the Secretary-General of the League of Nations :*

“I am directed by the Secretary of State for India to inform you that he has found it necessary to consider, in consultation with the Government of India, the position, in present circumstances, of India's acceptance of the Optional Clause of the Statute of the Permanent Court of International Justice. This acceptance was for ten years from the date of ratification, which took place on February 5th, 1930.

“In this connection he has had an opportunity of studying the considerations mentioned in the letter which was addressed to you on September 7th last by His Majesty's Secretary of State for Foreign Affairs on behalf of His Majesty's Government in the United Kingdom¹. These considerations apply equally to the position of India. I am therefore to notify you that India's acceptance of the Optional Clause will not be regarded as covering disputes arising out of events occurring during the present hostilities.

“I am to request that this notification may be communicated to the governments of all States which have accepted the Optional Clause, and to the Registrar of the Permanent Court of International Justice.

“I am, etc.

(Signed) CECIL KISCH².”

2. New declaration.—*On February 28th, 1940, the Secretary of State for India sent the following declaration to the Secretary-General of the League of Nations³ :*

“On behalf of the Government of India, I now declare that they accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the Court, in conformity with paragraph 2 of Article 36 of the Statute of the Court for a period of 5 years from to-day's date, and thereafter until such time as notice may be given to terminate the acceptance,

¹ See p. 337.

² The letter was received in the Secretariat on October 2nd, 1939 (see League of Nations Doc. C. L. 158. 1939. V). For its transmission and the reservations made in regard to it by the Belgian, Dutch, Estonian, Siamese, Danish, Norwegian and Swedish Governments, see p. 333, note 1.

³ By the same communication, received in the Secretariat on March 7th, 1940, the Secretary of State gave notice to terminate the acceptance of the Court's jurisdiction recorded by the declaration of September 19th, 1929, for a period of ten years and thereafter until notice of termination had been given (see L. of N. Doc. C. L. 48. 1940. V, and D 6, p. 48).

over all disputes arising after February 5th, 1930, with regard to situations or facts subsequent to the same date, other than:

“disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement;

“disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree;

“disputes with regard to questions which by international law fall exclusively within the jurisdiction of India; and

“disputes arising out of events occurring at a time when the Government of India were involved in hostilities;

“and subject to the condition that the Government of India reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within 10 days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of 12 months or such longer period as may be agreed by the Parties to the dispute or determined by a decision of all the Members of the Council other than the Parties to the dispute.

“London, February 28th, 1940.

(Signed) ZETLAND.”

New Zealand.

I. Reservation.—*On September 7th, 1939, the High Commissioner to New Zealand in London sent the following letter to the Secretary-General of the League of Nations:*

“I have been requested by my Government to address you on the subject of New Zealand’s acceptance of the Optional Clause provided in the Protocol of Signature concerning the Statute of the Permanent Court of International Justice, an acceptance made by declaration in September 1929 and ratified by His late Majesty King George V in an instrument deposited with the Secretariat of the League of Nations on March 29th, 1930. The acceptance was for a period of ten years from the date of ratification.

“Although entitled to make a reservation as to disputes arising out of events occurring during a war in which she might be engaged, New Zealand did not in fact do so when accepting the Optional Clause, since it was hoped and believed that a new international system based on the Covenant of the League of Nations and the Pact of Paris was in process of building, and with it a change in the question of belligerent and neutral rights, that is to say, that conditions which in ordinary circumstances might lead to a justiciable dispute between New Zealand as a belligerent and another Member of the League as a neutral would not exist, since other Members of the League would fulfil their obligations under Article 16

of the Covenant, or, if not doing so, would have no ground on which to protest against measures taken to prevent action inconsistent with the obligations assumed under the Covenant.

"Not only has the hope for a new international system not been realized, but it became clear during the course of the Assembly of the League of Nations in 1938, that a great many Members of the League were not prepared to regard sanctions against an aggressor under the terms of the Covenant as obligatory.

"During the recent crisis, which has resulted in war, not only was no attempt made to deal with it by invoking articles of the Covenant, but on the other hand, States Members of the League announced in advance of the outbreak of hostilities their resolve to maintain strict neutrality.

"My Government, after reviewing all the circumstances, has regretfully come to the conclusion that, so far as the recent crisis is concerned, the Covenant has failed to function, and that, consequently, the conditions which, when the Optional Clause was accepted by New Zealand, were thought would rule, do not in fact exist.

"His Majesty's Government in New Zealand has therefore instructed me to notify you that, firmly as it believes in the principles of the Covenant, and desirous as it is of seeing a world order established on those principles, it will not regard its acceptance of the Optional Clause as covering disputes which may arise out of events occurring during the present hostilities.

"I shall be glad if you will cause this notification to be communicated to governments of all States which have accepted the Optional Clause and also to the Registrar of the Permanent Court of International Justice.

"I am, etc.

(Signed) W. J. JORDAN¹."

2. New declaration.—On April 1st, 1940, the High Commissioner for New Zealand in London sent the following declaration to the Secretary-General of the League of Nations²:

"I have now the honour to inform you that the New Zealand Government have been considering the conditions under which they would be prepared to accept the Optional Clause for a further period, and, in accordance with the directions I have received, I hereby, on behalf of His Majesty's Government in the Dominion of New Zealand, accept as compulsory *ipso facto* and without special convention, on condition of reciprocity, the jurisdiction of the Court, in conformity with paragraph 2 of Article 36 of the Statute of the

¹ The letter was received in the Secretariat on September 16th, 1939 (see League of Nations Doc. C. L. 147. 1939. V). For its transmission and the reservations made in regard to it by the Swiss, Belgian, Dutch, Peruvian, Estonian, Siamese, Danish, Norwegian, Swedish and Brazilian Governments, see p. 333, note 1.

² The declaration was received in the Secretariat on April 8th, 1940; by a communication dated March 30th, 1940, received in the Secretariat on April 5th, 1940, the High Commissioner gave notice to terminate the acceptance of the Court's jurisdiction recorded by the declaration of September 19th, 1929, for a period of ten years and thereafter until notice of termination had been given (see League of Nations Doc. C. L. 54. 1940. V, and D 6, p. 47).

Court, for a period of five years from to-day's date and thereafter until such time as notice may be given to terminate the acceptance, over all disputes arising after March 29th, 1930, with regard to situations or facts subsequent to the said date, other than:

"disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement ;

"disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree ;

"disputes with regard to questions which by international law fall exclusively within the jurisdiction of New Zealand ; and

"disputes arising out of events occurring at a time when His Majesty's Government in New Zealand were involved in hostilities,

"and subject to the condition that His Majesty's Government in the Dominion of New Zealand reserve the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to and is under consideration by the Council of the League of Nations, provided that notice to suspend is given after the dispute has been submitted to the Council and is given within ten days of the notification of the initiation of the proceedings in the Court, and provided also that such suspension shall be limited to a period of twelve months or such longer period as may be agreed by the Parties to the dispute or determined by a decision of all the Members of the Council other than the Parties to the dispute.

"I am, etc.

(Signed) W. J. JORDAN."

Siam (Thailand) (renewal).

"On behalf of the Thai Government, I hereby renew for a period of 10 years, from May 7th, 1940, the declaration of September 20th, 1929, accepting the compulsory jurisdiction of the Permanent Court of International Justice in conformity with Article 36, paragraph 2, of the Statute of the Court within the limits of and subject to the conditions and reservations set forth in the said declaration.

"Bangkok, May 3rd, 1940.

(Signed) PIBULASONGGRAM."

List of States having signed the Optional Clause ¹.

States.	Date of signature.	Conditions.	Date of deposit of ratification ² .
Union of South Africa	20 IV 40 ³	<p>Reciprocity. Until notice of termination is given.</p> <p>For all disputes arising after signature with regard to situations or facts subsequent to such signature, other than:</p> <p>disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement, and</p> <p>disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree, and</p> <p>disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Union of South Africa, and</p> <p>disputes arising out of events occurring during any period in which the Union of South Africa is engaged in hostilities as a belligerent.</p> <p>The right is reserved to suspend judicial proceedings under certain conditions in the case of disputes under consideration by the Council of the League of Nations.</p>	
Albania	17 IX 30	<p>Ratification. Reciprocity. 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>	17 IX 30

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 however required under the terms of the Optional Clause.

³ On this date the declaration dated April 7th, 1940, was received in the Secretariat of the League of Nations. This declaration replaces that of September 29th, 1929, in respect of which a reservation was formulated on September 18th, 1939 (see p. 332), and notice of termination was given on April 7th, 1940 (see p. 334).

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Albania (<i>cont.</i>)		Except the disputes (a) relating to the territorial status of Albania ; (b) with regard to questions which by international law fall exclusively within the jurisdiction of Albania ; (c) relating directly or indirectly to the application of treaties providing for another method of pacific settlement.	
	<i>Renewed on</i> 7 XI 35	For 5 years (from September 17th, 1935).	
Argentina	28 XII 35	Ratification. Reciprocity. 10 years (from date of deposit of instrument of ratification). For any dispute arising after ratification with regard to signatures 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. The declaration does not apply to questions already settled or to those which by international law fall within the local jurisdiction or the constitutional régime of each State.	
Australia	2 IX 40 ¹	Reciprocity. 5 years (as from August 21st, 1940), and thereafter until notice of termination is given. For all disputes arising after August 18th, 1930, with regard to situations or facts subsequent to that date, other than disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement ; disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree ; disputes with regard to questions which by international law fall exclu-	

¹ On this date the declaration dated August 21st, 1940, was received in the Secretariat of the League of Nations. It replaces that of September 20th, 1929, in respect of which a reservation was formulated on September 7th, 1939 (see p. 334), and notice of termination was given on August 21st, 1940 (see p. 335).

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Australia (<i>cont.</i>)		sively within the jurisdiction of the Commonwealth of Australia ; and disputes arising out of events occurring at a time when His Majesty's Government in the Commonwealth of Australia were involved in hostilities. The right is reserved to suspend judicial proceedings under certain conditions in the case of disputes under consideration by the Council of the League of Nations.	
Austria	14 III 22	Reciprocity. 5 years.	
	<i>Renewed on</i> 12 I 27	Ratification. Reciprocity. 10 years (from the date of the deposit of the instrument of ratification).	13 III 27
	<i>Renewed on</i> 22 III 37	Ratification. Reciprocity. 5 years (as from March 13th, 1937).	30 VI 37
Belgium	25 IX 25	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.	10 III 26
Bolivia	7 VII 36	Reciprocity. 10 years.	7 VII 36
Brazil	1 XI 21 ¹	Reciprocity. 5 years. On condition that compulsory jurisdiction is accepted by at least two of the Powers permanently represented on the Council of the League of Nations.	
	<i>Renewed on</i> 26 I 37	Reciprocity. 10 years.	26 I 37

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.	Date of signature.	Conditions.	Date of deposit of ratification.
Brazil (<i>cont.</i>)		Except for questions which by international law fall exclusively within the jurisdiction of the Brazilian Courts of law or which belong to the constitutional régime of each State.	
Bulgaria	(1921) ¹	Reciprocity.	12 VIII 21
Canada ²	20 IX 29	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 with the government of any other Member of the League of Nations which is a Member of the British Commonwealth of Nations, which disputes will be settled in such manner as the Parties have agreed or shall agree; disputes with regard to questions which by international law fall exclusively within the jurisdiction of the Dominion of Canada. The right is reserved to suspend judicial proceedings under certain conditions in the case of disputes under consideration by the Council.	28 VII 30
China	13 V 22	Reciprocity. 5 years.	
Colombia ³	30 X 37	Reciprocity. The declaration only applies to disputes arising out of facts subsequent to January 6th, 1932.	30 X 37
Costa Rica	(Before 28 I 21) ⁴	Reciprocity.	

¹ Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

² See also reservation of December 7th, 1939, p. 336.

³ The declaration of October 30th, 1937, replaces that made on behalf of Colombia on January 6th, 1932, which only specified the condition of reciprocity (see E 13, pp. 276-277).

⁴ 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

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Czechoslovakia	19 IX 29	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. 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	(Before 28 I 21) ¹	Ratification. Reciprocity. 5 years.	13 VI 21
	<i>Renewed on</i> 11 XII 25	Ratification. Reciprocity. 10 years (from June 13th, 1926).	28 III 26
	<i>Renewed on</i> 4 VI 36	Ratification. Reciprocity. 10 years (from June 13th, 1936).	
Dominican Republic	30 IX 24	Ratification. Reciprocity.	4 II 33
Egypt	30 V 39	Ratification. Reciprocity. 5 years (from date of deposit of instrument of ratification). For all disputes arising after ratification with regard to situations or facts subsequent to ratification. Except in cases where the Parties have agreed or shall agree to have recourse to another method of pacific settlement. The declaration does not apply to disputes relating to the rights of sovereignty of Egypt, or to questions which by international law fall exclusively within its jurisdiction.	

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.

¹ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1931.

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Estonia	2 v 23 ¹	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.	
	<i>Renewed on</i> 25 VI 28 ²	For a period of 10 years as from May 2nd, 1928.	
	<i>Renewed on</i> 6 v 38 ²	For a period of 10 years as from May 2nd, 1938.	
Ethiopia	12 VII 26	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.	16 VII 26
	<i>Renewed on</i> 15 IV 32	Prolongation for a period of two years, from July 16th, 1931.	
	<i>Renewed on</i> 18 IX 34	Extension for a period of two years as from September 18th, 1934, with retrospective effect to cover the period from July 16th, 1933, to September 18th, 1934.	
Finland	(1921) ³	Ratification. Reciprocity. 5 years.	6 IV 22
	<i>Renewed on</i> 3 III 27	Reciprocity. 10 years (as from April 6th, 1927).	
	<i>Renewed on</i> 9 IV 37	Reciprocity. 10 years (as from April 6th, 1937).	
France	19 IX 29 ⁴	Ratification. Reciprocity. 5 years. For all disputes arising after ratification with regard to situations or facts subsequent to ratification;	25 IV 31

¹ Estonia's declaration is contained in the deed of ratification of the Protocol of Signature of the Statute (deposited on May 2nd, 1923).

² Date of the letter by which the Minister for Foreign Affairs of the Estonian Government informed the Secretary-General of the League of Nations of the extension of the period for which that Government was bound.

³ Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

⁴ 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.	Date of signature.	Conditions.	Date of deposit of ratification.
France (<i>cont.</i>)		<p>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.</p> <p>Except cases in which the Parties have agreed or shall agree to have recourse to some other method of arbitral settlement.</p>	
	<i>Renewed on</i> II IV 36 ¹	5 years, from April 25th, 1936.	
Germany	23 IX 27	<p>Ratification. Reciprocity. 5 years.</p> <p>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.</p>	29 II 28
	<i>Renewed on</i> 9 II 33	<p>Ratification. Prolongation for 5 years as from March 1st, 1933.</p>	5 VII 33
Great Britain ²	7 III 40	<p>Reciprocity. 5 years (as from February 28th, 1940), and thereafter until notice of termination is given.</p> <p>For all disputes arising after February 5th, 1930, with regard to situations or facts subsequent to that date, other than :</p> <p>disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement ;</p> <p>disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in</p>	

¹ This date is that on which a note, dated April 10th, was received at Geneva from the French delegation to the League of Nations, transmitting the French declaration of renewal, which is dated Paris, April 7th, 1936. See also the reservation of September 10th, 1939, p. 337.

² On this date the declaration of February 28th, 1940, was received in the Secretariat of the League of Nations. It replaces that of September 19th, 1929, in respect of which a reservation was formulated on September 7th, 1939 (see p. 337), and notice of termination was given on February 28th, 1940 (see p. 339).

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Great Britain (<i>cont.</i>)		such manner as the Parties have agreed or shall agree ; disputes with regard to questions which by international law fall exclusively within the jurisdiction of the United Kingdom ; disputes arising out of events occurring at a time when His Majesty's Government in the United Kingdom were involved in hostilities. The right is reserved to suspend judicial proceedings under certain conditions in the case of disputes under consideration by the Council.	
Greece	12 IX 29	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 application of treaties or conventions accepted by Greece and providing for another procedure.	
	<i>Renewed on</i> 12 IX 34	Ratification. Reciprocity. 5 years (as from September 12th, 1934). For the categories of disputes enumerated in paragraph 2 of Article 36 of the Statute, with the same exceptions as before.	19 VII 35
	<i>Renewed on</i> 8 IX 39	Ratification. Reciprocity. 5 years (as from September 12th, 1939). For the categories of disputes enumerated in Article 36, paragraph 2, of the Statute, with the same exceptions as before. The acceptance is operative as from September 8th, 1939.	20 II 40
Guatemala	17 XII 26	Ratification. Reciprocity.	
Haiti	7 IX 21	(Without conditions.)	

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Hungary	14 IX 28	Ratification. Reciprocity. 5 years (from the date of the deposit of the instrument of ratification).	13 VIII 29
	<i>Renewed on</i> 30 V 34	Ratification. Reciprocity. 5 years (as from Aug. 13th, 1934).	9 VIII 34
	<i>Renewed on</i> 12 VII 39	Ratification. Reciprocity. For the period August 13th, 1939, to April 10th, 1941.	
India	7 III 40 ¹	Reciprocity. 5 years (as from February 28th, 1940), and thereafter until notice of termination is given. For all disputes arising after February 5th, 1930, with regard to situations or facts subsequent to that date, other than : disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement ; disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree ; disputes with regard to questions which by international law fall exclusively within the jurisdiction of India ; disputes arising out of events occurring at a time when the Government of India were involved in hostilities. The right is reserved to suspend judicial proceedings under certain conditions in the case of disputes under consideration by the Council.	
Iran	2 X 30	Ratification. Reciprocity.	19 IX 32

¹ On this date the declaration of February 28th, 1940, was received in the Secretariat of the League of Nations. It replaces that of September 19th, 1929, in respect of which a reservation was formulated on September 27th, 1939 (see p. 341), and notice of termination was given on February 28th, 1940 (see p. 341).

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Iran (<i>cont.</i>)		6 years (and after expiration of that period, until notification of abrogation). For all disputes arising after ratification with regard to situations or facts relating directly or indirectly to the application of treaties accepted by Iran and subsequent to the ratification. With the exception of: (a) disputes relating to the territorial status of Iran, including those concerning the rights of sovereignty of Iran over its islands and ports; (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 Iran. Subject to Iran'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.	
Iraq	22 IX 38	Ratification. Reciprocity. 5 years from the date of deposit of the instrument of ratification, 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 to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; —Disputes with the Government of any other Arab State, all of which disputes shall be settled in such a manner as the Parties have agreed or shall agree; —Disputes with regard to questions which by international law fall exclusively within the jurisdiction of 'Iraq; —Disputes affecting the territorial status of 'Iraq, including those concerning the right of sovereignty of	

OPTIONAL CLAUSE

355

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Iraq (<i>cont.</i>)		'Iraq over its waters and communications. Subject to the right of 'Iraq to demand the suspension of proceedings before the Court in respect of any dispute submitted to and under consideration by the Council or Assembly of the League of Nations.	
Ireland	14 IX 29	Ratification. Reciprocity. 20 years.	11 VII 30
Italy	9 IX 29	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.	7 IX 31
Latvia	10 IX 29 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.	26 II 30
	<i>Renewed on</i> 31 I 35	Ratification. Reciprocity. 5 years; at the expiration of this period, the declaration will continue to be fully effective until notice of abrogation has been given. For all disputes arising subsequent to February 26th, 1930, the date of deposit of the ratification of the declaration made at Geneva on September 10th, 1929, or which may arise in the future, in regard to situations or facts subsequent to that date.	26 II 35

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.

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Latvia (<i>cont.</i>)		Except in cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement.	
Liberia	(1921) ¹	Ratification. Reciprocity.	
Liechtenstein ²	29 III 39 ³	5 years. In any disputes which have already arisen or which may arise in the future. Except in cases where the Parties have agreed or shall agree to have recourse to another method of pacific settlement.	
Lithuania	5 X 21 <i>Renewed on</i> 14 I 30 <i>Renewed on</i> 12 III 35 ⁴	5 years. 5 years (as from January 14th, 1930). Reciprocity. 5 years (with effect from January 14th, 1935).	16 V 22
Luxemburg	15 IX 30 ⁵	Reciprocity. 5 years (renewable by tacit reconduction). For all disputes arising after the signature in regard to situations or facts subsequent to the signature. Except the cases where the Parties have agreed or shall agree to have recourse to another procedure or to another method of peaceful settlement.	
Monaco ⁶	26 IV 37 ⁷	5 years. For all disputes arising after the declaration with regard to situations or facts subsequent to this declaration.	22 IV 37

¹ Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

² The acceptance of the Court's compulsory jurisdiction by the Principality of Liechtenstein is made in accordance with paragraph 4 of No. 2 in the Council's Resolution of May 17th, 1922. See E 15, pp. 49-50 and 216.

³ This date is that on which a letter, dated March 22nd, 1939, and containing the declaration of the Principality of Liechtenstein, was received by the Registry.

⁴ This date is that on which a letter, dated March 8th, 1935, and containing the declaration of Lithuania, was received in Geneva.

⁵ In 1921, the Government of Luxemburg had already signed the Optional Clause, subject to ratification; but ratification had not taken place.

⁶ The acceptance of the Court's compulsory jurisdiction by the Principality of Monaco is made in accordance with paragraph 4 of No. 2 in the Council's Resolution of May 17th, 1922. See E 13, pp. 64 and 273-274.

⁷ This date is that on which a letter dated April 22nd, 1937, and containing the declaration of the Principality of Monaco, was received by the Registry.

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Monaco (<i>cont.</i>)		Except in cases where the Parties have agreed or shall agree to have recourse to another method of pacific settlement.	
Netherlands	6 VIII 21	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.	
	<i>Renewed on</i> 2 IX 26	Reciprocity. 10 years (as from August 6th, 1926). For all future disputes excepting those in regard to which the Parties may have agreed, after the entry into force of the Court's Statute, to have recourse to some other method of pacific settlement.	
	<i>Renewed on</i> 5 VIII 36	Reciprocity. 10 years (as from August 6th, 1936). For all future disputes excepting those in regard to which the Parties may have agreed, after the entry into force of the Court's Statute, to have recourse to some other method of pacific settlement.	
New Zealand	8 IV 40 ¹	Reciprocity. 5 years (as from April 1st, 1940), and thereafter until notice of termination is given. For all disputes arising after March 29th, 1930, with regard to situations or facts subsequent to that date, other than: disputes in regard to which the Parties to the dispute have agreed or shall agree to have recourse to some other method of peaceful settlement; disputes with the government of any other Member of the League which is a Member of the British Commonwealth of Nations, all of which disputes shall be settled in such manner as the Parties have agreed or shall agree;	

¹ On this date, the declaration of April 1st, 1940, was received in the Secretariat of the League of Nations. It replaces that of September 19th, 1929, in respect of which a reservation was formulated on September 7th, 1939 (see p. 342), and notice of termination was given on March 30th, 1940 (see p. 343).

States.	Date of signature.	Conditions.	Date of deposit of ratification.
New Zealand <i>(cont.)</i>		disputes with regard to questions which by international law fall exclusively within the jurisdiction of New Zealand, and disputes arising out of events occurring at a time when His Majesty's Government in New Zealand were involved in hostilities. The right is reserved to suspend judicial proceedings under certain conditions in the case of disputes under consideration by the Council of the League of Nations.	
Nicaragua	24 IX 29	(Unconditionally.)	
Norway	6 IX 21	Ratification. Reciprocity. 5 years.	3 X 21
	<i>Renewed on</i> 22 IX 26	Reciprocity. 10 years (from Oct. 3rd, 1926).	
	<i>Renewed on</i> 29 V 36 ¹	Reciprocity. 10 years (from Oct. 3rd, 1936).	
Panama	25 X 21	Reciprocity.	14 VI 29
Paraguay ²	11 V 33	(Unconditionally.)	
Peru	19 IX 29	Ratification. Reciprocity. 10 years (as from date of ratification). For all disputes arising with regard to situations or facts subsequent to ratification. Except in cases where the Parties may have agreed either to have recourse to some other method of settlement by arbitration or to submit the dispute previously to the Council of the League of Nations.	29 III 32
Poland	24 I 31	Ratification. Reciprocity. 5 years. For all disputes arising after the ratification with regard to situations or facts subsequent to the ratification.	

¹ This date is that of the deposit of the declaration with the Secretariat of the League of Nations; the declaration is dated Oslo, May 19th, 1936.

² For the decision of April 26th, 1938, whereby Paraguay withdrew her declaration accepting the jurisdiction of the Court and for the observations regarding this withdrawal made by governments, see E 14, p. 57, note 2, and E 15, p. 227, note 2.

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Poland (<i>cont.</i>)		<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> <p>(1) with regard to matters which, by international law, are solely within the domestic jurisdiction of States ;</p> <p>(2) arising between Poland and States which refuse to establish or maintain normal diplomatic relations with Poland ;</p> <p>(3) connected directly or indirectly with the World War or with the Polono-Sovietic War ;</p> <p>(4) resulting directly or indirectly from the provisions of the Treaty of Peace signed at Riga on March 18th, 1921 ;</p> <p>(5) relating to provisions of internal law connected with points (3) and (4).</p>	
Portugal	(Before 28 I 21) ¹	Reciprocity.	8 X 21
Roumania	8 X 30	<p>Ratification.</p> <p>In respect of the governments recognized by Roumania and under reciprocity.</p> <p>5 years.</p> <p>In regard to legal disputes arising out of situations or facts subsequent to ratification.</p> <p>With exception of the matters for which a special procedure has been or may be established.</p> <p>Subject to the right of Roumania to submit the dispute to the Council of the League of Nations before having recourse to the Court.</p> <p>With the exception of :</p> <p>(a) any question of substance or procedure which might directly or indirectly cause the existing territorial integrity of Roumania and of her sovereign rights, including her rights over her ports and communications, to be brought into question ;</p> <p>(b) disputes relating to questions which, according to international law, fall under the domestic jurisdiction of Roumania.</p>	9 VI 31

¹ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Roumania (<i>cont.</i>)	<i>Renewed on</i> 4 VI 36	For 5 years (from June 9th, 1936).	
Salvador	29 VIII 30 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, and pecuniary claims made against the nation. Reciprocity only in regard to States which accept the arbitration in that form.	29 VIII 30
Siam	20 IX 29	Ratification. Reciprocity. 10 years. For all disputes as to which no other means of pacific settlement is agreed upon between the Parties.	7 V 30
	<i>Renewed on</i> 9 V 40 ²	10 years as from May 7th, 1940, within the limits and subject to the conditions and reservations formulated on September 20th, 1929.	
Spain	21 IX 28	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	16 VIII 21	Reciprocity. 5 years.	
	<i>Renewed on</i> 18 III 26	Reciprocity. 10 years (as from August 16th, 1926).	
	<i>Renewed on</i> 18 IV 36	Reciprocity. 10 years (as from August 16th, 1936).	

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).

² The declaration of May 3rd, 1940, was received in the Secretariat of the League of Nations on this date.

OPTIONAL CLAUSE

361

States.	Date of signature.	Conditions.	Date of deposit of ratification.
Switzerland	(Before 28 I 21) ¹	Ratification. Reciprocity. 5 years.	25 VII 21
	<i>Renewed on</i> 1 III 26	Ratification. Reciprocity. 10 years (as from deposit of instrument of ratification).	24 VII 26
	<i>Renewed on</i> 23 IX 36	Ratification. Reciprocity. 10 years (as from deposit of instrument of ratification).	17 IV 37
Turkey	12 III 36	Reciprocity. 5 years. For any dispute arising after the signature of the declaration. Except disputes relating directly or indirectly to the application of treaties or conventions providing for some other method of peaceful settlement.	
Uruguay	(Before 28 I 21) ¹	Reciprocity.	27 IX 21
Yugoslavia	16 V 30	Ratification. In relation to any government recognized by the Kingdom of Yugoslavia and on condition of reciprocity. 5 years (as from deposit of instrument of ratification). For all disputes arising after ratification. Except disputes relating to questions which, by international law, fall exclusively within the jurisdiction of the Kingdom of Yugoslavia. And except in cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement.	24 XI 30

¹ Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

11. — GENERAL ACT FOR CONCILIATION, JUDICIAL SETTLEMENT
AND ARBITRATION.

Geneva, September 26th, 1928.

Entry into force: August 16th, 1929¹.

Australia (reservation).

On September 7th, 1939, the Prime Minister of the Commonwealth sent the following telegram to the Secretary-General of the League of Nations:

"His Majesty's Government in the Commonwealth of Australia has found it necessary to consider problem in existing circumstances of its accession to General Act for Pacific Settlement of International Disputes.

"Taking into account considerations referred to in my telegram of even date concerning Optional Clause of Statute of Permanent Court of International Justice² which apply with equal force in case of General Act His Majesty's Government in Commonwealth of Australia now notifies you that it will not regard its accession to General Act as covering or relating to any dispute arising out of events occurring during present crisis. Please inform all States parties to General Act.

(Signed) PRIME MINISTER
COMMONWEALTH OF AUSTRALIA³."

¹ *League of Nations, Treaty Series*, Vol. XCIII, p. 345. Article 45 of the Act provides as follows:

"1. The present General Act shall be concluded for a period of five years, dating from its entry into force.

2. It shall remain in force for further successive periods of five years in the case of Contracting Parties which do not denounce it at least six months before the expiration of the current period.

3. Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-Member States referred to in Article 43.

4. A denunciation may be partial only, or may consist in notification of reservations not previously made.

5. Notwithstanding denunciation by one of the Contracting Parties concerned in a dispute, all proceedings pending at the expiration of the current period of the General Act shall be duly completed."

² See pp. 334-335.

³ The telegram was received in the Secretariat on September 8th, 1939, and transmitted to States signatories of the General Act (see *League of Nations Doc. C. L. 144. 1939. V*).

In their replies of September 25th and 1st and December 15th, 1939, the Swiss, Netherlands and Norwegian Governments noted this communication which called for the same reservations as they had made "in regard to the denunciation by various States of the Optional Clause".

In its letter of December 20th, 1939, the Swedish Government made the same reservations regarding the legal effects of this "denunciation" as it had made in connection with the Optional Clause (see p. 333, note 1).

As regards the attitude adopted by the Belgian, Danish and Estonian Governments, see p. 333, note 1.

Cf. League of Nations, Official Journal, 1939, p. 412; 1940, pp. 48-50.

Canada (reservation).

On December 7th, 1939, the Canadian Permanent Delegate to the League of Nations sent the following letter to the Secretary-General:

"The Canadian Government has found it necessary to consider the position, resulting from the existence of a state of war with the German Reich, of the Canadian acceptance of the General Act for the Pacific Settlement of International Disputes. The acceptance of the General Act was for a five-year period ending on August 16th of this year. In view of the fact that no action was taken by the Canadian Government, it is understood that the obligation would extend for another five-year period dating from that date.

"In view of the circumstances referred to in the letter of this date dealing with Canadian adherence to the Optional Clause¹ and of the fact that the consideration therein set forth applies with equal force in the case of the General Act, I am, therefore, directed to notify you that the Canadian Government will not regard their acceptance of the General Act as covering disputes arising out of events occurring during the present war.

"It is requested that this notification may be communicated to the governments of all the States that have accepted the General Act.

"I have the honour to be, etc.

(Signed) H. H. WRONG²."

82.—TREATY OF CONCILIATION, JUDICIAL SETTLEMENT
AND ARBITRATION BETWEEN FRANCE AND SWEDEN.

Paris, March 3rd, 1928.

*Article 2 bis*³.—The provisions of the present Treaty shall not apply to disputes relating to any events occurring during a war in which either of the High Contracting Parties may be involved.

¹ See p. 336.

² The letter was received in the Secretariat on December 8th, 1939, and transmitted to States signatories of the Act and to Members of the League of Nations (see League of Nations Doc. C. L. 176. 1939. V).

In their replies of January 3rd and March 2nd, 1940, the Netherlands and Norwegian Governments reiterated the observations which they had made in regard to the communication from the Australian Government (see p. 333, note 1).

In its letter of January 9th, 1940, the Swedish Government referred to that of December 20th, 1939 (see p. 333, note 1).

In their replies of January 5th and February 10th, 1940, regarding the communications from Australia and Canada, the Estonian and Belgian Governments reserved their point of view, while the Danish Government, on January 29th, 1940, made in regard to these communications the reservation recorded above (see p. 333, note 1).

Lastly, the Haitian Government, on March 4th, 1940, reserved its point of view (League of Nations Doc. C. L. 62. 1940. V).

Cf. *League of Nations, Official Journal*, 1940, pp. 47-50.

³ Article inserted in the Treaty by the Protocol regarding an amendment to the Treaty, which was signed in Stockholm on April 5th, 1939, came into force on August 14th, 1939, and was registered on September 11th, 1939. *League of Nations, Treaty Series*, Vol. CXCVIII, p. 132.

108.—TREATY OF NEUTRALITY, CONCILIATION,
JUDICIAL SETTLEMENT AND ARBITRATION
BETWEEN BULGARIA AND TURKEY.

Ankara, March 6th, 1929.

Prolonged for a further period of five years as from December 3rd, 1934, by a Protocol signed in Sofia on September 23rd, 1933¹.

154.—TREATY OF FRIENDSHIP, NEUTRALITY, CONCILIATION
AND ARBITRATION BETWEEN GREECE AND TURKEY.

Ankara, October 30th, 1930.

Completed by the Additional Treaty signed at Athens on April 27th, 1938².

166.—CONVENTION LIMITING THE HOURS OF WORK IN INDUSTRIAL
UNDERTAKINGS TO EIGHT IN THE DAY AND FORTY-EIGHT
IN THE WEEK

adopted by the Labour Conference.

Washington, November 28th, 1919.

(Date of registration.)

Ratif. (cont.): Peru
Venezuela

November 8th, 1945
November 20th, 1944

167.—CONVENTION CONCERNING UNEMPLOYMENT

adopted by the Labour Conference.

Washington, November 28th, 1919.

(Date of registration.)

Ratif. (cont.): Venezuela

November 20th, 1944

168.—CONVENTION CONCERNING NIGHT WORK OF WOMEN

adopted by the Labour Conference.

Washington, November 28th, 1919.

(Date of registration.)

Ratif. (cont.): Afghanistan
Peru

June 12th, 1939
November 8th, 1945

¹ Ratifications exchanged at Ankara, April 5th, 1937. De Martens, *Nouveau Recueil général de Traités*, 3rd Series, Vol. XXXVII, p. 27.

² Registered on December 21st, 1938.—Ratifications were exchanged at Ankara on July 15th, 1938, and the Treaty came into force at that same date. De Martens, *op. cit.*, Vol. XXXVI, pp. 682 *et sqq.* *League of Nations, Treaty Series*, Vol. CXIII, pp. 176 *et sqq.*

Denunciation (cont.): Venezuela ¹ November 20th, 1944

169.—CONVENTION FIXING THE MINIMUM AGE FOR ADMISSION
OF CHILDREN TO INDUSTRIAL EMPLOYMENT

adopted by the Labour Conference.

Washington, November 28th, 1919.

(Date of registration.)

Ratif. (cont.): Venezuela November 20th, 1944

171.—CONVENTION CONCERNING THE EMPLOYMENT OF WOMEN
BEFORE AND AFTER CHILDBIRTH

adopted by the Labour Conference.

Washington, November 29th, 1919.

(Date of registration.)

Ratif. (cont.): Venezuela November 20th, 1944

172.—CONVENTION FIXING THE MINIMUM AGE
FOR ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA

adopted by the Labour Conference.

Genoa, July 9th, 1920.

(Date of registration.)

Ratif. (cont.): Venezuela November 20th, 1944

174.—CONVENTION FOR ESTABLISHING FACILITIES
FOR FINDING EMPLOYMENT FOR SEAMEN

adopted by the Labour Conference.

Genoa, July 10th, 1920.

(Date of registration.)

Ratif. (cont.): Mexico September 1st, 1939

¹ Denunciation resulted from the ratification of the Convention of 1934, which is only a revision of that of 1919; see below, No. 480.

180.—CONVENTION CONCERNING THE RIGHTS OF ASSOCIATION
AND COMBINATION OF AGRICULTURAL WORKERS

adopted by the Labour Conference.

Geneva, November 12th, 1921.

(Date of registration.)

<i>Ratif.</i> (cont.):	Peru	November 8th, 1945
	Switzerland	May 23rd, 1940
	Venezuela	November 20th, 1944

182.—CONVENTION CONCERNING THE APPLICATION
OF THE WEEKLY REST IN INDUSTRIAL UNDERTAKINGS

adopted by the Labour Conference.

Geneva, November 17th, 1921.

(Date of registration.)

<i>Ratif.</i> (cont.):	Afghanistan	June 12th, 1939
	Peru	November 8th, 1945
	Venezuela	November 20th, 1944

183.—CONVENTION CONCERNING THE USE OF WHITE
LEAD IN PAINTING

adopted by the Labour Conference.

Geneva, November 19th, 1921.

(Date of registration.)

<i>Ratif.</i> (cont.):	Afghanistan	June 12th, 1939
	Netherlands	December 15th, 1939

184.—INTERNATIONAL CONVENTION FOR THE SUPPRESSION
OF THE CIRCULATION OF AND TRAFFIC IN OBSCENE PUBLICATIONS.

Geneva, September 12th, 1923.

<i>Ratif.</i> (cont.):	Burma	April 1st, 1937 ¹
	France	January 16th, 1940
	(with the exception of the colonies, protectorates or territories placed under French mandate)	

<i>Adh.</i> (cont.):	Morocco	May 7th, 1940
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¹ The Secretary of State for Foreign Affairs of the United Kingdom informed the Secretary-General of the League of Nations, in a letter received on August 4th, 1939, that Burma, which was a party to the Convention as being a part of India, had been separated from India on April 1st, 1937, and had now the status of an overseas territory. The Convention should therefore be regarded as applying to Burma in the latter capacity, as from April 1st, 1937, in accordance with Article 8 of the Convention.

**189.—CONVENTION RELATING TO THE DEVELOPMENT OF HYDRAULIC
POWER AFFECTING MORE THAN ONE STATE.**

Geneva, December 9th, 1923.

Adh. (cont.) Egypt January 29th, 1940

190.—OPIUM CONVENTION.

Geneva, February 19th, 1925.

Ratif. (cont.) : Burma April 1st, 1937¹
Adh. (cont.) : Belgian Congo and mandated
territory of Ruanda-
Urundi December 17th, 1941
Paraguay June 25th, 1941

**191.—CONVENTION CONCERNING EQUALITY OF TREATMENT
FOR NATIONAL AND FOREIGN WORKERS AS REGARDS WORKMEN'S
COMPENSATION FOR ACCIDENTS**

adopted by the Labour Conference.

Geneva, June 5th, 1925.

Ratif. (cont.) : Iraq (Date of registration.)
April 30th, 1940
Peru November 8th, 1945
Venezuela November 20th, 1944

**192.—CONVENTION CONCERNING NIGHT WORK IN BAKERIES
*adopted by the Labour Conference.***

Geneva, June 8th, 1925.

Ratif. (cont.) : Sweden (Date of registration.)
January 5th, 1940

**194.—CONVENTION CONCERNING WORKMEN'S COMPENSATION
FOR OCCUPATIONAL DISEASES
*adopted by the Labour Conference.***

Geneva, June 10th, 1925.

Denunciation : The Netherlands² (Date of registration.)
September 1st, 1939

¹ See note to No. 184, *mutatis mutandis*. The Secretary of State's letter was received in the Secretariat on August 28th, 1939, and refers to Article 39 of the Convention.

² The denunciation resulted from the ratification of the Convention of 1934, which is only a revision of that of 1925 (see below, No. 482).

196.—CONVENTION FOR THE SIMPLIFICATION
OF THE INSPECTION OF EMIGRANTS ON BOARD SHIP
adopted by the Labour Conference.

Geneva, June 5th, 1926.

(Date of registration.)

Ratif. (cont.): Venezuela November 20th, 1944

198.—CONVENTION CONCERNING SEAMEN'S ARTICLES
OF AGREEMENT
adopted by the Labour Conference.

Geneva, June 24th, 1926.

(Date of registration.)

Ratif. (cont.): Norway March 29th, 1940
Venezuela November 20th, 1944

199.—SLAVERY CONVENTION.

Geneva, September 25th, 1926.

(Date of registration.)

Ratif. (cont.): Burma April 1st, 1937¹

200.—CONVENTION CONCERNING SICKNESS INSURANCE
FOR WORKERS IN INDUSTRY AND IN COMMERCE AND DOMESTIC
SERVANTS

adopted by the Labour Conference.

Geneva, June 16th, 1927.

(Date of registration.)

Ratif. (cont.): Peru November 8th, 1945

202.—CONVENTION ESTABLISHING AN INTERNATIONAL RELIEF UNION.

Geneva, July 12th, 1927.

Ratif. (cont.): Burma April 1st, 1937²

¹ See, *mutatis mutandis*, note to No. 184. The Secretary of State's letter, which refers to Article 9 of the Convention, was received in the Secretariat on April 15th, 1940, and contains the same reservation concerning Article 3 of the Convention as was made by India on signing.

² See, *mutatis mutandis*, note to No. 184. The Secretary of State's letter was received in the Secretariat on May 10th, 1940, and refers to Article 20 of the Convention.

204.—CONVENTION CONCERNING THE CREATION OF MINIMUM
WAGE-FIXING MACHINERY

adopted by the Labour Conference.

Geneva, June 16th, 1928.

(Date of registration.)

Ratif. (cont.): Venezuela November 20th, 1944

207.—CONVENTION FOR THE SUPPRESSION
OF COUNTERFEITING CURRENCY.

Geneva, April 20th, 1929.

Adh. (cont.): Latvia July 22nd, 1939

207 bis.—OPTIONAL PROTOCOL CONCERNING THE SUPPRESSION
OF COUNTERFEITING CURRENCY.

Geneva, April 20th, 1929¹.

(*Entry into force* : August 30th, 1930.)

In conformity with the Protocol, the provisions of Part II of the International Convention for the suppression of counterfeiting currency (No. 207), Article 19 of which concerns the jurisdiction of the Court, apply equally to the present Protocol.

<i>Ratif.</i> :	Bulgaria	May 22nd, 1930
	Colombia	May 9th, 1932
	Cuba	June 13th, 1933
	Czechoslovakia	September 12th, 1931
	Greece	May 19th, 1931
	Poland	June 15th, 1934
	Portugal	September 18th, 1930
	Roumania	November 10th, 1930
	Spain	April 28th, 1930
	Yugoslavia	November 24th, 1930
<i>Adh.</i> :	Brazil	July 1st, 1938
	Estonia	August 30th, 1930
	Finland	September 25th, 1936
	Latvia	July 22nd, 1939

¹ Registered with the Secretariat of the League under No. 2624. *League of Nations, Treaty Series*, Vol. CXII, p. 395.

**210.—CONVENTION ON CERTAIN QUESTIONS
RELATING TO THE CONFLICT OF NATIONALITY LAWS.**

The Hague, April 12th, 1930.

Ratif. (cont.): Burma April 1st, 1937¹
(with the exception of
the Karenni States)

**211.—PROTOCOL RELATING TO MILITARY OBLIGATIONS
IN CERTAIN CASES OF DOUBLE NATIONALITY.**

The Hague, April 12th, 1930.

Ratif. (cont.): Burma April 1st, 1937¹
(with the exception of
the Karenni States)

212.—PROTOCOL RELATING TO A CERTAIN CASE OF STATELESSNESS.

The Hague, April 12th, 1930.

Ratif. (cont.): Burma April 1st, 1937¹
(with the exception of
the Karenni States)

213.—SPECIAL PROTOCOL CONCERNING STATELESSNESS.

The Hague, April 12th, 1930.

Ratif. (cont.): Burma April 1st, 1937¹
(with the exception of
the Karenni States)

215.—CONVENTION CONCERNING FORCED OR COMPULSORY LABOUR

adopted by the Labour Conference.

The Hague, June 28th, 1930.

Ratif. (cont.): Belgium (the Convention January 20th, 1944
is also applicable, with
certain modifications, to
the Belgian Congo and
Ruanda-Urundi)
Switzerland May 23rd, 1940
Venezuela November 20th, 1944

¹ See, *mutatis mutandis*, note to No. 184. The Secretary of State's letter was received in the Secretariat on April 23rd, 1940, and refers to Article 29 of the Convention and to the corresponding articles of the three Protocols.

219.—CONVENTION FOR LIMITING THE MANUFACTURE
AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS.

Geneva, July 13th, 1931.

<i>Ratif.</i> (cont.):	Burma	April 1st, 1937 ¹
	Paraguay	June 25th, 1941
<i>Adh.</i> (cont.):	Belgian Congo and man- dated territory of Ruanda- Urundi	December 17th, 1941

225.—TREATY OF PEACE BETWEEN THE ALLIED
AND ASSOCIATED POWERS AND BULGARIA.

Neuilly-sur-Seine, November 27th, 1919.

Exchange of notes, with annex, between the British and Bulgarian Governments, regarding an agreement to dispense with the carrying out of the military, naval and air clauses of the Treaty of Neuilly and of the provisions contained in the Convention regarding the frontiers of Thrace, signed at Lausanne on July 24th, 1923. Sofia, August 12th and November 24th, 1938².

227.—TREATY OF PEACE BETWEEN THE ALLIED
AND ASSOCIATED POWERS AND HUNGARY.

Trianon, June 4th, 1920.

Convention concluded at Rome between Italy and Hungary on November 12th, 1932, for the abolition of the Italo-Hungarian Mixed Arbitral Tribunal set up in virtue of Article 239 of the Treaty of Peace of Trianon³.

247.—COMMERCIAL CONVENTION BETWEEN POLAND AND SWITZERLAND.

Warsaw, June 26th, 1922.

Modified by the Supplementary Agreement signed at Berne on February 3rd, 1934, with exchange of notes of March 30th and

¹ See, *mutatis mutandis*, note to No. 184. The Secretary of State's letter was received in the Secretariat on August 28th, 1939, and refers to Article 26 of the Convention.

² Registered on March 15th, 1939. With enclosure: Agreement between the Balkan Entente and Bulgaria, signed at Salonica on July 31st, 1938. *League of Nations, Treaty Series*, Vol. CXCIV, pp. 118 *et seq.*

³ Ratifications exchanged at Rome, June 13th, 1933. De Martens, *Nouveau Recueil général de Traités*, Vol. XXXVII, p. 676.

April 20th, 1934, and Additional Protocols signed at Berne on December 31st, 1936, and June 30th, 1937¹.

260.—COMMERCIAL CONVENTION BETWEEN CZECHOSLOVAKIA
AND THE NETHERLANDS.

The Hague, January 20th, 1923.

Modified by the Supplementary Agreement signed at The Hague, April 9th, 1934².

286.—TREATY OF FRIENDSHIP, COMMERCE
AND NAVIGATION BETWEEN FRANCE AND SIAM.

Paris, February 14th, 1925.

Replaced by the Treaty of friendship, commerce and navigation signed at Bangkok on December 7th, 1937³.

292.—TREATY OF FRIENDSHIP, COMMERCE
AND NAVIGATION BETWEEN PORTUGAL AND SIAM.

Lisbon, August 14th, 1925.

Denounced by Siam on November 9th, 1936, and replaced by the Treaty of friendship, commerce and navigation signed at Lisbon on July 2nd, 1938⁴.

295.—AGREEMENT TO FACILITATE NEIGHBOURLY
RELATIONS BETWEEN PALESTINE AND SYRIA AND GREAT LEBANON.

Jerusalem, February 2nd, 1926.

Article 4, paragraph 1, of the Agreement has been amended by an Agreement signed on November 3rd, 1938, between the High Commissioner of the French Republic in Syria and the Lebanon and the High Commissioner for Palestine⁵.

¹ Came into force on February 28th, 1934, March 22nd, 1937, and August 25th, 1937, respectively. De Martens, *Nouveau Recueil général de Traités*, Vol. XXXIX, pp. 756 *et seq.*, 763, 767.

² Ratifications exchanged at Prague, December 14th, 1935; provisionally applied as from May 1st, 1934. De Martens, *op. cit.*, Vol. XXXIX, pp. 841 *et seq.*

³ See below, No. 578.

⁴ The new treaty does not provide for the Court's jurisdiction; *League of Nations, Treaty Series*, Vol. CC, pp. 150 *et seq.*

⁵ De Martens, *op. cit.*, Vol. XXXVIII, pp. 47 *et seq.*

299.—CONVENTION OF FRIENDSHIP
AND NEIGHBOURLY RELATIONS BETWEEN FRANCE AND TURKEY.

Ankara, May 30th, 1926.

Prolonged till March 15th, 1940, by the Arrangement for a final settlement of territorial questions. Ankara, June 23rd, 1939¹.

340.—CONVENTION OF COMMERCE AND NAVIGATION
BETWEEN GREECE AND POLAND.

Warsaw, April 10th, 1930.

Completed by the Additional Protocol signed at Athens on March 11th 1938².

350.—CONVENTION RESPECTING AIR TRANSPORT SERVICES
BETWEEN GREECE AND THE UNITED KINGDOM.

Athens, April 17th, 1931.

Replaced by the Convention respecting air transport services, signed at Athens on May 30th, 1939³.

356.—CONVENTION CONCERNING CONDITIONS OF RESIDENCE
AND BUSINESS, COMMERCE AND NAVIGATION BETWEEN AUSTRIA
AND ROUMANIA.

Vienna, August 22nd, 1931.

Completed by the *Modus vivendi* concerning the settlement of commercial relations between the two countries, Vienna, July 14th, 1932⁴.

385.—PROTOCOL ATTACHED TO CUSTOMS AND CREDIT TREATY
BETWEEN GERMANY AND THE NETHERLANDS.

Berlin, November 26th, 1925.

Additional Treaties signed at Berlin on June 6th, 1934, and at The Hague on April 20th, 1937⁵.

¹ Ratifications exchanged at Paris, July 13th, 1939. De Martens, *op. cit.*, Vol. XXXVII, p. 648.

² Registered on January 19th, 1939; ratifications exchanged at Warsaw, December 20th, 1938. *League of Nations, Treaty Series*, Vol. CXCIV, pp. 14 *et seq.*

³ See No. 581 below.

⁴ Came into force April 1st, 1932; replaces the *Modus vivendi* signed at Vienna on December 30th, 1931, which, in its turn, replaced that of October 29th, 1931. De Martens, *op. cit.*, Vol. XXXVI, pp. 150-151; Vol. XXXV, p. 568.

⁵ Ratifications exchanged at The Hague on November 30th, 1936, and at Berlin on March 11th, 1938, respectively. De Martens, *op. cit.*, Vol. XXXIX, pp. 881 *et seq.*

387.—AGREEMENT REGARDING THE SANITARY CONTROL
OVER MECCA PILGRIMS AT KAMARAN ISLAND
BETWEEN THE NETHERLANDS AND GREAT BRITAIN.

Paris, June 19th, 1926.

Exchange of notes constituting an Agreement regarding the amendment of Article 9 (*b*) of the above-mentioned Agreement. London, June 13th, 1939¹.

399.—CONVENTION BETWEEN PORTUGAL AND THE UNION OF SOUTH AFRICA, REGULATING THE INTRODUCTION OF NATIVE LABOUR FROM MOZAMBIQUE INTO THE PROVINCE OF THE TRANSVAAL, RAILWAY MATTERS AND THE COMMERCIAL INTERCOURSE BETWEEN THE UNION OF SOUTH AFRICA AND THE COLONY OF MOZAMBIQUE.

Pretoria, September 11th, 1928.

Amended by an Agreement signed at Lourenço Marques on November 17th, 1934². The new Article 56 is as follows:

Article 56.—Any dispute that may arise relative to the interpretation or the carrying out of the Convention, and that cannot be settled by direct negotiations between the Union Government and the Portuguese Government, shall be submitted to arbitration, and to this end the Union Government will appoint as arbitrator the Chief Justice of the Supreme Court of South Africa and the Portuguese Government the Judge President of the Court of Appeal of Mozambique. If the judges aforesaid are unable to reach a joint decision, they shall together elect an umpire. If no appointment can be mutually agreed on by them, the President of the High Court of International Justice at The Hague shall be requested to make the necessary appointment. The procedure shall be *ex aequo et bono* and in accordance with the terms of submission to be agreed upon in each particular case. This Article shall not apply to Article 32 of the Convention except where the question in dispute is whether or not the port of Lourenço Marques is in fact receiving forty-seven and a half per cent. of the traffic as provided for in the said Article.

Article 3 of the Convention was the subject of an Agreement concluded by an exchange of notes dated Lisbon, March 11th, 14th and 24th and June 8th, 1936³.

¹ Registered on August 10th, 1939. The Agreement came into force on January 1st, 1939. *League of Nations, Treaty Series*, Vol. CXCVII, pp. 297 *et seq.*

² In force from the date of signature. Ratifications exchanged at Pretoria on July 12th, 1935. De Martens, *op. cit.*, Vol. XL, p. 818.

³ *League of Nations, Treaty Series*, pp. 820 *et seq.* This Agreement was prolonged for one year from June 8th, 1937, by an exchange of notes dated Lisbon, October 19th and 27th, 1937; *ibid.*, pp. 819 *et seq.*

The Convention was prolonged, by an exchange of notes, for five years from April 21st, 1939, and thereafter until the expiration of twelve months from the date of its denunciation¹.

451.—CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC
IN WOMEN OF FULL AGE.

Geneva, October 11th, 1933.

Adh. (cont.): Brazil June 24th, 1938
Turkey March 19th, 1941

452.—CONVENTION FOR FACILITATING THE INTERNATIONAL
CIRCULATION OF FILMS OF AN EDUCATIONAL CHARACTER.

Geneva, October 11th, 1933.

Ratif. (cont.): Burma April 1st, 1937²
(with the exception of
the Karenni States)
France April 12th, 1940
(with the exception of
the colonies, protectorates
or territories placed under
French mandate)

On September 12th, 1938, there was signed at Geneva a Procès-Verbal concerning the application of Articles IV, V, VI, VII, IX, XII and XIII of the Convention.

454.—CONVENTION CONCERNING COMPULSORY OLD-AGE INSURANCE
FOR PERSONS EMPLOYED IN INDUSTRIAL OR COMMERCIAL
UNDERTAKINGS, IN THE LIBERAL PROFESSIONS,
AND FOR OUTWORKERS AND DOMESTIC SERVANTS

adopted by the Labour Conference.

Geneva, June 29th, 1933.

Ratif. (cont.): France (Date of registration.)
August 23rd, 1939
Peru November 8th, 1945

¹ Registered, October 19th, 1939. *Ibid.*, Vol. CXC VII, p. 306.

² This was registered and came into force on August 12th, 1939. *League of Nations, Treaty Series*, Vol. CXC VIII, pp. 112 *et seq.* Definitive signatures: Union of South Africa, Australia (with Papua, Norfolk Island, Nauru and New Guinea), Brazil, Denmark, Egypt, Great Britain and Northern Ireland (with Burma, Newfoundland and Southern Rhodesia), Greece, India, Iraq, Ireland, Latvia, Monaco, Norway, Poland, Sweden, Switzerland. Non-definitive signatures: Chile, France, Hungary, United States of America.

455.—CONVENTION CONCERNING COMPULSORY OLD-AGE INSURANCE
FOR PERSONS EMPLOYED IN AGRICULTURAL UNDERTAKINGS
adopted by the Labour Conference.

Geneva, June 29th, 1933.

(Date of registration.)

Ratif. (cont.) : France

August 23rd, 1939

456.—CONVENTION CONCERNING COMPULSORY INVALIDITY INSURANCE
FOR PERSONS EMPLOYED IN INDUSTRIAL OR COMMERCIAL
UNDERTAKINGS, IN THE LIBERAL PROFESSIONS,
AND FOR OUTWORKERS AND DOMESTIC SERVANTS
adopted by the Labour Conference.

Geneva, June 29th, 1933.

(Date of registration.)

Ratif. (cont.) : France
Peru

August 23rd, 1939
November 8th, 1945

457.—CONVENTION CONCERNING COMPULSORY INVALIDITY INSURANCE
FOR PERSONS EMPLOYED IN AGRICULTURAL UNDERTAKINGS
adopted by the Labour Conference.

Geneva, June 29th, 1933.

(Date of registration.)

Ratif. (cont.) : France

August 23rd, 1939

458.—CONVENTION CONCERNING COMPULSORY WIDOWS' AND ORPHANS'
INSURANCE FOR PERSONS EMPLOYED IN INDUSTRIAL OR COMMERCIAL
UNDERTAKINGS, IN THE LIBERAL PROFESSIONS, AND FOR OUTWORKERS
AND DOMESTIC SERVANTS
adopted by the Labour Conference.

Geneva, June 29th, 1933.

(Date of registration.)

Ratif. (cont.) : Peru

November 8th, 1945

467.—AGREEMENT AND PROTOCOL BETWEEN THE UNITED KINGDOM
AND DENMARK RELATING TO TRADE AND COMMERCE.

London, April 24th, 1933.

Additional Agreement ¹ with exchange of notes ². London, December 21st, 1938.

¹ Registered on September 16th, 1939. Exchange of ratifications on August 28th, 1939. *League of Nations, Treaty Series*, Vol. CXC VII, pp. 334 *et seq.*

² Registered on November 2nd, 1939. *Ibid.*, pp. 338 *et seq.*

468.—CONVENTION BETWEEN THE ARGENTINE REPUBLIC
AND THE UNITED KINGDOM RELATING TO TRADE AND COMMERCE.

London, May 1st, 1933.

Completed by the Supplementary Agreement with Protocol signed
at Buenos Ayres on September 26th, 1933 ¹.

470.—COMMERCIAL AGREEMENT BETWEEN GREAT BRITAIN AND SWEDEN.

London, May 15th, 1933.

Modified by an exchange of notes signed at Stockholm on
May 27th and June 15th, 1935 ².

480.—REVISED CONVENTION CONCERNING EMPLOYMENT
OF WOMEN DURING THE NIGHT (1934)

adopted by the Labour Conference.

Geneva, June 19th, 1934.

	(Date of registration.)
<i>Ratif.</i> (cont.): Afghanistan	June 12th, 1939
Peru	November 8th, 1945
Venezuela ³	November 20th, 1944

482.—(REVISED) CONVENTION CONCERNING WORKMEN'S
COMPENSATION FOR OCCUPATIONAL DISEASES

adopted by the Labour Conference.

Geneva, June 21st, 1934.

	(Date of registration.)
<i>Ratif.</i> (cont.): Denmark	June 22nd, 1939
Iraq	July 25th, 1941
Netherlands ⁴	September 1st, 1939

¹ Ratifications exchanged at London on November 7th, 1933. Came into force on the same date as the Convention of which it constitutes an integral part. De Martens, *Nouveau Recueil général de Traités*, 3rd Series, Vol. XXXVI, pp. 303 *et seq.*

² Came into force on June 15th, 1935. De Martens, *op. cit.*, Vol. XXXVI, pp. 323-324.

³ See above, No. 168.

⁴ " " " " 194.

483.—CONVENTION ENSURING BENEFIT OR ALLOWANCES
TO THE INVOLUNTARILY UNEMPLOYED
adopted by the Labour Conference.

Geneva, June 23rd, 1934.

(*Entry into force* : June 10th, 1938.)

(Date of registration.)

Ratif. (cont.) : Switzerland June 14th, 1939

484.—CONVENTION FOR THE CAMPAIGN AGAINST CONTAGIOUS
DISEASES OF ANIMALS.

Geneva, February 20th, 1935 ¹.

Ratif. (cont.) : Turkey March 19th, 1941

485.—CONVENTION CONCERNING THE TRANSIT OF ANIMALS,
MEAT AND OTHER PRODUCTS OF ANIMAL ORIGIN.

Geneva, February 20th, 1935 ².

Ratif. (cont.) : Turkey March 19th, 1941

486.—CONVENTION CONCERNING THE EXPORT AND IMPORT
OF ANIMAL PRODUCTS.

Geneva, February 20th, 1935 ³.

Ratif. (cont.) : Turkey March 19th, 1941

498.—CONVENTION CONCERNING THE EMPLOYMENT OF WOMEN
ON UNDERGROUND WORK IN MINES OF ALL KINDS
adopted by the Labour Conference.

Geneva, June 21st, 1935.

(Date of registration.)

Ratif. (cont.) : Peru November 8th, 1945
Switzerland May 23rd, 1940
Venezuela November 20th, 1944

¹ Registered on March 23rd, 1938. *League of Nations, Treaty Series*, Vol. CLXXXVI, pp. 173 *et sqq.*

² Registered on December 6th, 1938. *Ibid.*, Vol. CXCIII, pp. 38 *et sqq.*

³ " " " " " " " " " " 60 *et sqq.*

**499.—(REVISED) CONVENTION LIMITING HOURS OF WORK
IN COAL-MINES**

adopted by the Labour Conference.

Geneva, June 21st, 1935.

(Date of registration.)

Ratif. (cont.): Mexico _____ September 1st, 1939

**501.—CONVENTION CONCERNING THE ESTABLISHMENT
OF AN INTERNATIONAL SCHEME FOR THE MAINTENANCE
OF RIGHTS UNDER INVALIDITY, OLD AGE AND WIDOWS'
AND ORPHANS' INSURANCE**

adopted by the Labour Conference.

Geneva, June 22nd, 1935.

(Date of registration.)

Ratif. (cont.): Yugoslavia _____ January 4th, 1946

**505.—AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED
KINGDOM AND THE POLISH GOVERNMENT IN REGARD TO TRADE
AND COMMERCE.**

London, February 27th, 1935.

Modified and completed by the exchanges of notes signed at Warsaw on January 30th, 1937¹, July 31st and September 30th, 1937², June 15th, 1938³, June 23rd and September 1st, 1938⁴, September 8th, 1938⁵, October 13th, 1938⁶, February 9th, 1939⁷, and May 31st, 1939⁸.

**512.—INTERNATIONAL CONVENTION FOR THE UNIFICATION
OF METHODS OF SAMPLING AND ANALYZING CHEESES.**

Rome, April 26th, 1934.

Ratif. (cont.): Greece _____ June 10th, 1939

¹ Registered on November 9th, 1938, and entered into force on February 11th 1937. *League of Nations, Treaty Series*, Vol. CXCIII, pp. 276 *et seq.*

² Registered on November 9th, 1938, and provisionally entered into force on August 20th and October 20th, 1937, respectively. *Ibid.*, pp. 280 *et seq.*

³ Registered on November 9th, 1938, and came into force on July 10th, 1938. *Ibid.*, pp. 287 *et seq.*

⁴ Registered on November 9th, 1938, and came into force on September 1st, 1938. *Ibid.*, pp. 292 *et seq.*

⁵ Registered on November 9th, 1938, and came into force on September 8th, 1938. *Ibid.*, pp. 295 *et seq.*

⁶ Registered on November 26th, 1938. *Ibid.*, pp. 297 *et seq.*

⁷ Registered on June 7th, 1939; came provisionally into force on March 6th, 1939. *Ibid.*, Vol. CXCVI, pp. 428 *et seq.*

⁸ Registered on August 10th, 1939. *Ibid.*, Vol. CXCVII, pp. 351 *et seq.*

**513.—CONVENTION CONCERNING THE REGULATION OF CERTAIN
SPECIAL SYSTEMS OF RECRUITING INDIGENOUS WORKERS**
voted by the Labour Conference.

Geneva, June 20th, 1936.

(Date of registration.)

Ratif. (cont.) : Great Britain and Northern Ireland¹ May 22nd, 1939

515.—CONVENTION CONCERNING ANNUAL HOLIDAYS WITH PAY
adopted by the Labour Conference.

Geneva, June 24th, 1936.

(Date of registration.)

Ratif. (cont.) : Denmark June 22nd, 1939
France August 23rd, 1939

¹ This ratification applies also without modification to the following territories :

Barbados	(b) Unfederated Malay States :
British Guiana	Johore
British Honduras	Kedah
British Solomon Islands Protectorate	Kelantan
Ceylon	Perlis
Fiji	Trengganu
Gambia (Colony and Protectorate)	Brunei
Gilbert and Ellice Islands Colony	Mauritius
Gold Coast :	Nigeria :
(a) Colony	(a) Colony
(b) Ashanti	(b) Protectorate
(c) Northern Territories	(c) Cameroons under British Mandate
(d) Togoland under British Mandate	North Borneo, State of Northern Rhodesia
Hong Kong	Nyasaland Protectorate
Jamaica (including Turks and Caicos Islands and the Cayman Islands)	Sarawak
	Seychelles
Kenya (Colony and Protectorate)	Sierra Leone (Colony and Protectorate)
Leeward Islands :	Somaliland Protectorate
Antigua	Straits Settlements
Dominica	Tanganyika Territory
Montserrat	Tonga
St. Christopher and Nevis	Trinidad and Tobago
Virgin Islands	Uganda Protectorate
Malay States :	Windward Islands :
(a) Federated Malay States :	Grenada
Negri Sembilan	St. Lucia
Pahang	St. Vincent
Perak	
Selangor	

The ratification applies also to Bahamas (September 30th, 1944).

516.—CONVENTION FOR THE SUPPRESSION OF THE ILLICIT
TRAFFIC IN DANGEROUS DRUGS.

Geneva, June 26th, 1936¹.

<i>Ratif.</i> (cont.):	Colombia	April 11th, 1944
	Egypt	January 29th, 1940
	France (with the excep- tion of the colonies, pro- tectorates or territories placed under French man- date)	January 16th, 1940
<i>Adh.</i> (cont.):	Turkey	July 28th, 1939

517.—CONVENTION CONCERNING THE MINIMUM REQUIREMENT
OF PROFESSIONAL CAPACITY FOR MASTERS AND OFFICERS
ON BOARD MERCHANT SHIPS

adopted by the Labour Conference.

Geneva, October 24th, 1936.

(Date of registration.)

<i>Ratif.</i> (cont.):	Mexico	September 1st, 1939
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518.—CONVENTION CONCERNING ANNUAL HOLIDAYS WITH PAY
FOR SEAMEN

adopted by the Labour Conference.

Geneva, October 24th, 1936.

(Date of registration.)

<i>Ratif.</i> (cont.):	Mexico	June 12th, 1942
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519.—CONVENTION CONCERNING THE LIABILITY OF THE SHIPOWNER
IN CASE OF SICKNESS, INJURY OR DEATH OF SEAMEN

adopted by the Labour Conference.

Geneva, October 24th, 1936.

(*Entry into force*: October 29th, 1939.)

(Date of registration.)

<i>Ratif.</i> (cont.):	Mexico	September 15th, 1939
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¹ Registered and came into force on October 26th, 1939. *League of Nations, Treaty Series*, Vol. CXCVIII, pp. 299 *et seq.*

520.—CONVENTION CONCERNING SICKNESS INSURANCE FOR SEAMEN
adopted by the Labour Conference.

Geneva, October 24th, 1946.

(Date of registration.)

Ratif. (cont.): Great Britain and Northern Ireland September 30th, 1944

522.—(REVISED) CONVENTION FIXING THE MINIMUM AGE
FOR THE ADMISSION OF CHILDREN TO EMPLOYMENT AT SEA
adopted by the Labour Conference.

Geneva, October 24th, 1936.

(*Entry into force* : April 11th, 1939.)

(Date of registration.)

Ratif. (cont.): Iraq December 30th, 1939

532.—CONVENTION CONCERNING THE USE OF BROADCASTING
IN THE CAUSE OF PEACE.

Geneva, September 23rd, 1936.

Ratif. (cont.): Chile February 20th, 1940

Adh. (cont.): French colonies and protectorates and territories under French mandate January 14th, 1939
Certain colonies and British protectorates and territories under British mandate¹ July 14th, 1939

533.—(REVISED) CONVENTION FIXING THE MINIMUM AGE
FOR ADMISSION OF CHILDREN TO INDUSTRIAL EMPLOYMENT
adopted by the Labour Conference.

Geneva, June 22nd, 1937.

(*Entry into force* : February 21st, 1941.)

(Date of registration.)

Ratif. (cont.): China February 21st, 1940

¹ *League of Nations, Treaty Series*, Vol. CXCVII, pp. 394-395.

536.—CONVENTION CONCERNING SAFETY PROVISIONS
IN THE BUILDING INDUSTRY

adopted by the Labour Conference.

Geneva, June 23rd, 1937.

(*Entry into force* : July 4th, 1942.)

(Date of registration.)

<i>Ratified</i> :	Mexico	July 4th, 1941
	Switzerland	May 23rd, 1940

545.—CONVENTION CONCERNING STATISTICS OF WAGES
AND HOURS OF WORK

adopted by the Labour Conference.

Geneva, June 20th, 1938.

(*Entry into force* : June 22nd, 1940.)

(Date of registration.)

<i>Ratified</i> :	Union of South Africa (excluding Parts II and IV of the Convention)	August 8th, 1939
	Australia (excluding Part II of the Con- vention)	September 5th, 1939
	Denmark (excluding Part III of the Con- vention)	June 22nd, 1939
	Egypt (excluding Parts III and IV of the Convention)	October 5th, 1940
	Mexico	July 16th, 1942
	Netherlands	March 9th, 1940
	New Zealand (excluding Part II of the Con- vention and all areas other than the North Island of New Zealand and adjacent islets, the South Island of New Zealand and adjacent islets ; Stewart Island and adja- cent islets, and the Chatham Islands)	January 18th, 1940
	Norway (excluding Part III of the Con- vention)	March 29th, 1940
	Sweden (excluding Part III of the Con- vention)	June 21st, 1939
	Switzerland (excluding Parts III and IV of the Convention)	May 23rd, 1940

551.—TREATY OF COMMERCE AND NAVIGATION
BETWEEN SWEDEN AND YUGOSLAVIA WITH FINAL PROTOCOL
AND EXCHANGE OF NOTES¹.

Stockholm, May 14th, 1937.

560.—TREATY OF COMMERCE AND NAVIGATION
BETWEEN GREAT BRITAIN AND NORTHERN IRELAND AND SIAM.

Bangkok, November 23rd, 1937.

Exchanges of notes regarding the extension of the above-mentioned Treaty to certain colonies, possessions, protectorates and mandated territories. Bangkok, December 8th and 23rd, 1938², June 9th and 10th, 1939³, August 18th and 21st, 1939⁴, September 1st and 4th, 1939⁵, March 25th and 28th, 1940⁶, March 22nd and April 3rd, 1940⁷, June 12th and 18th, 1940⁸.

Exchange of notes regarding the accession of India to the above-mentioned Treaty. Bangkok, June 28th and July 17th and 28th, 1939³.

¹ Registered on January 23rd, 1939. *League of Nations, Treaty Series*, Vol. CXCIV, pp. 23 *et seq.*

² Registered on November 2nd, 1939. *League of Nations, Treaty Series*, Vol. CXCVII, pp. 404 *et seq.*

³ Registered on September 19th, 1939. *Ibid.*, pp. 400 *et seq.*, 402 *et seq.*

⁴ „ „ January 3rd, 1940. *Ibid.*, Vol. CC, pp. 558 *et seq.*

⁵ „ „ November 24th, 1939. *Ibid.*, Vol. CXCVII, pp. 407 *et seq.*

⁶ „ „ May 30th, 1940. *Ibid.*, Vol. CC, pp. 559 *et seq.*

⁷ „ „ June 6th, 1940. *Ibid.*, pp. 563 *et seq.*

⁸ „ „ January 16th, 1941. *Ibid.*, pp. 561 *et seq.*

SECTION II.

*INSTRUMENTS GOVERNING THE JURISDICTION
OF THE COURT WHICH HAVE COME
TO THE KNOWLEDGE OF THE REGISTRY
SINCE JUNE 15th, 1939.*

FIRST PART.

CONSTITUTIONAL TEXTS
DETERMINING THE JURISDICTION OF THE COURT.

(No new instruments.)

SECOND PART.

INSTRUMENTS FOR THE PACIFIC SETTLEMENT
OF DISPUTES AND CONCERNING THE JURISDICTION
OF THE COURT.

SUMMARY.

SECTION A : COLLECTIVE INSTRUMENTS.

(No new instruments.)

SECTION B : OTHER INSTRUMENTS.

	Page
565, 566	386

SECTION B.

565.—TREATY FOR THE PACIFIC SETTLEMENT
OF DISPUTES BETWEEN VENEZUELA AND BRAZIL.CARACAS, MARCH 30th, 1940 ¹.*(Ratifications exchanged at Rio de Janeiro, January 9th, 1941.)*[*Traduction* ².]

Article premier. — Les deux Hautes Parties contractantes s'engagent réciproquement à ne recourir en aucun cas à la guerre ni à exercer l'une contre l'autre aucun acte d'agression.

Article 2. — Les deux Hautes Parties contractantes s'engagent également à soumettre à une des procédures de solution pacifique indiquées dans le présent Traité toutes les controverses, quelle que soit leur nature ou leur cause, qui pourraient surgir entre elles et qui n'auraient pu être résolues à l'amiable par les procédés diplomatiques ordinaires.

Article 3. — Sous réserve de ce qui est stipulé dans la partie finale de l'article 2, seront soumises à la décision de la Cour permanente de Justice internationale ou d'un tribunal arbitral, toutes les controverses qui n'auraient pas été réglées au moyen de la procédure de conciliation prévue dans le présent Traité, et qui auraient pour objet :

- a) l'interprétation d'un traité ;
- b) tout point de droit international ;
- c) la réalité de tout fait qui, s'il était établi, constituerait la violation d'un engagement international ;
- d) la nature et l'étendue de la réparation due pour cette violation.

S'il y a contestation entre les deux Parties contractantes sur la question de savoir si le litige rentre ou non dans l'une quelconque des catégories ci-dessus mentionnées, cette question préliminaire sera soumise à la Cour permanente de Justice internationale. Les deux Parties s'engagent à accepter la décision de la Cour à ce sujet et à s'y conformer.

Article 4. — Dans chaque cas particulier qui devra être soumis à la Cour permanente de Justice internationale ou à un tribunal arbitral, les Parties contractantes concluront un compromis, par échange de notes, dans lequel seront déterminés clairement l'objet du litige, la compétence accordée à la Cour ou au tribunal arbitral, les délais et autres conditions convenues entre elles.

¹ *Gaceta Oficial de los Estados Unidos de Venezuela*, January 14th, 1941, No. 20,388, pp. 130,837 et seq.

² Translated by the Registry of the Court.

A défaut d'accord entre les Parties sur les termes du compromis et après préavis d'un mois, chacune d'elles aura la faculté de porter l'affaire directement, par voie de simple requête, devant la Cour permanente de Justice internationale.

Article 5. — Les questions qui auront fait l'objet d'un accord définitif entre les deux Parties contractantes ne pourront pas donner lieu à recours à la Cour permanente de Justice internationale, sauf dans le cas où le différend porterait sur l'interprétation ou l'exécution d'un tel accord. Elles ne pourront pas non plus être soumises à un tribunal arbitral.

Article 6. — S'il s'agit d'un litige qui, selon la législation interne de l'une des Parties contractantes, relève de la compétence de leurs tribunaux nationaux, la question ne sera pas soumise aux procédures prévues dans ce Traité, à moins qu'un déni de justice ne soit invoqué après une sentence définitive, émise dans un délai raisonnable, par l'autorité nationale compétente.

Article 7. — En cas de recours à une solution arbitrale, chacune des Parties contractantes désignera un arbitre de nationalité différente de celle de la Partie qui le nomme et tâchera de s'entendre avec l'autre Partie pour la désignation d'un tiers arbitre qui ne devra être d'aucune des nationalités des deux autres. Ce tiers arbitre sera le président du tribunal ainsi constitué.

En cas de désaccord au sujet de l'élection du tiers arbitre, les deux Parties contractantes demanderont au Président de la Cour suprême des États-Unis de désigner le président du tribunal.

Les décisions du tribunal arbitral seront prises à la majorité des voix. Les deux Parties s'engagent à s'y conformer.

Article 8. — Si la sentence de la Cour permanente de Justice internationale ou du tribunal arbitral établissait qu'une décision prise ou une mesure ordonnée par une instance judiciaire quelconque ou toute autre autorité relevant de l'une des Parties contractantes, se trouve entièrement ou partiellement en opposition avec le droit international, et si le droit constitutionnel de cette Partie ne permettait pas ou ne permettait qu'imparfaitement d'effacer les conséquences de cette décision ou de cette mesure, les Parties conviennent qu'il devra être accordé par la sentence même de la Cour ou du tribunal arbitral, à la partie lésée, une compensation équitable.

Article 9. — Sous réserve de stipulations contraires dans la clause compromissoire, chaque Partie contractante pourra demander au tribunal arbitral qui a prononcé la sentence la revision de celle-ci. Cependant, cette demande ne pourra être motivée que par la découverte d'un fait quelconque qui aurait pu exercer une influence décisive sur la sentence et qui, au moment de la clôture des débats, n'était pas connu du tribunal lui-même ni de la Partie demandant la revision.

Si, pour une raison quelconque, un ou plusieurs membres du tribunal qui a prononcé la sentence ne pouvaient prendre part à la revision, il serait pourvu à leur remplacement selon le mode fixé pour leur désignation.

Le délai dans lequel la demande de révision pourra être faite devra être fixé dans la sentence arbitrale, à moins qu'il ne l'ait déjà été dans le compromis.

Article 10. — Si une des Parties contractantes allègue que la controverse qui les divise porte sur une affaire qui, par sa nature et selon le droit international, relève exclusivement de la compétence ou de la juridiction interne de ladite Partie, et si l'autre Partie reconnaît le bien-fondé de cette allégation, le litige sera soumis à la procédure de conciliation prévue par l'article 18.

Si, en revanche, l'autre Partie ne la reconnaît pas comme telle, l'exception sera jugée par la Cour permanente de Justice internationale. Si la Cour reconnaît que l'exception est bien fondée, le litige sera soumis à la commission permanente de conciliation prévue aux articles 11 et suivants. Dans le cas contraire, la Cour elle-même statuera sur le fond du litige.

Article 11. — Les Hautes Parties contractantes institueront une commission permanente de conciliation composée de cinq membres.

Chacune des Parties désignera deux de ces membres, dont un seulement sera ressortissant du pays qui le nomme. Le cinquième sera le président, et sa désignation se fera d'un commun accord entre les deux Parties contractantes, étant bien entendu cependant qu'il ne sera d'aucune des nationalités déjà représentées dans le sein de la commission.

Article 12. — La commission permanente de conciliation devra être constituée et prête à fonctionner dans les six mois qui suivront l'échange des ratifications du présent Traité.

Sauf accord contraire entre les Parties contractantes, la commission sera nommée pour une période de trois ans, qui sera prorogée automatiquement pour une nouvelle période de trois ans et ainsi de suite, à moins que dans les trois derniers mois de chaque période, les Parties ne décident de la modifier ou de la remplacer complètement.

Il sera pourvu immédiatement aux vacances qui se produiront au sein de la commission.

Article 13. — La commission se réunira, sauf accord contraire entre les Parties, au lieu désigné par son président.

Article 14. — La commission pourra être convoquée par l'une ou l'autre des Parties contractantes qui, à cet effet, s'adresseront à son président.

Article 15. — A moins de stipulation contraire entre les Hautes Parties contractantes, la commission établira elle-même les règles de procédure qui, dans tous les cas, devra être contradictoire. A défaut d'unanimité, la procédure établie au titre III de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux sera appliquée. Les décisions de la commission seront prises à la majorité des voix, et elle ne pourra pas se prononcer sur le fond du différend sans la présence de tous ses membres.

Les Parties seront représentées devant la commission par des agents qui serviront d'intermédiaires entre elles et la commission.

Article 16. — Les Hautes Parties contractantes s'engagent à faciliter les travaux de la commission permanente de conciliation et, en particulier, à lui fournir, dans la plus large mesure possible, tous documents et informations utiles et à employer tous les moyens à leur disposition pour lui permettre de procéder à la citation et à l'audition de témoins ou d'experts et à d'autres actes dans leurs territoires respectifs et conformément à leurs lois.

Article 17. — Pendant la durée des travaux de la commission, chacun des commissaires recevra une indemnité pécuniaire dont le montant sera arrêté d'un commun accord par les Parties contractantes.

Chacun des deux Gouvernements subviendra à ses propres dépenses et à une partie égale des dépenses communes de la commission, y compris les indemnités prévues dans le premier alinéa de cet article.

Article 18. — Toutes les questions au sujet desquelles les Parties contractantes ne pourraient arriver à un accord amiable au moyen des procédés diplomatiques ordinaires, seront soumises à la procédure de conciliation, à moins que les Parties contractantes ne conviennent de les soumettre à la solution arbitrale ou judiciaire, conformément à l'article 3.

Article 19. — La commission permanente de conciliation aura pour tâche d'élucider les questions en litige, de recueillir à cet effet toutes les informations utiles par voie d'enquête ou autrement et de s'efforcer de concilier les Parties.

Elle pourra, après examen de l'affaire, informer les Parties des termes de l'accord qui lui paraîtra convenable, et elle devra, dans tous les cas, soumettre un avis sur la controverse.

Article 20. — L'avis de la commission permanente de conciliation sera présenté dans le délai d'un an à compter de la date à laquelle elle aura commencé ses travaux. Le délai pourra être prorogé, d'un commun accord, par les Hautes Parties contractantes.

L'avis de la commission sera purement consultatif.

Article 21. — Une fois l'avis prévu à l'article précédent présenté, les Hautes Parties contractantes disposeront d'un délai de six mois pour négocier un accord sur les bases dudit avis. A défaut de conciliation dans ce délai, la controverse sera soumise à la décision d'un tribunal arbitral, conformément aux dispositions des articles 4 et 7 du présent Traité.

Les Parties contractantes se réservent la faculté de soumettre d'un commun accord la controverse à la Cour permanente de Justice internationale qui, dans ce cas, statuera *ex æquo et bono*.

Article 22. — Les deux Gouvernements s'engagent à s'abstenir durant le cours de la procédure engagée en vertu de ce Traité, de toute mesure susceptible d'aggraver le conflit et à exécuter, dans le cas d'un litige résultant d'actes déjà accomplis ou en voie de l'être, les mesures provisoires que la Cour permanente de Justice internationale, le tribunal arbitral ou la commission de conciliation, selon les cas, jugerait nécessaires d'adopter.

Article 23. — Les différends qui pourraient surgir au sujet de l'interprétation ou de l'application du présent Traité seront soumis,

à défaut d'accord contraire des Hautes Parties contractantes, à la Cour permanente de Justice internationale par voie de simple requête de l'une ou l'autre des Parties.

Article 24. — Dès son entrée en vigueur, ce Traité remplacera, dans tous ses effets, la Convention d'arbitrage conclue à Caracas entre le Venezuela et le Brésil le 30 avril 1909.

Article 25. — Dès que les formalités légales de chacun des pays contractants seront accomplies, le présent Traité sera ratifié et les ratifications seront échangées en la ville de Rio de Janeiro dans le plus bref délai possible.

Il restera en vigueur pour une durée de dix ans à compter de la date de l'échange des ratifications ; cependant, s'il n'est pas dénoncé six mois avant l'expiration de ce délai, il sera considéré comme renouvelé tacitement pour une autre période de dix ans, et ainsi de suite.

Dans tous les cas, les procédures déjà commencées au moment de l'expiration du Traité seront poursuivies jusqu'à leur achèvement normal.

**566.—TREATY OF NON-AGGRESSION, CONCILIATION,
ARBITRATION AND JUDICIAL SETTLEMENT BETWEEN
THE UNITED STATES OF VENEZUELA AND THE REPUBLIC
OF COLOMBIA.**

CARACAS, JULY 10th, 1940¹.

(Ratifications exchanged at Caracas on September 12th, 1941.)

[*Traduction* ².]

Article premier. — Les deux Hautes Parties contractantes s'engagent à ne recourir en aucun cas à la guerre ni à exercer l'une contre l'autre aucun acte d'agression.

Article 2. — Les deux Hautes Parties contractantes s'engagent à soumettre, conformément aux stipulations du présent Traité, aux procédures de solution pacifique établies par celui-ci, les controverses, quelle que soit leur nature ou leur cause, qui pourraient surgir entre elles et qui n'auraient pu être résolues à l'amiable par les procédés diplomatiques ordinaires, exception faite seulement de celles qui portent sur les intérêts vitaux, l'indépendance ou l'intégrité territoriale des États contractants.

Les différends pour la solution desquels une procédure spéciale est prévue par des conventions en vigueur entre les Parties seront réglés conformément aux dispositions de ces conventions.

¹ *Gaceta Oficial de los Estados Unidos de Venezuela*, September 16th, 1941, No. 20.593, pp. 133.822 et sqq.

² Translated by the Registry of the Court.

Article 3. — Si une des Parties contractantes allègue que la controverse qui les divise porte sur une affaire qui, par sa nature et selon le droit international, appartient exclusivement à la compétence et à la juridiction de ladite Partie, et si la Partie adverse ne le reconnaît pas, l'exception sera jugée par la Cour permanente de Justice internationale. Si celle-ci considère l'exception comme bien fondée, le litige sera déclaré comme terminé. Dans l'hypothèse contraire, la Cour elle-même statuera sur le fond du litige et déterminera la procédure de solution pacifique qui, conformément au présent Traité, devra être employée.

Article 4. — Toutes les questions sur lesquelles les deux Hautes Parties contractantes n'arriveraient pas à un accord amiable moyennant les procédés diplomatiques ordinaires, seront soumises à la commission permanente de conciliation.

Article 5. — Les Hautes Parties contractantes constitueront une commission permanente de conciliation composée de cinq membres. Chacune des Parties désignera deux de ces membres, dont un seulement pourra être ressortissant de l'État qui les nomme. Le cinquième sera le président, et sa désignation se fera d'un commun accord entre les Parties contractantes. Le cinquième membre ne sera d'aucune des nationalités déjà représentées dans le sein de la commission.

Article 6. — La commission permanente de conciliation devra être constituée et prête à fonctionner dans les six mois qui suivront la date de l'échange des ratifications du présent Traité.

Sauf accord contraire entre les Parties contractantes, la commission sera nommée pour trois ans et ainsi de suite, à moins que, dans les trois derniers mois de chaque terme, les Parties ne décident de modifier sa constitution ou de la remplacer complètement.

Il sera pourvu immédiatement aux vacances qui se produiront dans le sein de la Commission.

Article 7. [See Article 13 of the Treaty between Venezuela and Brazil of March 30th, 1940, p. 388.]

Article 8. [See Article 14 of the same Treaty.]

Article 9. — A moins de stipulation contraire entre les Hautes Parties contractantes, la commission établira librement les règles de sa procédure qui, dans tous les cas, sera contradictoire. A défaut d'unanimité, la procédure établie au titre III de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux sera appliquée. Les décisions de la commission seront prises à la majorité des voix des membres qui la constituent, qui tous devront être présents.

Les Parties seront représentées devant la commission par des agents, qui serviront également d'intermédiaires entre elles et la commission.

Article 10. [See Article 16 of the Treaty above mentioned.]

Article 11. [See Article 17 of the Treaty above mentioned.]

Article 12. — La commission permanente de conciliation aura pour tâche d'examiner les questions en litige, de recueillir à cet

effet toutes les informations utiles, par voie d'enquête ou autrement, et de s'efforcer de concilier les Parties.

La commission pourra, après examen de l'affaire, informer les Parties des termes de l'accord qui lui paraîtrait convenable, et elle devra, dans tous les cas, proposer une solution de la controverse. Le rapport de la commission ne sera pas obligatoire pour les Parties, aussi bien en ce qui concerne les considérations de fait qu'en ce qui concerne les considérations de droit.

Article 13. — Les recommandations de la commission permanente de conciliation seront présentées dans le délai d'une année à partir de la date à laquelle elle aura commencé ses travaux. Les Hautes Parties contractantes pourront prolonger d'un commun accord ce délai.

Article 14. — Une fois les recommandations de la commission présentées aux Parties, celles-ci disposeront d'un délai de six mois pour négocier un accord sur les bases de la solution proposée. Si le délai de six mois expirait sans qu'il y ait eu conciliation, la controverse sera soumise à la décision judiciaire ou arbitrale prévue aux articles 15 et suivants du présent Traité.

Article 15. — Sous réserve de ce qui est stipulé à l'article 2, seront soumises à la décision judiciaire, fondée en droit, de la Cour permanente de Justice internationale ou d'un tribunal arbitral constitué selon les dispositions du présent Traité, toutes les controverses qui n'auraient pas été réglées par la procédure de conciliation et qui auraient pour objet :

- a) l'existence, l'interprétation ou l'application d'un traité international conclu entre les Parties ;
- b) tout point de droit international ;
- c) la réalité de tout fait qui, s'il était établi, constituerait la violation d'un engagement international ;
- d) la nature et l'étendue de la réparation due pour cette violation.

Si l'y a contestation entre les deux Parties contractantes sur la question de savoir si le litige rentre ou non dans l'une quelconque des catégories ci-dessus mentionnées, la Cour permanente de Justice internationale statuera sur cette question préalable. Les Parties contractantes s'engagent à accepter la décision de la Cour et à s'y conformer.

Lorsque la controverse aura pour objet des questions autres que celles mentionnées aux lettres *a*, *b*, *c* et *d* de cet article, les Parties contractantes pourront soumettre le différend au tribunal arbitral établi par ce Traité en lui donnant la compétence de statuer *ex æquo et bono* si aucune règle de droit n'était applicable.

Article 16. — Dans tous les cas où il y aura lieu de recourir à une solution arbitrale, chacune des Parties contractantes désignera un arbitre qui ne sera pas de sa nationalité, et tâchera de s'entendre avec l'autre Partie pour la désignation d'un tiers n'ayant aucune des nationalités des deux autres. Ce tiers arbitre sera le président du tribunal ainsi constitué.

En cas de désaccord au sujet de l'élection du tiers arbitre, les deux Parties contractantes demanderont à la Cour permanente de Justice internationale de procéder à la désignation du président du tribunal.

Les décisions du tribunal arbitral seront prises à la majorité des voix et seront obligatoires pour les Parties.

Article 17, alinéas 1 et 2. [See Article 4 of the Treaty above mentioned.]

Si la Cour trouve que l'affaire n'est pas comprise dans celles qui, selon l'article 15, sont de sa compétence, elle le fera connaître aux Parties, qui pourront constituer le tribunal arbitral prévu par ledit article 15.

Article 18. — Les questions qui auront fait l'objet d'un accord définitif entre les Parties contractantes ne donneront pas lieu à recours à la Cour permanente de Justice internationale ni ne pourront être soumises au tribunal arbitral, à moins que la controverse n'ait pour objet l'interprétation ou l'exécution d'un tel accord.

Article 19. — S'il s'agit d'un litige dont l'objet, selon la législation interne de l'une des Parties contractantes, relève de la compétence de ses tribunaux nationaux, la question ne sera pas soumise aux procédures prévues par ce Traité, à moins qu'un déni de justice dans une sentence définitive de l'autorité judiciaire compétente ne soit allégué.

Article 20. — Si la sentence de la Cour permanente de Justice internationale ou du tribunal arbitral établissait qu'une décision prise par l'une quelconque des autorités relevant d'une des Parties contractantes se trouve entièrement ou partiellement en opposition avec le droit international conventionnel en vigueur entre les Parties, et si le droit constitutionnel de cette Partie ne permet pas ou ne permet qu'imparfaitement d'effacer par voie administrative les conséquences de cette décision, les Parties conviennent qu'il devra être accordé par la sentence même de la Cour ou du tribunal, à la Partie lésée, une réparation équitable.

Article 21. — Les deux Parties s'engagent à s'abstenir au cours d'une procédure engagée en vertu de ce Traité, de toute mesure susceptible d'aggraver le conflit et à exécuter, dans le cas d'un litige résultant d'actes déjà accomplis ou en voie de l'être, les mesures provisoires que la Cour permanente de Justice internationale, le tribunal arbitral ou la commission de conciliation, selon les cas, jugerait nécessaires d'adopter.

Article 22. — La Partie qui donne lieu à un conflit par des actes qui, de par leur nature, doivent être réglés par les méthodes de règlement pacifique établies dans ce Traité, devra, à partir du moment où le différend a été soumis à l'une des procédures prévues dans le Traité, faire cesser les effets de ces actes et rétablir l'état antérieur des choses.

Article 23. — A moins de stipulation contraire dans le compromis prévu à l'article 17 de ce Traité, chaque Partie contractante pourra demander au tribunal arbitral qui a prononcé la sentence la revision de celle-ci.

[For the rest of the Article, see Article 9 of the Treaty above mentioned.]

Article 24. — Les différends qui pourraient surgir au sujet de l'interprétation ou de l'application du présent Traité seront soumis,

à défaut d'accord contraire des Hautes Parties contractantes, à la Cour permanente de Justice internationale ou au tribunal arbitral par voie de simple requête de l'une ou l'autre des Parties.

Article 25. — Dès que les formalités légales de chacun des pays contractants seront accomplies, le présent Traité sera ratifié et les ratifications seront échangées à Caracas dans le plus bref délai possible.

[*For paragraphs 2 and 3 of this Article, see paragraphs 2 and 3 of Article 25 of the Treaty above mentioned.*]

THIRD PART.
VARIOUS INSTRUMENTS
PROVIDING FOR THE JURISDICTION OF THE COURT.

SUMMARY.

SECTION A : COLLECTIVE INSTRUMENTS.	
567 to 573	Page 396
SECTION B : OTHER INSTRUMENTS.	
574 to 585	400

SECTION A.

567.—CONVENTION CONCERNING THE REGULATION OF
WRITTEN CONTRACTS OF EMPLOYMENT OF INDIGENOUS
WORKERS

ADOPTED BY THE LABOUR CONFERENCE
AT ITS 25th SESSION.

GENEVA, JUNE 27th, 1939.

Entry into force: Twelve months after the date on which the
ratifications of two Members have been registered.

(Date of registration.)

Ratif.: Great Britain and Northern Ireland¹ August 24th, 1943

568.—CONVENTION CONCERNING PENAL SANCTIONS
FOR BREACHES OF CONTRACTS OF EMPLOYMENT
BY INDIGENOUS WORKERS

ADOPTED BY THE LABOUR CONFERENCE
AT ITS 25th SESSION.

GENEVA, JUNE 27th, 1939.

Entry into force: Twelve months after the date on which two
Members of the Organization have registered ratifications to which
are appended declarations indicating territories to which they
undertake to apply the provisions of the Convention.

(Date of registration.)

Ratif.: Great Britain and Northern Ireland² August 24th, 1943

¹ This ratification is accompanied by the declaration, provided for in Article 22 of the Convention, stating the British colonies, protectorates, protected States and mandated territories to which the Convention applies without modification, to which the Convention is inapplicable, or in respect of which the decision as to the application of the Convention is reserved.

² This ratification is accompanied by the declaration, provided for in Article 22 of the Convention, stating the British colonies, protectorates, protected States and mandated territories to which the Convention applies without modification, to which the Convention is inapplicable, or in respect of which the decision as to the application of the Convention is reserved. The ratification applies also in respect of the Bahamas and Bermuda (Sept. 30th, 1944).

**569.—CONVENTION CONCERNING THE RECRUITMENT,
PLACING AND CONDITIONS OF LABOUR OF MIGRANTS
FOR EMPLOYMENT**

ADOPTED BY THE LABOUR CONFERENCE
AT ITS 25th SESSION.

GENEVA, JUNE 28th, 1939.

Entry into force: Twelve months after the date on which the ratifications of two Members have been registered.

**570.—CONVENTION CONCERNING THE REGULATION OF
HOURS OF WORK AND REST PERIODS IN ROAD TRANSPORT**

ADOPTED BY THE LABOUR CONFERENCE
AT ITS 25th SESSION.

GENEVA, JUNE 28th, 1939.

Entry into force: Twelve months after the date on which the ratifications of two Members have been registered.

571.—CONVENTION ON INTERNATIONAL CIVIL AVIATION.

CHICAGO, DECEMBER 7th, 1944¹.

Entry into force: Thirtieth day after deposit of the twenty-sixth instrument of ratification or adherence (Art. 91).

<i>Signat.:</i> Afghanistan	Lebanon
Australia	Liberia
Bolivia	Mexico
Canada	Netherlands
Chile	New Zealand
China	Nicaragua
Costa Rica	Norway
Dominican Republic	Peru
Ecuador	Philippine Commonwealth
Egypt	Poland
France	Portugal
Greece	Spain
Guatemala	Sweden
Haiti	Syria
Honduras	Turkey
Iceland	United Kingdom
India	United States of America
Iran	Uruguay
Iraq	Venezuela
Ireland	

¹ *International Civil Aviation Conference, Part I, Final Act and Appendices I-IV, Chicago, December 7th, 1944.* London, H.M. Stationery Office, Miscellaneous No. 6 (1945), Cmd. 6614, p. 51.

Article 84.—Settlement of disputes.—If any disagreement between two or more contracting States relating to the interpretation or application of this Convention and its annexes cannot be settled by negotiation, it shall, on the application of any State concerned in the disagreement, be decided by the Council. No member of the Council shall vote in the consideration by the Council of any dispute to which it is a party. Any contracting State may, subject to Article 85, appeal from the decision of the Council to an *ad hoc* arbitral tribunal agreed upon with the other Parties to the dispute or to the Permanent Court of International Justice. Any such appeal shall be notified to the Council within sixty days of receipt of notification of the decision of the Council.

Article 86.—Appeals.—Unless the Council decides otherwise, any decision by the Council on whether an international airline is operating in conformity with the provisions of this Convention shall remain in effect unless reversed on appeal. On any other matter, decisions of the Council shall, if appealed from, be suspended until the appeal is decided. The decisions of the Permanent Court of International Justice and of an arbitral tribunal shall be final and binding.

572.—INTERNATIONAL AIR SERVICES TRANSIT AGREEMENT.

CHICAGO, DECEMBER 7th, 1944¹.

Entry into force: As between contracting States upon the acceptance of the Agreement by each of them (Art. 6).

<i>Signat.:</i> Afghanistan	Liberia
Bolivia	Mexico
Canada	Netherlands
Chile	New Zealand
Costa Rica	Nicaragua
Ecuador	Norway
Egypt	Peru
France	Philippine Commonwealth
Greece	Poland
Guatemala	Spain
Haiti	Sweden
Honduras	Turkey
India	United Kingdom
Iran	United States of America
Iraq	Uruguay
Lebanon	Venezuela ²

Article 2.—Section 2.—If any disagreement between two or more contracting States relating to the interpretation or application of this Agreement cannot be settled by negotiation, the provisions of

¹ *International Civil Aviation Conference, op. cit.*, p. 55.

² *Ad referendum.*

Chapter XVIII of the above-mentioned Convention shall be applicable in the same manner as provided therein with reference to any disagreement relating to the interpretation or application of the above-mentioned Convention.

573.—INTERNATIONAL AIR TRANSPORT AGREEMENT.

CHICAGO, DECEMBER 7th, 1944¹.

Entry into force: As between contracting States upon the acceptance of the Agreement by each of them (Art. 8).

Signat.: Afghanistan
 Bolivia
 China
 Costa Rica
 Dominican Republic
 Ecuador
 Guatemala
 Haiti
 Honduras
 Lebanon²

Liberia
 Mexico
 Netherlands³
 Nicaragua
 Peru
 Sweden
 Turkey³
 United States of America
 Uruguay
 Venezuela²

Article 4.—Section 3. [*See Article 2, Section 2, of the International Air Services Transit Agreement, Chicago, December 7th, 1944, p. 398.*]

¹ *International Civil Aviation Conference, op. cit.*, p. 59.

² *Ad referendum.*

³ With reservation.

SECTION B.

574.—CONVENTION OF COMMERCE AND NAVIGATION
BETWEEN CANADA AND FRANCE.OTTAWA, MAY 12th, 1933 ¹.*(Ratifications exchanged at Ottawa, November 5th, 1936.)*

Article 20.—If a dispute arises between the High Contracting Parties in regard to the proper interpretation or application of this Convention which cannot be solved by diplomatic means, the matters in dispute shall be submitted to the Permanent Court of International Justice at The Hague, under the conditions and in accordance with the procedure provided for by its Statutes ².

575.—TREATY OF NAVIGATION BETWEEN NORWAY
AND PERU.LIMA, JULY 27th, 1933 ³.*(Ratifications exchanged at Oslo, November 21st, 1933.)**(Entry into force : December 6th, 1933.)*

Article 3. — Tout différend entre les Parties contractantes sur le contenu, l'interprétation ou l'application du présent Traité qui n'aurait pu être résolu par voie diplomatique, sera porté, sur la demande de l'une des Parties, devant la Cour permanente de Justice internationale à La Haye, qui en décidera suivant la procédure sommaire mentionnée à l'article 29 du Statut de la Cour, à moins que les Hautes Parties contractantes ne soient d'accord que la procédure ordinaire soit appliquée.

¹ De Martens, *Nouveau Recueil général de Traités*, 3rd Series, Vol. XXXVIII, p. 222.

² English text from *British and Foreign State Papers*, 1933, Vol. C. XXXVI.

³ De Martens, *op. cit.*, Vol. XXXVI, p. 636.

576.—“MODUS VIVENDI” REGARDING NAVIGATION
ON THE RHINE.

STRASBURG, MAY 4th, 1936¹.

Signatories (to July 1st, 1936) :

Belgium
France
Germany (denounced the *Modus vivendi* on Nov. 14th, 1936²)
Great Britain
Italy
Switzerland

*Article 90 of the revised Convention for the navigation on the Rhine, annexed to the Modus vivendi*³ :

Si un différend vient à s'élever relativement à l'interprétation ou à l'application de la présente Convention ou d'un règlement commun, et si, après la recommandation de la Commission [centrale pour la navigation du Rhin] prévue à l'article 78, lettre *d*), ce différend persiste, les États intéressés pourront, avant toute autre procédure, le soumettre d'un commun accord à la Commission consultative et technique des Communications et du Transit de la Société des Nations aux fins d'une nouvelle tentative de conciliation.

A défaut du commun accord ou de la conciliation ci-dessus visés, l'affaire sera portée devant la Cour permanente de Justice internationale. Les Parties intéressées établiront un compromis. Si celui-ci n'est pas arrêté dans les trois mois à compter du jour où l'une des Parties a été saisie d'une demande aux fins du règlement judiciaire, chaque Partie pourra saisir la Cour par voie de requête.

Toutefois, si les États intéressés sont d'accord ou si l'un d'eux n'est pas Membre de la Société des Nations, le différend sera, à la demande de la Partie la plus diligente, soumis à un tribunal d'arbitrage, conformément à la Convention de La Haye pour le règlement pacifique des conflits internationaux du 18 octobre 1907. Si, dans un délai de trois mois après la notification de cette demande aux autres États intéressés, les Parties ne se sont pas mises d'accord sur les termes du compromis visé à l'article 52 de la Convention de La Haye, le compromis sera établi par la Cour d'Arbitrage, conformément à l'article 53 de ladite Convention. Si plus de deux États sont Parties au litige, les présidents des commissions de conciliation existant entre les Parties seront priés de nommer les membres de la commission prévue à l'article 54 de la Convention de La Haye, à moins que les États en litige ne se mettent d'accord sur une autre procédure.

La Cour permanente de Justice internationale ou le tribunal d'arbitrage a compétence pour arrêter les dispositions nécessaires relatives

¹ De Martens, *op. cit.*, Vol. XXXVI, pp. 793-794.

² Under Article 3, paragraph 2, of the *Modus vivendi* : see *ibid.*, p. 801.

³ Applicable, pursuant to Article 1, paragraph 1, as from January 1st, 1937; see *ibid.*, p. 769.

aux délais et aux autres détails de la procédure, pour autant que les règles applicables à un autre titre ne seraient pas suffisantes

Sous réserve des dispositions de l'article 43 de la présente Convention, la Cour permanente de Justice internationale ou le tribunal d'arbitrage pourra édicter des mesures conservatoires auxquelles les Parties se soumettent.

577.—AGREEMENT BETWEEN FRANCE AND SWITZERLAND
REGARDING THE RÉGIME OF THE INTERNATIONAL ROAD
FROM GRAND LUCELLE TO KLÖSTERLI.

PARIS, JANUARY 29th, 1937¹.

(*Entry into force* : February 5th, 1938.)

Article 7.—The two Governments agree to refer to the Permanent Court of International Justice at The Hague any dispute which may arise between them with regard to the interpretation or execution of the present Agreement.

578.—TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION
BETWEEN SIAM AND FRANCE.

BANGKOK, DECEMBER 7th, 1937².

(*Ratifications exchanged at Bangkok, January 27th, 1939.*)

(*Entry into force* : January 27th, 1939.)

Article XXI.—In accordance with the principles embodied in the Covenant of the League of Nations, the High Contracting Parties agree to apply the provisions of the General Act for the Pacific Settlement of International Disputes³, adopted on September 26th, 1928, by the Assembly of the League of Nations, for the settlement of any disputed questions which may arise between them in the future and which cannot be settled through the diplomatic channel.

¹ Registered on April 13th, 1939. *League of Nations, Treaty Series*, Vol. CXCIV, p. 294.

² Registered on April 9th, 1940. *Ibid.*, Vol. CCI, p. 115.

³ See No. 11, p. 362.

579.—TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION
BETWEEN THE NETHERLANDS AND SIAM
(WITH EXCHANGE OF NOTES).

BANGKOK, FEBRUARY 1st, 1938¹.

(*Ratifications exchanged at Bangkok, November 2nd, 1938.*)

(*Entry into force: November 2nd, 1938.*)

Article 20.—Any dispute that may arise between the High Contracting Parties as to the proper interpretation or application of any of the provisions of the present Treaty shall, at the request of either of them, be referred to the Permanent Court of International Justice, unless in any particular case the High Contracting Parties agree to submit the dispute to some other tribunal or to dispose of it by some other form of procedure.

580.—TREATY OF COMMERCE AND NAVIGATION
BETWEEN NORWAY AND SALVADOR.

SAN SALVADOR, NOVEMBER 21st, 1938².

(*Ratifications exchanged at San Salvador, August 31st, 1939.*)

(*Entry into force: September 30th, 1939.*³)

Article 12.—Any disputes arising between the High Contracting Parties with regard to the interpretation or application of the provisions of this Treaty, which it has not been possible to settle through the diplomatic channel, shall be submitted, at the request of either Party, to the Permanent Court of International Justice at The Hague, unless the High Contracting Parties agree to submit the dispute to the decision of a special arbitral tribunal. The Parties undertake to accept the decision of the Permanent Court or of the arbitral tribunal as binding.

¹ Registered on December 5th, 1938. *League of Nations, Treaty Series*, Vol. CXCIII, p. 26. This Treaty has been substituted for the Treaty of 1925 (see D 6, No. 288).

² Registered on September 18th, 1939. *Ibid.*, Vol. CXCVIII, p. 164

³ Provisionally applicable as from the date of signature (Art. 13).

**581.—CONVENTION BETWEEN GREAT BRITAIN
AND NORTHERN IRELAND AND GREECE
RESPECTING AIR TRANSPORT SERVICES.**

ATHENS, MAY 30th, 1939¹.

(*Entry into force provisionally*: April 21st, 1938.)

Article 22.—In the event of any dispute arising between the High Contracting Parties concerning the interpretation or application of the provisions of the present Convention, it shall, at the request of either High Contracting Party, be referred to the Permanent Court of International Justice, unless it is agreed to refer it to some other tribunal.

**582.—TREATY OF COMMERCE AND NAVIGATION
BETWEEN VENEZUELA AND NORWAY.**

CARACAS, MARCH 14th, 1940².

Article 10 [Translation³]. — Tout différend qui pourrait s'élever entre les Hautes Parties contractantes au sujet de l'interprétation ou de l'application des dispositions du présent Traité et qui n'aurait pu être résolu par la voie diplomatique, sera soumis, à la demande de l'une des Parties, à la Cour permanente de Justice internationale, à moins que les Hautes Parties contractantes ne conviennent de soumettre le différend en question à la décision d'un tribunal spécial d'arbitrage. Les Parties s'engagent à accepter comme obligatoire la décision de la Cour permanente ou du tribunal arbitral.

**583.—CONVENTION BETWEEN GREAT BRITAIN
AND NORTHERN IRELAND AND EGYPT
RELATIVE TO THE ABOLITION OF THE EGYPTIAN
"CAISSE DE LA DETTE PUBLIQUE".**

CAIRO, JULY 17th, 1940⁴.

(*Entry into force on date of signature.*)

Article 8.—Any difference of opinion between the contracting Governments on the subject of the interpretation or the application

¹ Registered on July 9th, 1940. *Ibid.*, Vol. CCII, p. 7.

² *Libro Amarillo de los Estados Unidos de Venezuela*, Vol. II, 1941, p. 45.

³ Translated by the Registry of the Court.

⁴ Registered on July 31st, 1940. *League of Nations, Treaty Series*, Vol. CCII, p. 99.

of the present Convention which cannot be decided through the diplomatic channel will be submitted, at the request of one or other of the Governments, to the Permanent Court of International Justice for judgment.

584.—CONVENTION BETWEEN EGYPT AND FRANCE
RELATIVE TO THE ABOLITION OF THE EGYPTIAN
"CAISSE DE LA DETTE PUBLIQUE".

CAIRO, AUGUST 3rd, 1940¹.

(Entry into force on date of signature.)

Article 8. [See Article 8 of Convention No. 583 above.]

585.—CONVENTION FOR THE REGULATION OF AIR
NAVIGATION BETWEEN ARGENTINA AND CHILE².

MAY 8th, 1942.

Article 40 [Translation³]. — Tout différend qui pourrait s'élever au sujet de l'interprétation ou de l'application de la présente Convention et que les Hautes Parties contractantes n'auraient pu régler par des moyens directs, soit par leurs autorités immédiatement intéressées ou par la voie diplomatique, sera d'abord soumis à une commission d'investigation et de conciliation composée de deux membres, désignés respectivement par l'une et l'autre Partie, et d'un président choisi d'un commun accord.

Les membres seront désignés et le président choisi chaque fois qu'un nouveau différend le rendra nécessaire.

Si, un mois après la réception de la proposition officielle à cet effet, les Hautes Parties contractantes n'ont pas pu arriver à un accord en ce qui concerne le choix du président de la commission ou si, après un délai de trois mois, une des Parties n'acceptait pas la sentence arbitrale, le différend sera obligatoirement soumis à la décision de la Cour permanente de Justice internationale.

Dans ce cas, et sauf opposition d'une des Hautes Parties contractantes, la Cour devra statuer *ex aequo et bono*, conformément aux dispositions de l'article 38, alinéa 4, de son Statut.

¹ Registered on August 19th, 1940. *Ibid.*, Vol. CCII, p. 123.

² *Revista Argentina de Derecho Internacional*, 1942, p. 503.

³ Translated by the Registry of the Court.

FOURTH PART.

INSTRUMENTS CONFERRING UPON THE COURT OR ITS PRESIDENT AN EXTRAJUDICIAL FUNCTION (APPOINTMENT OF UMPIRES, PRESIDENTS OF CONCILIATION COMMISSIONS, ETC.).

SUMMARY.

SECTION A: APPOINTMENT BY THE COURT.

SECTION B: APPOINTMENT BY THE PRESIDENT (VICE-PRESIDENT OR
OLDEST JUDGE).

	Page
586 to 594	408

SECTION B.

586.—CONVENTION OF COMMERCE AND NAVIGATION
BETWEEN FRANCE AND ROUMANIA.PARIS, AUGUST 27th, 1930¹.*(Ratifications exchanged at Paris, May 21st, 1932.)*

Article 37. — Les différends qui viendraient à s'élever entre les Hautes Parties contractantes sur l'interprétation ou l'application de la présente Convention et qui n'auraient pu être résolus par la voie diplomatique, seront réglés conformément à la procédure instituée par la Convention de conciliation et d'arbitrage, conclue à Paris le 10 juin 1926.

Toutefois, pour l'application de l'article 10, les Hautes Parties contractantes conviennent de constituer un tribunal arbitral.

Ce tribunal, qui statuera en dernier ressort et dont les décisions auront force obligatoire, sera composé de trois membres, à savoir d'un ressortissant de chacune des Hautes Parties contractantes et d'un troisième membre agissant comme président, qui sera désigné d'un commun accord par les deux Hautes Parties contractantes.

Les fonctions du président et des deux autres membres dureront aussi longtemps que la Convention sera en vigueur; toutefois, à l'occasion de chaque litige, chacune des Hautes Parties contractantes aura la faculté de remplacer le membre permanent de son choix par tel autre juge qu'il lui conviendrait de désigner.

La désignation du président et des membres permanents devra être effectuée dans les deux mois qui suivront l'échange des instruments de ratification de la Convention. A défaut d'accord entre les Hautes Parties contractantes à l'expiration de ce délai en ce qui concerne la désignation du président, celui-ci sera nommé par le Président de la Cour permanente de Justice internationale de La Haye. En cas de vacance, le nouveau président et les nouveaux membres permanents devront être désignés dans les mêmes délais et conditions.

En dehors des cas touchant l'application de l'article 10 de la Convention, les deux Hautes Parties contractantes pourront se mettre d'accord pour déférer au tribunal arbitral institué par le présent article tout autre litige ayant trait à l'interprétation ou à l'application de la présente Convention de commerce et de navigation.

¹ De Martens, *Nouveau Recueil général de Traités*, Vol. XXXVII, p. 841.

587.—COMMERCIAL "MODUS VIVENDI"
BETWEEN FRANCE AND ITALY.

ROME, MARCH 4th, 1932¹.

(*Provisionally applied*: April 4th, 1932.)

Article 11. — Les différends qui viendraient à s'élever entre les Hautes Parties contractantes sur l'interprétation ou l'application du présent Accord et qui n'auraient pu être résolus par la voie diplomatique, seront soumis, si l'une des Hautes Parties contractantes en fait la demande, à la décision d'un tribunal arbitral.

Ce tribunal, dont les décisions auront force obligatoire, sera composé de trois membres, à savoir d'un ressortissant de chacune des Hautes Parties contractantes et d'un troisième membre agissant comme président, qui sera désigné d'un commun accord par les deux Hautes Parties contractantes.

A défaut d'accord entre les Hautes Parties contractantes en ce qui concerne la désignation du président, celui-ci sera nommé par le Président de la Cour permanente de Justice internationale de La Haye.

588.—TREATY OF COMMERCE AND NAVIGATION
BETWEEN ITALY AND COSTA RICA.

SAN JOSÉ DE COSTA RICA, JUNE 14th, 1933².

(*Ratifications exchanged at San José, December 12th, 1933.*)

(*Entry into force*: December 12th, 1933.)

Article 25 [Translation³]. — Si une controverse s'élevait sur l'interprétation ou l'application du présent Traité et si une des Hautes Parties contractantes demandait que ladite controverse fût soumise à la décision d'un tribunal arbitral, l'autre Partie devra y consentir, et ceci aussi en ce qui concerne la question préjudicielle de savoir si la controverse est de nature à être déferée au tribunal arbitral.

Le tribunal arbitral sera constitué pour chaque controverse de manière que chacune des Parties nomme, en qualité d'arbitre, un de ses ressortissants, et que les deux Parties choisissent comme tiers arbitre un ressortissant d'un tiers État ami.

¹ De Martens, *op. cit.*, Vol. XXXVII, p. 853. The *Modus vivendi* has formed the subject of codicils signed at Paris on May 10th and October 1st, 1933. *Ibid.*, pp. 858 *et seq.*, . 861 *et seq.*

² De Martens, *op. cit.*, Vol. XXXVIII, p. 249.

³ Translated by the Registry of the Court.

Si les Parties ne tombaient pas d'accord sur le choix du tiers arbitre, elles demanderont d'un commun accord qu'il soit nommé par le Président de la Cour permanente de Justice internationale à La Haye.

Les Hautes Parties contractantes se réservent le droit de s'entendre préalablement, et pour une période de temps déterminée, au sujet de la personne à désigner comme tiers arbitre.

Les décisions des arbitres auront force obligatoire.

589.—TREATY OF COMMERCE AND NAVIGATION
BETWEEN ITALY AND SALVADOR.

SAN SALVADOR, MARCH 19th, 1934¹.

(*Ratifications exchanged at San Salvador, September 28th, 1934.*)

(*Entry into force: September 28th, 1934.*)

Article 24. [See Article 25 of Treaty No. 588 above.]

590.—CONVENTION REGULATING THE RECIPROCAL
RAILWAY COMMUNICATIONS BETWEEN BULGARIA
AND ROUMANIA VIA BOTENI—OBORISCHTÉ.

VARNA, JULY 26th, 1935².

(*Ratifications exchanged at Bucharest, July 13th, 1939.*)

(*Entry into force: August 12th, 1939.*)

Article 43, paragraph 1.—Any dispute arising between the Contracting Parties in regard to the interpretation or application of the provisions of the present Convention, which cannot be settled amicably or through the diplomatic channel, shall be referred to an arbitral tribunal to be constituted *ad hoc* for the purpose of each such dispute. The arbitral tribunal shall consist of three members, of whom one shall be nominated by each of the Contracting Parties and the third selected from among the nationals of a third State. The last named shall act as chairman of the tribunal, and shall be appointed by common accord between the two Contracting Parties or, failing such accord, by the President of the Permanent Court of International Justice at The Hague.

¹ De Martens, *op. cit.*, Vol. XXXIX, p. 833.

² Registered on August 12th, 1939. *League of Nations, Treaty Series*, Vol. CXCVIII, p. 9.

**591.—CONVENTION CONCERNING THE REGULATION OF
FERRY-BOAT COMMUNICATIONS BETWEEN THE KINGDOM
OF BULGARIA AND THE KINGDOM OF ROUMANIA THROUGH
THE POINTS RUSSE-HARBOUR AND GIURGIU-HARBOUR
AND VICE VERSA.**

VARNA, JULY 20th, 1937 ¹.

(Ratifications exchanged at Bucharest, June 15th, 1940.)

*Article 25, paragraph 1. [See Article 43, paragraph 1, of Treaty
No. 590 above.]*

**592.—TREATY OF FRIENDSHIP
BETWEEN GREECE AND MEXICO.**

WASHINGTON, MARCH 17th, 1938 ².

(Ratifications exchanged at Washington, August 12th, 1939.)

(Entry into force: August 12th, 1939.)

*Article 4, paragraph 2.—Any dispute concerning the interpretation
or application of the present instrument with regard to which the
Parties have not arrived at an agreement shall be brought before
an arbitral tribunal, composed of three members, two of whom
shall be appointed by the two States concerned, the third being
appointed, failing mutual agreement, by the President of the
Permanent Court of International Justice (or by the President of
the Swiss Confederation).*

**593.—ARTICLES OF AGREEMENT
OF THE INTERNATIONAL MONETARY FUND.**

BRETTON WOODS, JULY 22nd, 1944 ³.

*Entry into force: After signature by Governments having sixty-
five per cent. of the total of the quotas set forth in Schedule A*

¹ Registered on July 11th, 1940. *Ibid.*, Vol. CCII, p. 33.

² Registered on October 27th, 1939. *Ibid.*, Vol. CXCVIII, p. 325.

³ *United Nations Monetary and Financial Conference, Bretton Woods, New
Hampshire, U.S.A., July 1st to July 22nd, 1944. Final Act.* London, H.M.
Stationery Office, Cmd. 6546 (1944), p. 36.

of the Agreement and after deposit on their behalf of the instrument referred to in Section 2 (a) of this Article (Art. 20, Sect. 1).

<i>Signat.</i> : Australia	Iraq
Belgium	Liberia
Bolivia	Luxembourg
Brazil	Mexico
Canada	Netherlands
Chile	New Zealand
China	Nicaragua
Colombia	Norway
Costa Rica	Panama
Cuba	Paraguay
Czechoslovakia	Peru
Dominican Republic	Philippine Commonwealth
Ecuador	Poland
Egypt	Salvador
Ethiopia	Union of South Africa
France	Union of Soviet Socialist
Greece	Republics
Guatemala	United Kingdom
Haiti	United States of America
Honduras	Uruguay
Iceland	Venezuela
India	Yugoslavia
Iran	

Article 18 (Interpretation) (c).—Whenever a disagreement arises between the Fund and a member which has withdrawn, or between the Fund and any member during the liquidation of the Fund, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators, one appointed by the Fund, another by the member or withdrawing member and an umpire who, unless the Parties otherwise agree, shall be appointed by the President of the Permanent Court of International Justice or such other authority as may have been prescribed by regulation adopted by the Fund. The umpire shall have full power to settle all questions of procedure in any case where the Parties are in disagreement with respect thereto.

594.—ARTICLES OF AGREEMENT OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.

BRETTON WOODS, JULY 22nd, 1944 ¹.

Entry into force: After signature by Governments whose minimum subscriptions comprise not less than 65 per cent of the total subscriptions set forth in Schedule A of the Agreement and after deposit on their behalf of the instrument referred to in Section 2 (a) of this Article (Art. 11, Sect. 1).

¹ *United Nations Monetary and Financial Conference. op. cit., p. 63.*

Signat. : [The same as for the preceding Agreement No. 593.]

Article 9 (Interpretation) (c).—Whenever a disagreement arises between the Bank and a country which has ceased to be a member, or between the Bank and any member during the permanent suspension of the Bank, such disagreement shall be submitted to arbitration by a tribunal of three arbitrators, one appointed by the Bank, another by the country involved and an umpire who, unless the Parties otherwise agree, shall be appointed by the President of the Permanent Court of International Justice or such other authority as may have been prescribed by regulation adopted by the Bank. The umpire shall have full power to settle all questions of procedure in any case where the Parties are in disagreement with respect thereto.

TABLE¹ IN CHRONOLOGICAL ORDER
OF INSTRUMENTS IN FORCE, OR SIGNED ONLY,
GOVERNING THE COURT'S JURISDICTION.

1919.	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
June 28	Versailles	Covenant of the L. N.	(Members of the L. N.)	1 16
June 28	Versailles	Treaty of Peace	Allied and Assoc. Powers and Germany	220 533
June 28	Versailles	Treaty (so-called "Minorities")	Princ. Allied and Assoc. Powers and Poland	221 538
Sept. 10	Saint-Germain-en-Laye	Treaty of Peace	Allied and Assoc. Powers and Austria	222 539
Sept. 10	Saint-Germain-en-Laye	Treaty (so-called "Minorities")	Princ. Allied and Assoc. Powers and Yugoslavia	223 542
Sept. 10	Saint-Germain-en-Laye	Treaty (so-called "Minorities")	Princ. Allied and Assoc. Powers and Czechoslovakia	224 543
Sept. 10	Saint-Germain-en-Laye	Conv. for the control of the trade in arms and ammunition	(Collective Treaty)	162 484
Sept. 10	Saint-Germain-en-Laye	Conv. relating to the liquor traffic in Africa	U.S. of America, Belgium, British Empire, France, Italy, Japan, Portugal	163 485
Sept. 10	Saint-Germain-en-Laye	Conv. revising the General Act of Berlin of Feb. 26th, 1885, and the General Act and the Declaration of Brussels of July 2nd, 1890	U.S. of America, Belgium, British Empire, France, Italy, Japan, Portugal	164 485
Oct. 13	Paris	Conv. for the regulation of air navigation	(Collective Treaty)	165 486

¹ This table contains instruments which had come to the knowledge of the Registry on December 31st, 1945. In it are also included instruments conferring on the Court or its President some extrajudicial duty (appointment of a third arbitrator, of the president of a conciliation commission, etc.). The two last columns of the present list indicate the serial number of each instrument and the page of the volume in which it is contained.

Unless a contrary indication is given, the numbers and pages are those of the volume Series D., No. 6: *Collection of Texts governing the jurisdiction of the Court* (fourth edit on).

E 8: *Eighth Annual Report*; E 9: *Ninth Annual Report*, etc.; E 16: the present volume.

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 415

1919 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Nov. 27	Neuilly-sur-Seine	Treaty of Peace	Allied and Assoc. Powers and Bulgaria	225 543
Nov. 28	Washington	Conv. limiting the hours of work in industrial undertakings to 8 in the day and 48 in the week	(Collective Treaty)	166 487
Nov. 28	Washington	Conv. concerning unemployment	(Collective Treaty)	167 487
Nov. 28	Washington	Conv. concerning night work of women	(Collective Treaty)	168 488
Nov. 28	Washington	Conv. fixing the minimum age for admission of children to industrial employment	(Collective Treaty)	169 488
Nov. 28	Washington	Conv. concerning the night work of young persons employed in industry	(Collective Treaty)	170 489
Nov. 29	Washington	Conv. concerning employment of women before and after childbirth	(Collective Treaty)	171 489
Dec. 9	Paris	Treaty (so-called "Minorities")	Princ. Allied and Assoc. Powers and Roumania	226 545
1920.				
March 26	Stockholm	Conv. concerning the establishment of a permanent conciliation commission	Chile and Sweden	359 634
June 4	Trianon	Treaty of Peace	Allied and Assoc. Powers and Hungary	227 545
July 9	Genoa	Conv. fixing the minimum age for admission of children to employment at sea	(Collective Treaty)	172 490
July 9	Genoa	Conv. concerning unemployment indemnity in case of loss or foundering of the ship	(Collective Treaty)	173 490
July 10	Genoa	Conv. for establishing facilities for finding employment for seamen	(Collective Treaty)	174 491
Aug. 10	Sèvres	Treaty (so-called "Minorities")	Princ. Allied and Assoc. Powers and Greece	228 549

416 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1920 (<i>cont.</i>),	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Aug. 10	Sèvres	Treaty (so-called "Minorities")	Princ. Allied Powers and Armenia	229 549
Nov. 9	Paris	Convention	Poland and Danzig	230 550
Dec. 13	Geneva	Resolution of the As- sembly of the L. N. approving the Statute of the P. C. I. J.	---	2 18
Dec. 16	Geneva	Protocol of Signature of the P. C. I. J.	(Collective Treaty)	3 18
Dec. 16	Geneva	Statute of the P. C. I. J.	---	4 20
Dec. 17	Geneva	Mandate for German South-West Africa	Conferred on His Britannic Majesty to be exercised in His name by the Govt. of the Union of South Africa	231 550
Dec. 17	Geneva	Mandate for German Samoa	Conferred on His Britannic Majesty to be exercised in His name by the Govt. of the Dominion of New Zealand	232 551
Dec. 17	Geneva	Mandate for Nauru	Conferred on His Britannic Majesty	223 551
Dec. 17	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 Govt. of the Commonwealth of Australia	234 551
Dec. 17	Geneva	Mandate for the former German possessions in The Pacific Ocean situated north of the equator	Conferred on H.M. the Emperor of Japan	235 552
1921.				
April 20	Barcelona	Conv. and Statute on freedom of transit	(Collective Treaty)	175 491
April 20	Barcelona	Conv. and Statute on the régime of navigable waterways of interna- tional concern	(Collective Treaty)	176 493
June 24	Geneva	Agreement in regard to the Aaland Islands	Finland and Sweden	236 552

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 417

1921 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
July 23	Paris	Conv. on the Statute of the Danube	Austria, Belgium, Great Britain, Bulgaria, Czechoslovakia, France, Germany, Greece, Hungary, Italy, Roumania, Yugoslavia	237 553
July 27	Copenhagen	Conv. on air navigation	Denmark and Norway	238 553
Oct. 2	Geneva	Declaration made before the Council of the L. N. in regard to the protection of minorities in Albania	Albania	239 554
Oct. 29	Helsingfors	Treaty of commerce and navigation	Estonia and Finland	240 555
Nov. 11	Geneva	Conv. concerning the compulsory medical examination of children and young persons employed at sea	(Collective Treaty)	177 494
Nov. 11	Geneva	Conv. fixing the minimum age for the admission of young persons to employment as trimmers or stokers	(Collective Treaty)	178 495
Nov. 12	Geneva	Conv. concerning workmen's compensation in agriculture	(Collective Treaty)	179 496
Nov. 12	Geneva	Conv. concerning the rights of association and combination of agricultural workers	(Collective Treaty)	180 496
Nov. 16	Geneva	Conv. relating to the age at which children are to be admitted to agricultural work	(Collective Treaty)	181 497
Nov. 17	Geneva	Conv. concerning the application of the weekly rest in industrial undertakings	(Collective Treaty)	182 497
Nov. 19	Geneva	Conv. concerning the use of white lead in painting	(Collective Treaty)	183 498
Nov. 23	Portorose	Agreement for the regulation of international railway traffic	Austria, Czechoslovakia, Hungary, Italy, Poland, Roumania, Yugoslavia	241 555
Dec. 16	Prague	Political Agreement	Austria and Czechoslovakia	242 556

418 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1922.	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos.</i>	<i>Pages.</i>
Feb. 22	Dresden	Conv. instituting the Statute of navigation of the Elbe	Belgium, Czechoslovakia, France, Germany, Great Britain, Italy	243	556
March 17	Warsaw	Political Agreement	Estonia, Finland, Latvia, Poland	244	557
May 12	Geneva	Declaration before the Council of the L. N. concerning the protection of minorities in Lithuania	Lithuania	245	558
May 15	Geneva	Conv. with reference to Upper Silesia	Germany and Poland	246	559
May 17	Geneva	Resolution of the Council of the L. N. (conditions under which the Court is open to States other than Members of the L. N.)	—	5	22
June 26	Warsaw	Commercial Conv.	Poland and Switzerland	247	561
July 20	London	Mandate for East Africa	Conferred on H.M. the King of the Belgians	248	562
July 20	London	Mandate for East Africa	Conferred on His Britannic Majesty	249	562
July 20	London	Mandate for the Cameroons	Conferred on His Britannic Majesty	250	563
July 20	London	Mandate for the Cameroons	Conferred on the French Republic	251	563
July 20	London	Mandate for Togoland	Conferred on His Britannic Majesty	252	563
July 20	London	Mandate for Togoland	Conferred on the French Republic	253	563
July 24	London	Mandate for Palestine	Conferred on His Britannic Majesty	254	564
July 24	London	Mandate for Syria and Lebanon	Conferred on the French Republic	255	564
Oct. 4	Geneva	Protocol No. II relating to the restoration of Austria	Austria, British Empire, Czechoslovakia, France, Italy	256	564
Oct. 4	Geneva	Protocol No. III (Declaration) relating to the restoration of Austria	Austria	257	565

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 419

1922 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Oct. 7	Prague	Commercial Treaty	Czechoslovakia and Latvia	363 637
Oct. 10	Bagdad	Treaty of alliance	Great Britain and Iraq	258 565
Oct. 19	Tallinn	Commercial Treaty	Estonia and Hungary	364 637
Nov. 7	Stockholm	Conv. relating to air navigation	Denmark and Sweden	259 566
1923.				
Jan. 20	The Hague	Commercial Conv.	Czechoslovakia and The Netherlands	260 566
Feb. 28	Montevideo	General compulsory Arbitration Treaty	Uruguay and Venezuela	12 82
April 10	Budapest	Agreement relating to arbitration	Austria and Hungary	13 83
May 26	Stockholm	Conv. relating to air navigation	Norway and Sweden	261 567
June 23	Washington	Agreement for the renewal of Arbitration Conv.	British Empire and the U.S. of America	14 84
July 7	Geneva	Declaration to the Council of the L. N. concerning minorities	Latvia	262 567
July 24	Lausanne	Treaty of Peace	British Empire, France, Greece, Italy, Japan, Roumania, Turkey	263 569
July 24	Lausanne	Declaration relating to the administration of justice	Turkey	360 635
July 24	Lausanne	Conv. relating to the compensation payable by Greece to Allied nationals	British Empire, France, Greece, Italy	365 638
Aug. 23	Washington	Agreement for the renewal of Arbitration Conv.	Japan and the U.S. of America	15 86
Sept. 12	Geneva	Conv. for the suppression of the circulation of and traffic in obscene publications	(Collective Treaty)	184 498
Sept. 17	Geneva	Resolution of the Council of the L. N. relating to the protection of minorities in Estonia	—	264 571

420 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1923 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Nov. 1	Tallinn	Treaty of defensive alliance	Estonia and Latvia	265 571
Nov. 1	Tallinn	Preliminary Treaty for Economic and Customs Union	Estonia and Latvia	366 639
Nov. 3	Geneva	International Conv. for the simplification of customs formalities	(Collective Treaty)	185 500
Nov. 19	Riga	Treaty of commerce and navigation	Hungary and Latvia	367 640
Dec. 9	Geneva	Conv. and Statute on the international régime of railways	(Collective Treaty)	186 502
Dec. 9	Geneva	Conv. and Statute on the international régime of maritime ports	(Collective Treaty)	187 504
Dec. 9	Geneva	Conv. relating to the transmission in transit of electric power	(Collective Treaty)	188 507
Dec. 9	Geneva	Conv. relating to the development of hydraulic power	(Collective Treaty)	189 508
Dec. 18	Paris	Conv. regarding the organization of the Statute of the Tangier Zone	British Empire, France, Spain	266 571
1924.				
Jan. 25	Paris	Treaty of alliance and friendship	Czechoslovakia and France	267 572
March 14	Geneva	Protocol No. II relating to the financial reconstruction of Hungary	Hungary	268 572
April 14	Bucharest	Conv. concerning the Hydraulic System of the Coterminous Territories and the dissolution of the Floods Protection Associations, divided by the frontier	Hungary and Roumania	269 573
April 28	Oslo	Conv. relating to the frontier between Finmark and Petsamo	Finland and Norway	270 573
May 8	Paris	Conv. relating to the Memel Territory	British Empire, France, Italy, Japan, Lithuania	271 574

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 421

1924 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos.	Pages.
May 30	Warsaw	Treaty of commerce and navigation	The Netherlands and Poland	272	575
June 2	Stockholm	Treaty of conciliation	Sweden and Switzerland	368	640
June 6	Copenhagen	<i>Idem</i>	Denmark and Switzerland	369	641
June 10	Kovno	Exchange of notes constituting a provisional arrangement with regard to commerce and navigation	Lithuania and The Netherlands	273	576
June 18	Budapest	Treaty of conciliation and arbitration	Hungary and Switzerland	16	86
June 23	Rio de Janeiro	Treaty concerning the judicial settlement of disputes	Brazil and Switzerland	17	90
June 27	Stockholm	Conv. concerning the establishment of a conciliation commission	Finland and Sweden	370	642
June 27	Stockholm	<i>Idem</i>	Denmark and Sweden	371	642
June 27	Stockholm	<i>Idem</i>	Denmark and Norway	372	643
June 27	Stockholm	<i>Idem</i>	Denmark and Finland	373	643
June 27	Stockholm	<i>Idem</i>	Finland and Norway	374	643
June 27	Stockholm	<i>Idem</i>	Norway and Sweden	375	644
July 2	Riga	Treaty of commerce	Latvia and The Netherlands	274	576
July 9	Copenhagen	Conv. concerning Eastern Greenland	Denmark and Norway	275	577
July 22	Tallinn	Provisional Commercial Treaty	Estonia and The Netherlands	276	577
Aug. 9	Riga	Treaty of commerce and navigation	Austria and Latvia	376	644
Aug. 14	Oslo	<i>Idem</i>	Latvia and Norway	377	644
Aug. 21	Washington	Conv. respecting the regulation of the liquor traffic	The Netherlands and the U.S. of America	277	578
Aug. 30	London	Agreement relating to the Arrangement of Aug. 9th, 1924, between the German Govt. and the Reparation Commission	Allied Govts. and German Govt.	378	645

422 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1924 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Aug. 30	London	Agreement for the execution of the Experts Plan of April 9th, 1924	Allied Govts. and German Govt.	278 579
Aug. 30	London	<i>Idem</i>	Allied Govts.	279 580
Sept. 20	Rome	Treaty of conciliation and judicial settlement	Italy and Switzerland	18 91
Sept. 27	Geneva	Decision of the Council of the L. N. relating to the application to Iraq of the principles of Art. 22 of the Covenant (British Mandate for Iraq)	British Empire	280 582
Oct. 2	Geneva	Resolutions relating to the pacific settlement of international disputes adopted by the 5th Assembly of the L. N.	—	10 62
Oct. 11	Vienna	Treaty of conciliation	Austria and Switzerland	19 95
Nov. 3	Riga	Treaty of commerce and navigation	Denmark and Latvia	281 582
Nov. 9	London	Agreement for the renewal of Arbitration Conv.	Great Britain and Sweden	20 97
Dec. 2	London	Treaty of commerce and navigation	Germany and Great Britain	282 583
Dec. 4	Berlin	Commercial Conv.	Latvia and Switzerland	379 648
Dec. 9	The Hague	Treaty of commerce	Hungary and The Netherlands	283 583
Dec. 26	Tokio	Treaty of judicial settlement	Japan and Switzerland	21 99
1925.				
Jan. 17	Helsingfors	Conciliation and Arbitration Conv.	Eestonia, Finland, Latvia, Poland	22 100
Feb. 14	Oslo	Conv. concerning the international legal régime of the waters of the Pasvik (Patsjoki) and of the Jakobselv (Vuoremajoki)	Finland and Norway	284 584
Feb. 14	Oslo	Conv. concerning the floating of timber on the Pasvik (Patsjoki)	Finland and Norway	285 584

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 423

1925 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Feb. 14	Paris	Treaty of friendship, commerce and navigation	France and Siam	286 585
Feb. 19	Geneva	Conv. concerning opium	(Collective Treaty)	190 509
March 7	Berne	Treaty of conciliation and arbitration	Poland and Switzerland	23 106
March 28	Riga	Conciliation Conv.	Latvia and Sweden	380 648
April 6	Paris	Treaty of conciliation and of compulsory arbitration	France and Switzerland	24 110
April 17	Warsaw	Exchange of notes constituting a provisional commercial Conv.	Greece and Poland	287 586
April 23	Warsaw	Treaty of conciliation and arbitration	Czechoslovakia and Poland	25 114
May 13	London	Exchange of notes for the renewal of Arbitration Conv.	Great Britain and Norway	26 119
May 29	Tallinn	Conv. of conciliation	Estonia and Sweden	381 649
June 5	Geneva	Conv. concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents	(Collective Treaty)	191 511
June 8	Geneva	Conv. relating to night work in bakeries	(Collective Treaty)	192 512
June 8	The Hague	Treaty of friendship, commerce and navigation	The Netherlands and Siam	288 587
June 10	Geneva	Conv. concerning workmen's compensation for accidents	(Collective Treaty)	193 512
June 10	Geneva	Conv. concerning workmen's compensation for occupational diseases	(Collective Treaty)	194 513
June 11	Kovno	Conv. concerning the establishment of a conciliation commission	Lithuania and Sweden	382 649
June 17	Geneva	Conv. concerning the supervision of the international trade in arms and ammunition and implements of war	(Collective Treaty)	195 513

424 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1925 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos.	Pages.
July 7	Brussels	Treaty of commerce and navigation	The Economic Union of Belgium and Luxemburg and Latvia	383	649
July 12	London	Exchange of notes for the renewal of Arbi- tration Conv.	Great Britain and The Netherlands	27	120
July 14	London	Treaty of commerce and navigation	Great Britain and Siam	289	587
July 15	Paris	Treaty of judicial settlement	Brazil and Liberia	28	120
Aug. 3	Madrid	Treaty of friendship commerce and navi- gation	Siam and Spain	290	588
Aug. 14	Paris	Frontier Delimitation Treaty	France and Germany	291	588
Aug. 14	Lisbon	Treaty of friendship, commerce and navi- gation	Portugal and Siam	292	589
Aug. 21	Oslo	Treaty of conciliation	Norway and Switzerland	29	121
Sept. 1	Copenhagen	Treaty of friendship, commerce and navi- gation	Denmark and Siam	293	589
Sept. 21	Geneva	Treaty of conciliation and judicial settlement	Greece and Switzerland	30	125
Oct. 14	Berne	Commercial Conv.	Estonia and Switzerland	384	650
Oct. 16	Locarno	Arbitration Conv.	Belgium and Germany	31	129
Oct. 16	Locarno	Arbitration Conv.	France and Germany	32	133
Oct. 16	Locarno	Arbitration Treaty	Germany and Poland	33	134
Oct. 16	Locarno	<i>Idem</i>	Czechoslovakia and Germany	34	134
Nov. 3	Stockholm	Treaty of conciliation and arbitration	Poland and Sweden	35	135
Nov. 25	Oslo	Conv. for the pacific settlement of disputes	Norway and Sweden	36	140
Nov. 25	London	Arbitration Conv.	Great Britain and Siam	37	143
Nov. 26	Berlin	Protocol attached to Customs and Credit Treaty	Germany and The Netherlands	385	651

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 425

1925 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Dec. 7	Prague	Agreement regarding the execution of Arts. 266 (last paragraph) and 273 of the Treaty of Saint-Germain	Austria and Czechoslovakia	361 635
Dec. 12	The Hague	Treaty of conciliation	The Netherlands and Switzerland	38 143
Dec. 19	Stockholm	Treaty of friendship, commerce and navigation	Siam and Sweden	294 590
1926.				
Jan. 2	Prague	Treaty of conciliation and arbitration	Czechoslovakia and Sweden	39 147
Jan. 14	Stockholm	Conv. for the pacific settlement of disputes	Denmark and Sweden	40 149
Jan. 15	Copenhagen	<i>Idem</i>	Denmark and Norway	41 152
Jan. 29	Helsingfors	<i>Idem</i>	Finland and Sweden	42 153
Jan. 30	Helsingfors	<i>Idem</i>	Denmark and Finland	43 154
Feb. 2	Jerusalem	Agreement to facilitate neighbourly relations	Palestine ; Syria and Great Lebanon	295 591
Feb. 3	Berne	Treaty of conciliation, of judicial settlement and of compulsory arbitration	Roumania and Switzerland	44 155
Feb. 3	Helsingfors	Conv. for the pacific settlement of disputes	Finland and Norway	45 159
Feb. 10	Monrovia	Exchange of notes relating to the Arbitration Conv.	U.S. of America and Liberia	46 161
March 4	Havana	Conv. for prevention of smuggling of intoxicating liquors	U.S. of America and Cuba	296 592
March 5	Vienna	Treaty of conciliation and arbitration	Austria and Czechoslovakia	47 162
April 16	Vienna	<i>Idem</i>	Austria and Poland	48 165
April 20	Madrid	Treaty of conciliation and judicial settlement	Spain and Switzerland	49 170
April 23	Copenhagen	Treaty of conciliation and arbitration	Denmark and Poland	50 173
April 30	Brussels	<i>Idem</i>	Belgium and Sweden	51 178

426 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1926 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
May 4	Prague	Conv. concerning the execution of life insurance and life annuity contracts	Czechoslovakia and Italy	386 652
May 9	Rome	Treaty of friendship, commerce and navigation	Italy and Siam	297 593
May 12	Athens	Commercial Conv.	Greece and The Netherlands	298 593
May 20	The Hague	Treaty of arbitration and conciliation	Germany and The Netherlands	52 181
May 28	Stockholm	Treaty of conciliation and arbitration	Austria and Sweden	53 186
May 29	Paris	Conv. concerning air navigation	Belgium and Germany	E 9 436 339
May 30	Ankara	Conv. of friendship and neighbourly relations	France and Turkey	299 594
June 2	Berlin	Treaty of arbitration and conciliation	Denmark and Germany	54 187
June 4	London	Conv. renewing the Arbitration Conv. of Oct. 25th, 1905	Denmark and Great Britain	55 193
June 4	London	Conv. renewing, as far as Iceland is concerned, the Anglo-Danish Arbitration Conv. of Oct. 25th, 1905	Great Britain and Iceland	56 193
June 5	Geneva	Conv. for the simplification of the inspection of emigrants on board ship	(Collective Treaty)	196 514
June 10	Paris	Conv. for the pacific settlement of disputes	France and Roumania	57 194
June 19	Paris	Agreement regarding the sanitary control over Mecca Pilgrims at Kamaran Island	Great Britain and The Netherlands	387 653
June 23	Geneva	Conv. concerning the repatriation of seamen	(Collective Treaty)	197 515
June 24	Geneva	Conv. concerning seamen's articles of agreement	(Collective Treaty)	198 515

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 427

1926 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos.	Pages.
June 28	Riga	Treaty concerning the establishment of economic relations	Germany and Latvia	388	654
July 5	Paris	Treaty of arbitration	Denmark and France	58	195
July 16	London	Treaty of commerce and navigation	Great Britain and Greece	300	594
July 16	Oslo	Treaty of friendship, commerce and navigation	Norway and Siam	301	595
July 23	London	Treaty of commerce and navigation	Great Britain and Hungary	302	595
July 24	Belgrade	Treaty of commerce	Hungary and Yugoslavia	389	654
Aug. 7	Madrid	Treaty of friendship, conciliation and arbitration	Italy and Spain	59	198
Aug. 27	Berne	Conv. regulating the relations with regard to certain clauses of the legal régime of the future Kembs Derivation	France and Switzerland	303	596
Sept. 7	Port-au-Prince	Conv. of commerce	Haiti and The Netherlands	304	596
Sept. 10	Athens	Commercial Conv.	Greece and Sweden	305	597
Sept. 18	Geneva	Treaty of conciliation and arbitration	Poland and Yugoslavia	60	198
Sept. 25	Geneva	Conv. regarding slavery	(Collective Treaty)	199	516
Sept. 28	Brussels	Treaty of commerce and navigation	Estonia and the Economic Union of Belgium and Luxemburg	390	655
Oct. 13	Athens	<i>Idem</i>	Albania and Greece	391	655
Nov. 29	Athens	Provisional Commercial Conv.	Greece and Switzerland	392	656
Nov. 30	Prague	Arbitration Treaty	Czechoslovakia and Denmark	61	200
Dec. 11	Kovno	Treaty of conciliation and arbitration	Denmark and Lithuania	62	205
Dec. 18	Tallinn	Treaty of conciliation	Denmark and Estonia	393	657
Dec. 29	Rome	Treaty of conciliation and arbitration	Germany and Italy	63	206

428 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1926 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Dec. 29	Lisbon	Exchange of notes concerning the abrogation of the Arbitration Conv. of Nov. 15th, 1913	Portugal and Sweden	64 210
1927.				
Jan. 4	London	Exchange of notes renewing the Arbitration Conv.	Great Britain and Portugal	65 212
Feb. 5	Brussels	Treaty of conciliation, judicial settlement and arbitration	Belgium and Switzerland	66 213
Feb. 5	Riga	Treaty carrying into effect the Customs Union	Estonia and Latvia	394 657
Feb. 9	Oslo	Conv. of commerce and navigation	Chile and Norway	306 597
Feb. 15	Vienna	Treaty relating to air navigation	Austria and Czechoslovakia	307 598
Feb. 24	Rome	Treaty of conciliation and judicial settlement	Chile and Italy	67 218
Feb. 25	Riga	Conv. of commerce and navigation	Greece and Latvia	395 658
March 3	Brussels	Treaty of conciliation, judicial settlement and arbitration	Belgium and Denmark	68 219
March 4	Stockholm	Treaty of conciliation and arbitration	Belgium and Finland	69 221
March 24	Brussels	Conv. concerning the application of maritime health regulations	Belgium and The Netherlands	308 598
April 5	Rome	Treaty of friendship, conciliation and arbitration	Hungary and Italy	70 221
May 12	Guatemala	Treaty of commerce	Guatemala and The Netherlands	309 599
May 12	London	Treaty of commerce and navigation	Great Britain and Yugoslavia	310 599
May 20	Berlin	Conv. regarding air navigation	Germany and Italy	311 600
May 21	The Hague	Treaty of conciliation	The Netherlands and Sweden	71 225
June 16	Geneva	Conv. concerning sickness insurance for workers in industry and commerce and domestic servants	(Collective Treaty)	200 517

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 429

1927 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
June 15	Geneva	Conv. concerning sick- ness insurance for agri- cultural workers	(Collective Treaty)	201 518
June 20	Tallinn	Treaty of commerce	Czechoslovakia and Estonia	396 658
June 29	Berlin	Conv. concerning air navigation	Germany and Great Britain	312 600
June 29	Athens	Conv. of commerce and navigation	Greece and Norway	313 601
July 9	Brussels	Treaty of conciliation, judicial settlement and arbitration	Belgium and Portugal	72 226
July 12	Geneva	International Conv. establishing an Inter- national Relief Union	(Collective Treaty)	202 518
July 19	Brussels	Treaty of conciliation, judicial settlement and arbitration	Belgium and Spain	73 232
Aug. 11	Lisbon	Conv. to regulate the hydro-electric develop- ment of the inter- national section of the river Douro	Portugal and Spain	314 601
Aug. 15	Santander	General Conv. concern- ing air navigation	Italy and Spain	315 602
Aug. 17	Paris	Commercial Agreement	France and Germany	316 603
Aug. 20	Berne	Treaty of conciliation, judicial settlement and arbitration	Colombia and Switzerland	74 238
Sept. 13	London	Treaty of conciliation	Colombia and Sweden	75 242
Sept. 17	Rome	Treaty of conciliation and judicial settlement	Italy and Lithuania	76 245
Oct. 17	Brussels	Treaty of conciliation, arbitration and judicial settlement	Belgium and Luxemburg	77 249
Oct. 20	Paris	Treaty of conciliation and arbitration	France and Luxemburg	78 252
Nov. 2	Athens	Treaty of commerce and navigation	Greece and Yugoslavia	397 659
Nov. 8	Geneva	Conv. for the abolition of Import and Export Prohibitions and Re- strictions	(Collective Treaty)	203 519

430 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1927 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 8
Nov. 11	Paris	Conv. for Arbitration	France and Yugoslavia	421 462
Nov. 16	Berne	Treaty of conciliation and judicial settlement	Finland and Switzerland	79 254
Dec. 22	Rome	Agreement concerning the execution of Arts. 266 (last para.) and 273 of the Treaty of Saint-Germain	Austria and Italy	362 636
1928.				
Jan. 2	Madrid	Conv. of commerce and navigation	Denmark and Spain	317 603
Jan. 18	Lisbon	Treaty of conciliation, judicial settlement and arbitration	Portugal and Spain	80 259
Jan. 29	Berlin	Treaty of arbitration and conciliation	Germany and Lithuania	81 263
March 3	Paris	Treaty of conciliation, judicial settlement and arbitration	France and Sweden	82 265
March 10	Geneva	Treaty of arbitration and conciliation	France and The Netherlands	83 268
March 14	Copenhagen	Treaty of conciliation, judicial settlement and arbitration	Denmark and Spain	84 273
March 21	Geneva	Pact of non-agression and arbitration	Greece and Roumania	85 275
March 22	Madrid	General Conv. for air navigation	France and Spain	318 604
April 5	Washington	Treaty of arbitration and conciliation	Denmark and Haiti	86 280
April 6	Vienna	Treaty of commerce	Austria and Denmark	319 604
April 7	Bangkok	Treaty of friendship, commerce and naviga- tion	Germany and Siam	320 605
April 26	Madrid	Treaty of conciliation, judicial settlement and arbitration	Spain and Sweden	87 282
May 11	Rome	Treaty regarding air navigation	Austria and Italy	321 605
May 16	Paris	Commercial Agreement	Austria and France	322 606

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 431

1928 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
May 30	Rome	Treaty of neutrality, conciliation and judicial settlement	Italy and Turkey	88 286
May 31	Helsinki	Treaty of conciliation, judicial settlement and arbitration	Finland and Spain	89 290
June 9	Geneva	Treaty of conciliation	Finland and The Netherlands	90 292
June 11	Vienna	Treaty of conciliation, judicial settlement and arbitration	Austria and Spain	91 292
June 16	Geneva	Conv. concerning the creation of minimum wage-fixing machinery	(Collective Treaty)	204 521
June 21	Luxemburg	Treaty of conciliation, judicial settlement and arbitration	Luxemburg and Spain	92 293
July 2	Paris	Commercial Conv.	Czechoslovakia and France	323 607
July 6	Paris	Treaty of conciliation and arbitration	France and Portugal	E 9 429 314
July 11	Geneva	International Agreement relating to the exportation of hides and skins	(Collective Treaty)	205 521
July 11	Geneva	International Agreement relating to the exportation of bones	(Collective Treaty)	206 522
Aug. 21	Helsinki	Treaty of conciliation and judicial settlement	Finland and Italy	93 295
Aug. 22	Berlin	Conv. of commerce and navigation	Denmark and Greece	324 607
Aug. 29	Berne	Protocol amending the Treaty of arbitration and conciliation of Dec. 3rd, 1921	Germany and Switzerland	94 296
Sept. 1	Pretoria	Treaty of commerce and navigation	Union of South Africa and Germany	398 659
Sept. 11	Pretoria	Conv. regulating the introduction of native labour from Mozambique into the Province of the Transvaal, etc.	Union of South Africa and Portugal	399 660

432 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1928 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Sept. 23	Rome	Treaty of friendship, conciliation and judicial settlement	Greece and Italy	95 302
Sept. 26	Geneva	General Act for conciliation, judicial settlement and arbitration	(Collective Treaty)	11 70
Oct. 17	Berne	Treaty of conciliation, judicial settlement and arbitration	Portugal and Switzerland	96 306
Oct. 25	Brussels	Treaty of conciliation, judicial settlement and arbitration	Belgium and Poland	97 308
Oct. 27	The Hague	Treaty of judicial settlement and conciliation	The Netherlands and Siam	98 313
Oct. 29	Luxemburg	Treaty of conciliation and arbitration	Luxemburg and Poland	99 314
Oct. 30	Berlin	Treaty of commerce and navigation	Germany and Lithuania	400 661
Nov. 7	Prague	Conv. 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	325 609
Nov. 8	Budapest	Conv. of commerce and navigation	Hungary and Sweden	326 609
Nov. 10	Berlin	Conv. for the purpose of terminating the existing financial disputes	Germany and Roumania	401 662
Nov. 14	Prague	Conv. relating to the settlement of questions arising out of the delimitation of the frontier	Czechoslovakia and Hungary	402 662
Nov. 16	Prague	Treaty of conciliation, judicial settlement and arbitration	Czechoslovakia and Spain	100 319
Nov. 30	Warsaw	Treaty of conciliation and arbitration	Hungary and Poland	101 320
Dec. 3	Helsinki	Protocol amending the Treaty of arbitration and conciliation of March 14th, 1925	Finland and Germany	102 323

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 433

1928 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Dec. 3	Madrid	Treaty of conciliation, judicial settlement and arbitration	Poland and Spain	103 326
Dec. 7	Tallinn	Treaty of commerce and navigation	Estonia and Germany	403 663
Dec. 9	Ankara	Treaty of conciliation, judicial settlement and arbitration	Switzerland and Turkey	104 330
Dec. 11	Warsaw	Treaty of commerce	Austria and Estonia	404 664
Dec. 12	Prague	Treaty regarding settlement of legal questions connected with the frontier described in Art. 27, para. 6, of the Treaty of Saint-Germain	Austria and Czechoslovakia	405 665
Dec. 12	Budapest	Treaty of conciliation and arbitration	Finland and Hungary	105 334
Dec. 27	Madrid	Treaty of conciliation, judicial settlement and arbitration	Norway and Spain	106 335
1929.				
Jan. 5	Budapest	Treaty of neutrality, conciliation and arbitration	Hungary and Turkey	107 339
Feb. 17	Teheran	Treaty of friendship	Germany and Iran	406 666
March 6	Ankara	Treaty of neutrality, conciliation, judicial settlement and arbitration	Bulgaria and Turkey	108 341
March 11	Athens	Conv. of commerce, navigation and establishment	France and Greece	327 610
March 15	Paris	Commercial Conv.	Estonia and France	328 610
March 27	Belgrade	Pact of friendship, conciliation and judicial settlement	Greece and Yugoslavia	109 346
March 28	The Hague	Treaty of commerce and navigation	Austria and The Netherlands	329 611
April 20	Geneva	International Conv. for the suppression of counterfeiting currency	(Collective Treaty)	207 523
April 20	Geneva	Optional Protocol concerning the suppression of counterfeiting currency	(Collective Treaty)	E 16 207 369 <i>bis</i>

434 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1929 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos.	Pages.
April 23	Prague	Conv. of conciliation, arbitration and judicial settlement	Belgium and Czecho- slovakia	110	354
April 25	Berlin	Protocol modifying the Arbitration Conv. of Aug. 29th, 1924	Germany and Sweden	111	362
April 29	Tallinn	Conv. of commerce and navigation	Estonia and Hungary	407	667
May 10	Teheran	Treaty of friendship	France and Iran	507	388
May 16	Ankara	Treaty of arbitration and conciliation	Germany and Turkey	112	365
May 16	Budapest	Conv. of commerce and navigation	Hungary and Lithuania	408	667
May 21	Belgrade	General Act of concilia- tion, arbitration and judicial settlement	Czechoslovakia, Roumania and Yugoslavia	113	369
May 23	Teheran	Treaty of friendship	Belgium and Iran	409	668
May 27	Teheran	<i>Idem</i>	Iran and Sweden	410	670
May 30	La Paz	Treaty of commerce	Bolivia and The Netherlands	330	611
June 8	Prague	Pact of friendship, conciliation, arbitration and judicial settlement	Czechoslovakia and Greece	114	373
June 10	Madrid	Treaty of conciliation, judicial settlement and arbitration	Hungary and Spain	115	375
June 10	Rome	Conv. regarding con- ditions of residence and commerce	Albania and Switzerland	331	612
June 15	Paris	Protocol concerning amendments to Arts. 3, 5, 7, 15, 34, 37, 41, 42, and to the final pro- visions of the Conv. re- lating to the regula- tion of aerial navigation of Oct. 13th, 1919	(Collective Treaty)	450	320
June 17	Oslo	Conv. of conciliation, judicial settlement and arbitration	Italy and Norway	116	378
June 21	Geneva	Conv. concerning the marking of the weight on heavy packages transported by vessels	(Collective Treaty)	208	524

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 435

1929 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
June 21	Geneva	Conv. concerning the protection against accidents of workers employed in loading or unloading ships	(Collective Treaty)	209 524
June 25	Athens	Conv. of conciliation, arbitration and judicial settlement	Belgium and Greece	117 383
July 8	Berne	Commercial Conv.	France and Switzerland	411 671
July 9	Tallinn	Conv. for judicial settlement, arbitration and conciliation	Czechoslovakia and Estonia	118 385
July 10	Paris	Treaty of arbitration	France and Spain	E 11 476 282
July 22	Budapest	Treaty of conciliation and arbitration	Bulgaria and Hungary	119 387
Aug. 15	Luxemburg	Treaty of conciliation, arbitration and judicial settlement	Luxemburg and Portugal	120 389
Aug. 26	Copenhagen	Treaty of conciliation, judicial settlement and arbitration	Iceland and Spain	121 389
Aug. 26	Berne	Treaty of commerce	Switzerland and Belgo-Luxemburg Economic Union	412 672
Sept. 9	Geneva	Conv. for the peaceful settlement of all international disputes	Czechoslovakia and Norway	122 392
Sept. 11	Geneva	Treaty of arbitration and conciliation	Germany and Luxemburg	123 393
Sept. 14	Geneva	Protocol relating to the revision of the Statute of the Court	(Collective Treaty)	6 24
Sept. 14	Geneva	Amendments to the Statute of the Court	—	7 26
Sept. 14	Geneva	Protocol relating to the accession of the U.S. of America to the Protocol of Signature of the Statute of the Court	(Collective Treaty)	8 27
Sept. 14	Geneva	Treaty of judicial settlement, arbitration and conciliation	Czechoslovakia and The Netherlands	124 398

436 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1929 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Sept. 16	Geneva	Treaty of conciliation, judicial settlement and arbitration	Luxemburg and Switzerland	125 399
Sept. 17	Geneva	Treaty of judicial settlement, arbitration and conciliation	Luxemburg and The Netherlands	126 403
Sept. 18	Geneva	Conv. of conciliation, arbitration and judicial settlement	Czechoslovakia and Luxemburg	127 403
Sept. 20	Geneva	Treaty of conciliation, judicial settlement and arbitration	Czechoslovakia and Switzerland	128 404
Oct. 2	Prague	Conv. of judicial settlement, arbitration and conciliation	Czechoslovakia and Finland	129 408
Oct. 16	Rome	Treaty of commerce and navigation	Italy and Panama	E 10 473 334
Nov. 2	Hamburg	Decision respecting the execution of Arts. 363-364 of the Treaty of Versailles, and annexes	Czechoslovakia and Germany	332 612
Nov. 6	Paris	Commercial Conv.	Cuba and France	E 8 424 480
Nov. 27	Tallinn	Treaty of conciliation and arbitration	Estonia and Hungary	130 409
Dec. 9	Oslo	Treaty of conciliation, arbitration and judicial settlement	Norway and Poland	131 410
Dec. 18	Geneva	Protocol of negotiations (regularization of the Rhine between Strasbourg/Kehl and Istein)	France, Germany and Switzerland	333 613
Dec. 27	Vienna	Agreement concerning the payment of claims of Greek nationals in respect of damages suffered during the period of Greek neutrality	Austria and Greece	334 614
Dec. 31	Warsaw	Treaty of conciliation, judicial settlement and arbitration	Bulgaria and Poland	132 414
1930.				E 9
Jan. 13	Moscow	Treaty of friendship	Iran and Lithuania	442 344

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 437

1930 <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Jan. 14	The Hague	Agreement regarding the release of property, rights and interests of German nationals subject to the charge created in pursuance of the Treaty of Versailles	Canada and Germany	413 673
Jan. 18	The Hague	Conv. 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	414 674
Jan. 20	The Hague	Agreement regarding the complete and final settlement of the question of reparations	Union of South Africa, Australia, Belgium, Canada, Czechoslovakia, France, Germany, Great Britain, Greece, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania, Yugoslavia	335 614
Jan. 20	The Hague	Declaration (Annex 1 to Agreement of January 20th, 1930)	Germany	336 617
Jan. 20	The Hague	Agreement regarding the final discharge of the financial obligations of Austria	Union of South Africa, Australia, Austria, Belgium, Canada, Czechoslovakia, France, Great Britain, Greece, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania, Yugoslavia	337 617
Jan. 20	The Hague	Agreement regarding the settlement of Bulgarian reparations	Union of South Africa, Australia, Belgium, Bulgaria, Canada, Czechoslovakia, France, Great Britain, Greece, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania, Yugoslavia	338 618
Jan. 20	The Hague	Conv. respecting Bank for International Settlements	Belgium, France, Germany, Great Britain, Italy, Japan, Switzerland	339 619
Jan. 22	Luxemburg	Conv. of conciliation, arbitration and judicial settlement	Luxemburg and Roumania	133 417
Jan. 22	The Hague	Treaty of judicial settlement, arbitration and conciliation	The Netherlands and Roumania	134 419

438 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1930 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Jan. 23	Athens	Treaty of conciliation, judicial settlement and arbitration	Greece and Spain	135 420
Feb. 3	Paris	Treaty of friendship, conciliation and arbitration	France and Turkey	136 421
Feb. 6	Rome	Treaty of friendship, conciliation and judicial settlement	Austria and Italy	137 424
Feb. 13	Cape Town	Commercial Agreement between the High Commissioner for South Africa and the Governor-General of Mozambique regulating the commercial relations between Swaziland, etc., and Mozambique	Great Britain and Portugal	415 674
Feb. 18	Lourenço Marques			
Feb. 14	Madrid	Conv. regarding air navigation	The Netherlands and Spain	E 10 460 325
Feb. 28	Riga	Treaty of arbitration	Denmark and Latvia	138 428
March 8	Prague	Conv. of judicial settlement, arbitration and conciliation	Czechoslovakia and Lithuania	139 430
March 12	Teheran	Treaty of friendship	Iran and The Netherlands	416 675
March 25	Belgrade	Conv. of conciliation, judicial settlement and arbitration	Belgium and Yugoslavia	140 430
April 10	Warsaw	Conv. of commerce and navigation	Greece and Poland	340 619
April 12	The Hague	Treaty of judicial settlement, arbitration and conciliation	The Netherlands and Poland	141 432
April 12	The Hague	Conv. on certain questions relating to the conflict of nationality laws	(Collective Treaty)	210 525
April 12	The Hague	Protocol relating to military obligations in certain cases of double nationality	(Collective Treaty)	211 526
April 12	The Hague	Protocol relating to a certain case of statelessness	(Collective Treaty)	212 527

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 439

1930 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos.</i>	<i>Pages.</i>
April 12	The Hague	Special Protocol concerning statelessness	(Collective Treaty)	213	527
April 28	Paris	Agreement (No. I)	Union of South Africa, Australia, Belgium, Canada, Czechoslovakia, France, Great Britain, Greece, Hungary, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania, Yugoslavia	417	677
April 28	Paris	Agreement (No. II)	<i>Idem</i>	341	620
April 28	Paris	Agreement (No. III)	<i>Idem</i>	342	621
April 28	Paris	Agreement (No. IV)	Czechoslovakia, France, Great Britain, Italy, Roumania, Yugoslavia	418	678
April 28	Paris	Agreement relating to the Gojdu Foundation	Hungary and Roumania	343	622
April 28	Ankara	Treaty of conciliation, judicial settlement and arbitration	Spain and Turkey	142	435
April 28	Paris	Treaty of conciliation, judicial settlement and arbitration	Finland and France	143	437
May 5	Athens	Treaty of conciliation and arbitration	Greece and Hungary	144	442
May 12	Dublin	Treaty of commerce and navigation	Germany and Ireland	443	345
May 23	Brussels	Conv. for the establishment and working of an aerial line of communication Belgium-France-Congo	Belgium and France	437	339
May 26	The Hague	Treaty of commerce	The Netherlands and Switzerland	344	622
May 28	Belgrade	Treaty of commerce and navigation	The Netherlands and Yugoslavia	345	623
June 3	Athens	Commercial Conv.	Greece and Hungary	346	623
June 20	Bucharest	Conv. regulating the establishment and operation of regular air lines of communication	Czechoslovakia and Roumania	503	380
June 21	Kovno	Treaty of commerce and navigation	Denmark and Lithuania	347	623

440 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1930 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
June 23	Warsaw	Conv. of commerce and navigation	Poland and Roumania	E 10 461 325
June 23	Warsaw	Veterinary Conv. annexed to the Conv. of commerce and navigation	Poland and Roumania	E 10 462 326
June 26	Vienna	Treaty of friendship, conciliation, arbitration and judicial settlement	Austria and Greece	145 442
June 27	Tingvellir	Conv. respecting the procedure for the settlement of disputes	Denmark and Iceland	146 444
June 27	Tingvellir	Conv. for the pacific settlement of disputes	Finland and Iceland	147 446
June 27	Tingvellir	<i>Idem</i>	Iceland and Norway	148 447
June 27	Tingvellir	<i>Idem</i>	Iceland and Sweden	149 449
June 27	Štrbské Pleso	Treaty of commerce and navigation	Czechoslovakia and Roumania	348 624
June 28	Geneva	Conv. concerning the regulation of hours of work in commerce and offices	(Collective Treaty)	214 528
June 28	Geneva	Conv. concerning forced or compulsory labour	(Collective Treaty)	215 528
July 8	Bucharest	Treaty of judicial settlement, arbitration and conciliation	Belgium and Roumania	E 9 430 318
July 15	Praha	Conv. concerning the settlement of questions arising out of the delimitation of the frontier	Czechoslovakia and Roumania	E 13 528 340
July 26	Lisbon	Treaty of conciliation, judicial settlement and arbitration	Norway and Portugal	150 450
Aug. 2	Warsaw	Conv. regarding operation of commercial airways	France and Poland	E 8 425 480
Aug. 6	London	Treaty of commerce and navigation	Great Britain and Roumania	349 625
Aug. 13	Riga	Treaty of conciliation and arbitration	Hungary and Latvia	151 455

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 441

1930 <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 13
Aug. 27	Paris	Conv. of establishment	France and Roumania	523 333
				E 16
Aug. 27	Paris	Conv. of commerce and navigation	France and Roumania	586 408
Sept. 24	Geneva	Conv. of conciliation, arbitration and judicial settlement	Belgium and Lithuania	152 455
Oct. 1	Oslo	Conv. of conciliation, arbitration and judicial settlement	Austria and Norway	153 456
Oct. 30	Ankara	Treaty of friendship, neutrality, conciliation and arbitration	Greece and Turkey	154 457
Nov. 24	Kovno	Treaty of conciliation and arbitration	Latvia and Lithuania	155 462
Dec. 8	Belgrade	Conv. concerning the application and execution of certain provisions of the General Agreement of The Hague of Jan. 20th, 1930, between Austria and the creditor States	Austria and Yugoslavia	419 678
1931.				
Jan. 26	Vienna	Treaty of conciliation and arbitration	Austria and Hungary	156 464
March 11	The Hague	Treaty of judicial settlement, arbitration and conciliation	The Netherlands and Yugoslavia	157 466
March 17	Ankara	Conv. of judicial settlement, arbitration and conciliation	Czechoslovakia and Turkey	158 467
March 27	The Hague	Protocol conferring on the Permanent Court of International Justice jurisdiction to interpret the Hague Conventions of private international law	Austria, Belgium, Denmark, The Netherlands, Spain and Yugoslavia	216 529
March 30	The Hague	Treaty of conciliation, judicial settlement and arbitration	The Netherlands and Spain	159 471
April 11	Tallinn	Conv. of commerce and navigation	Estonia and Finland	420 679
April 17	Athens	Conv. respecting air transport services	Great Britain and Greece	350 625

442 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1931 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
April 18	Ankara	Conv. of conciliation, arbitration and judicial settlement	Belgium and Turkey	160 475
April 28	Riga	Treaty of conciliation and judicial settlement	Italy and Latvia	161 478
May 21	Geneva	Conv. establishing an international agricultural mortgage credit company	(Collective Treaty)	217 530
May 28	Tokio	Treaty of friendship and commerce	Siam and Switzerland	351 626
June 5	Athens	Conv. for the establishment of aerial navigation	France and Greece	E 9 438 340
June 18	Geneva	Conv. limiting the hours of work in coal mines	(Collective Treaty)	218 531
June 23	Sofia	Treaty of conciliation, arbitration and judicial settlement	Belgium and Bulgaria	E 10 444 292
June 26	Sofia	Treaty of conciliation, judicial settlement and arbitration	Bulgaria and Spain	E 13 508 306
July 13	Geneva	Conv. for limiting the manufacture and regulating the distribution of narcotic drugs	(Collective Treaty)	219 532
July 25	Prague	Treaty regulating the conditions of railway traffic across the frontier between the two countries	Czechoslovakia and Germany	E 15 562 272
July 31	Tirana	Treaty of commerce and navigation	Albania and Great Britain	352 626
Aug. 11	London	Protocol concerning Germany and respecting the suspension of certain inter-governmental debts	Union of South Africa, Australia, Belgium, Canada, Czechoslovakia, Germany, Great Britain, Greece, India, Italy, Japan, New Zealand, Poland, Portugal, Roumania	353 627
Aug. 11	Bucharest	Conv. of commerce and navigation	Greece and Roumania	E 8 426 481
Aug. 11	Bucharest	Conv. concerning conditions of residence and business	Greece and Roumania	E 8 427 481

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 443

1931 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos.</i>	<i>Pages.</i>
Aug. 21	Berne	Conv. concerning the establishment in Switzerland of the agrarian fund	France, Great Britain, Hungary, Italy, Switzerland	354	627
Aug. 21	Berne	Conv. concerning the establishment in Switzerland of the special fund	Czechoslovakia, France, Great Britain, Italy, Roumania, Switzerland, Yugoslavia	355	628
Aug. 22	Vienna	Conv. concerning conditions of residence and business, commerce and navigation	Austria and Roumania	356	628
Oct. 3	Moscow	Treaty of friendship	Estonia and Iran	428	484
Oct. 7	Bucharest	Conv. concerning conditions of residence, commerce and navigation	Roumania and Sweden	439	340
Oct. 31	Copenhagen	Treaty of commerce and navigation	Denmark and The Netherlands	357	629
Nov. 9	La Paz	Treaty of commerce	Bolivia and Denmark	358	629
Nov. 26	Sofia	Treaty of conciliation, arbitration and judicial settlement	Bulgaria and Norway	422	466
Dec. 12	Moscow	Treaty of friendship	Finland and Iran	474	334
1932.				E 9	
Jan. 4	Warsaw	Treaty of friendship, conciliation and arbitration	Greece and Poland	431	322
Feb. 12	Geneva	Treaty of conciliation, arbitration and settlement	Luxemburg and Norway	423	473
Feb. 27	Madrid	General Conv. on air navigation	Belgium and Spain	463	326
Feb. 27	Madrid	Agreement regarding the establishment and operation of air lines passing over their respective territories	Belgium and Spain	464	327
March 4	Rome	Commercial <i>modus vivendi</i>	France and Italy	587	409
March 8	Geneva	Treaty of conciliation, judicial settlement and arbitration	Denmark and Turkey	445	298

444 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1932 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 10
April 8	Madrid	Conv. regarding air navigation	Spain and Sweden	465 327
				E 11
April 15	Luxemburg	Treaty of conciliation and judicial settlement	Italy and Luxemburg	477 287
				E 10
April 16	Geneva	Treaty of judicial settlement, arbitration and conciliation	The Netherlands and Turkey	446 302
				E 9
April 27	Geneva	Conv. concerning the protection against accidents of workers employed in loading or unloading ships (revised in 1932)	(Collective Treaty)	434 338
				E 9
April 30	Geneva	Conv. concerning the age for admission of children to non-industrial employment	(Collective Treaty)	435 338
				E 9
May 30	Bagdad	Declaration made by Iraq on the occasion of the termination of the mandatory régime	Iraq	440 341
				E 11
June 28	Semmering	Agreement relating to the setting up of special services at the Iron Gates	Int. Commission of the Danube, Roumania and Yugoslavia	487 305
				E 9
July 2	Washington	Treaty of commerce and navigation	The Netherlands and Panama	441 341
				E 11
July 5	Rome	Conv. regarding air navigation	Hungary and Italy	488 305
				E 10
July 16	Vienna	Conv. regarding air navigation	Austria and Great Britain	466 328
				E 10
Dec. 6	Lisbon	Conv. of conciliation, judicial settlement and arbitration	Portugal and Sweden	447 307
				E 11
1933.				E 11
Jan. 3	Rome	Conv. regarding the recognition and enforcement of judicial decisions	Italy and Switzerland	489 306
				E 9
Jan. 16	Ankara	Treaty of conciliation, judicial settlement and arbitration	Norway and Turkey	432 328
				E 13
Feb. 20	Geneva	Conv. regarding establishment and labour	Belgium and The Netherlands	524 333

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 445

1933 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
March 23	The Hague	Treaty of judicial settlement, arbitration and conciliation	The Netherlands and Norway	E 9 433 333
April 1	The Hague	Conv. concerning establishment and labour	Luxemburg and The Netherlands	E 15 546 260
April 5	The Hague	Treaty of arbitration, judicial settlement and conciliation	The Netherlands and Venezuela	E 10 448 310
April 13	Athens	Conv. of conciliation, arbitration and judicial settlement	Denmark and Greece	E 11 478 290
April 19	The Hague	Treaty of judicial settlement, arbitration and conciliation	Japan and The Netherlands	E 10 449 314
April 24	London	Commercial Agreement	Denmark and Great Britain	E 10 467 329
April 27	Berlin	Treaty amending the Treaty of Nov. 26th, 1925, concerning customs and credit	Germany and The Netherlands	E 11 496 314
May 1	London	Commercial Conv.	Argentina and Great Britain	E 10 468 329
May 12	Ottawa	Conv. of commerce and navigation	Canada and France	E 16 574 400
May 15	London	Commercial Agreement	Great Britain and Norway	E 10 469 330
May 15	London	Commercial Agreement	Great Britain and Sweden	E 10 470 330
May 19	London	Commercial Agreement	Great Britain and Iceland	E 10 471 331
June 14	San José de Costa Rica	Treaty of commerce and navigation	Italy and Costa Rica	E 16 588 409
June 29	Geneva	Conv. concerning fee-charging employment agencies	(Collective Treaty)	E 10 453 322
June 29	Geneva	Conv. concerning compulsory old age insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants	(Collective Treaty)	E 10 454 323

446 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1933 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 10
June 29	Geneva	Conv. concerning compulsory old age insurance for persons employed in agricultural undertakings	(Collective Treaty)	455 323
				E 10
June 29	Geneva	Conv. concerning compulsory invalidity insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants	(Collective Treaty)	456 323
				E 10
June 29	Geneva	Conv. concerning compulsory invalidity insurance for persons employed in agricultural undertakings	(Collective Treaty)	457 324
				E 10
June 29	Geneva	Conv. concerning compulsory widows' and orphans' insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants	(Collective Treaty)	458 324
				E 10
June 29	Geneva	Conv. concerning compulsory widows' and orphans' insurance for persons employed in agricultural undertakings	(Collective Treaty)	459 324
				E 12
July 19	Bucharest	Conv. regarding conditions of residence and business	Roumania and Switzerland	504 380
				E 16
July 27	Lima	Treaty of navigation	Norway and Peru	575 400
				E 10
Sept. 29	Helsingfors	Commercial Agreement	Finland and Great Britain	472 331
				E 10
Oct. 5-11	Geneva	Conv. for facilitating the international circulation of films of an educational character	(Collective Treaty)	452 322
				E 10
Oct. 11	Geneva	International Conv. for the suppression of the traffic in women of full age	(Collective Treaty)	451 321

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 447

1933 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 11
Oct. 11	Geneva	Conv. of conciliation, judicial settlement and arbitration	Czechoslovakia and Latvia	479 296
				E 10
Oct. 13	London	Conv. regarding the suppression of illicit importation of alcoholic liquors into Finland	Finland and Great Britain	475 336
				E 13
Oct. 17	Ankara	Treaty of friendship, non-aggression, arbitra- tion and conciliation	Roumania and Turkey	509 311
				E 13
Nov. 27	Belgrade	Treaty of friendship, non-aggression, judicial settlement, arbitration and conciliation	Turkey and Yugoslavia	510 314
				E 13
Dec. 19	The Hague	Treaty of arbitration, judicial settlement and conciliation	Denmark and Venezuela	511 320
				E 15
1934.				E 13
Feb. 10	Prague	Conv. of commerce and navigation	Czechoslovakia and Poland	547 260
				E 13
Feb. 20	Teheran	Treaty of friendship, establishment and commerce	Denmark and Iran	525 333
				E 16
March 19	San Salva- dor	Treaty of commerce and navigation	Italy and Salvador	589 410
				E 13
April 25	Berne	Treaty of friendship	Iran and Switzerland	526 335
				E 13
April 26	Rome	International Conv. for the unification of methods of sampling and analyzing cheeses	(Collective Treaty)	512 328
				E 11
May 24	Rio de Janeiro	Protocol of peace, friendship and co- operation	Colombia and Peru	490 306
				E 11
June 19	Geneva	(Revised) Conv. con- cerning employment of women during the night (1934)	(Collective Treaty)	480 302
				E 11
June 21	Geneva	Conv. for the regulation of hours of work in automatic sheet-glass works	(Collective Treaty)	481 302

448 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1934 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
June 21	Geneva	(Revised) Conv. concerning workmen's compensation for occupational diseases (1934)	(Collective Treaty)	E 11 482 302
June 23	Geneva	Conv. ensuring benefit or allowances to the involuntarily unemployed	(Collective Treaty)	E 11 483 303
July 6	London	Agreement relating to trade and commerce	Great Britain and Lithuania	E 11 491 308
July 11	London	Agreement supplementary to the Treaty of commerce and navigation of Jan. 18th, 1926	Estonia and Great Britain	E 11 492 308
July 17	London	Commercial Agreement	Great Britain and Latvia	E 11 493 309
Nov. 24	Geneva	(Resolution of the Assembly of the L. N.: the Chaco case)		E 11 494 309
1935.				E 11
Feb. 20	Geneva	International Conv. for the campaign against contagious diseases of animals	(Collective Treaty)	484 303
Feb. 20	Geneva	International Conv. concerning the transit of animals meat and other products of animal origin	(Collective Treaty)	E 11 485 304
Feb. 20	Geneva	International Conv. concerning the export and import of animal products (other than meat, meat preparations, fresh animal products, milk and milk products)	(Collective Treaty)	E 11 486 304
Feb. 27	London	Agreement in regard to trade and commerce	United Kingdom and Poland	E 12 505 380
May 13	The Hague	Treaty of arbitration, judicial settlement and conciliation	Norway and Venezuela	E 12 497 372
May 20	Tallinn	Conv. concerning air navigation	Estonia and Sweden	E 13 527 336
June 12	Buenos Aires	Protocol	Bolivia and Paraguay	E 11 495 311

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 449

1935 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 13
June 18	Berne	Provisional Conv. regulat- ing air traffic	Hungary and Switzerland	529 341
				E 12
June 21	Geneva	Conv. concerning the employment of women on underground work in mines of all kinds	(Collective Treaty)	498 378
				E 12
June 21	Geneva	(Revised) Conv. limit- ing hours of work in coal mines	(Collective Treaty)	499 378
				E 12
June 22	Geneva	Conv. concerning the reduction of hours of work to forty a week	(Collective Treaty)	500 378
				E 12
June 22	Geneva	Conv. concerning the establishment of an international scheme for the maintenance of rights under inval- idity, old age, and widows' and orphans' insurance	(Collective Treaty)	501 379
				E 12
June 25	Geneva	Conv. concerning the re- duction of hours of work in glass-bottle works	(Collective Treaty)	502 379
				E 16
July 26	Varna	Conv. regulating the re- ciprocal railway commu- nications via Boteni- Oborischté	Bulgaria and Roumania	590 410
				E 12
Oct. 2	Buenos Aires	Resolution concerning the responsibilities arising out of the Chaco war	Bolivia and Paraguay	506 381
				E 12
Oct. 10	London	Renewal of the Arbi- tration Conv. of Oct. 25th, 1905	United Kingdom, Austra- lia, Canada and New Zea- land, and Iceland	56 351
				E 14
Dec. 7	Sofia	Treaty of conciliation, arbitration and judicial settlement	Bulgaria and Denmark	530 300
				E 14
Dec. 14	Belgrade	<i>Idem</i>	Denmark and Yugoslavia	531 306
				E 14
1936.				
Jan. 27	Oslo	Treaty of conciliation	Chile and Norway	540 316
				E 15
March 21	Prague	Agreement for the sup- pression of illicit im- portation of alcoholic liquors into Finland	Czechoslovakia and Fin- land	563 272

450 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1936 (cont.).		Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
					E 16
May	4	Strasburg	<i>Modus vivendi</i> regarding navigation on the Rhine	Belgium, France, Germany, Great Britain, Italy, Switzerland	576 401
					E 15
May	11	Lisbon	Exchange of notes constituting an agreement regarding sovereignty over islands in the river Rovuma and the boundary between Tanganyika and Mozambique	United Kingdom and Portugal	548 261
					E 13
June	20	Geneva	Conv. concerning the regulation of certain special systems of recruiting workers	(Collective Treaty)	513 328
					E 13
June	23	Geneva	Conv. concerning the reduction of hours of work on public works	(Collective Treaty)	514 329
					E 13
June	24	Geneva	Conv. concerning annual holidays with pay	(Collective Treaty)	515 329
					E 13
June	26	Geneva	Conv. for the suppression of the illicit traffic in dangerous drugs	(Collective Treaty)	516 329
					E 15
July	30	Brussels	Protocol regarding the immunities of the Bank for International Settlements	(Collective Treaty)	542 254
					E 14
Sept.	12	Helsinki	Conv. concerning air navigation	Estonia and Finland	537 313
					E 14
Sept.	23	Geneva	International Conv. concerning the use of broadcasting in the cause of peace	(Collective Treaty)	532 310
					E 13
Oct.	24	Geneva	Conv. concerning the minimum requirement of professional capacity for masters and officers on board merchant ships	(Collective Treaty)	517 330
					E 13
Oct.	24	Geneva	Conv. concerning annual holidays with pay for seamen	(Collective Treaty)	518 330
					E 13
Oct.	24	Geneva	Conv. concerning the liability of the shipowner in case of sickness, injury or death of seamen	(Collective Treaty)	519 331

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 451

1936 <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 13
Oct. 24	Geneva	Conv. concerning sickness insurance for seamen	(Collective Treaty)	520 331
				E 13
Oct. 24	Geneva	Conv. concerning hours of work on board ship and manning	(Collective Treaty)	521 331
				E 13
Oct. 24	Geneva	Conv. fixing the minimum age for the admission of children to employment at sea (revised 1936)	(Collective Treaty)	522 332
				E 16
1937.				
Jan. 29	Paris	Agreement regarding the régime of the international road from Grand Lucelle to Klösterli	France and Switzerland	577 492
				E 15
March 22	Budapest	Conv. relating to air navigation	United Kingdom and Hungary	549 262
				E 15
May 8	Montreux	Conv. regarding the abolition of capitulations in Egypt	Union of South Africa, Australia, Belgium, United Kingdom, Denmark, Egypt, France, Greece, India, Ireland, Italy, The Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, United States of America	550 263
				E 15
May 14	Stockholm	Treaty of commerce and navigation	Sweden and Yugoslavia	551 263
				E 14
June 22	Geneva	Conv. fixing the minimum age for admission of children to industrial employment	(Collective Treaty)	533 311
				E 14
June 22	Geneva	Conv. concerning the age for admission of children to non-industrial employment (revised 1937)	(Collective Treaty)	534 311
				E 14
June 22	Geneva	Conv. concerning the reduction of hours of work in the textile industry	(Collective Treaty)	535 311
				E 14
June 23	Geneva	Conv. concerning safety provisions in the building industry	(Collective Treaty)	536 312

452 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1937 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
July 20	Varna	Conv. concerning the regulation of ferry-boat communications through the points Russé-harbour and Giurgiu-harbour and <i>vice versa</i>	Bulgaria and Roumania	E 16 591 411
July 24	Teheran	Treaty for the pacific settlement of disputes	Iran and Iraq	E 15 541 248
July 29	London	Conv. for the abolition of capitulations in Morocco and Zanzibar	France and United Kingdom	E 15 552 264
Oct. 16	Paris	Commercial Conv.	Estonia and France	E 15 553 264
Oct. 21	Paris	Treaty of commerce	Denmark and Haiti	E 15 554 265
Nov. 4	Berne	Treaty of friendship and commerce	Siam and Switzerland	E 15 555 265
Nov. 5	Stockholm	Treaty of friendship commerce and navigation	Siam and Sweden	E 14 538 313
Nov. 5	Bangkok	Conv. of establishment	Belgium and Siam	E 15 556 266
Nov. 5	Copenhagen	Treaty of friendship, commerce and navigation	Denmark and Siam	E 15 557 266
Nov. 5	Bangkok	Treaty of friendship, commerce and navigation	Economic Union of Belgium and Luxemburg, and Siam	E 15 558 267
Nov. 15	Oslo	Treaty of friendship, commerce and navigation	Norway and Siam	E 15 559 267
Nov. 16	Geneva	Conv. for the prevention and punishment of terrorism	(Collective Treaty)	E 15 543 257
Nov. 16	Geneva	Conv. for the creation of an international Criminal Court	(Collective Treaty)	E 15 544 258
Nov. 23	Bangkok	Treaty of commerce and navigation	United Kingdom and Siam	E 15 560 268
Dec. 7	Bangkok	Treaty of friendship, commerce and navigation	France and Siam	E 16 578 402

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 453

1938.	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				E 16
Feb. 1	Bangkok	Treaty of friendship, commerce and navigation	The Netherlands and Siam	579 493
				E 16
March 17	Washington	Treaty of friendship	Greece and Mexico	592 411
				E 15
May 11	Lisbon	Agreement regarding the commercial relations between Swaziland, Basutoland and the Bechuana-land Protectorate and the Colony of Mozambique	United Kingdom and Portugal	564 273
				E 15
June 20	Geneva	Conv. concerning statistics of wages and hours of work	(Collective Treaty)	545 259
				E 15
Aug. 18	Sinaia	Agreement concerning the European Commission of the Danube	France, Great Britain, Roumania	545 268
				E 16
Nov. 21	San Salvador	Treaty of commerce and navigation	Norway en Salvador	580 403
				E 16
1939.				E 16
May 30	Athens	Conv. respecting air transport services	Great Britain and Greece	581 404
				E 16
June 27	Geneva	Conv. concerning the regulation of written contracts of employment of indigenous workers	(Collective Treaty)	567 396
				E 16
June 27	Geneva	Conv. concerning penal sanctions for breaches of contracts of employment by indigenous workers	(Collective Treaty)	568 396
				E 16
June 28	Geneva	Conv. concerning the recruitment, placing and conditions of labour of migrants for employment	(Collective Treaty)	569 397
				E 16
June 28	Geneva	Conv. concerning the regulation of hours of work and rest periods in road transport	(Collective Treaty)	570 397
				E 16
1940.				E 16
March 14	Caracas	Treaty of commerce and navigation	Venezuela and Norway	582 404
				E 16
March 30	Caracas	Treaty for the pacific settlement of disputes	Venezuela and Brazil	565 386

454 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1940 (<i>cont.</i>).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
July 10	Caracas	Treaty of non-aggression, conciliation, arbitration and judicial settlement	Venezuela and Colombia	E 16 566 390
July 17	Cairo	Conv. relative to the abolition of the Egyptian "Caisse de la Dette publique"	Egypt and Great Britain	E 16 583 404
Aug. 3	Cairo	Conv. relative to the abolition of the Egyptian "Caisse de la Dette publique"	Egypt and France	E 16 584 405
1942.				E 16
May 8	—	Conv. for the regulation of air navigation	Argentina and Chile	585 405
1944.				E 16
July 22	Bretton Woods	Articles of agreement of the International Monetary Fund	(Collective Treaty)	593 411
July 22	Bretton Woods	Articles of agreement of the International Bank for Reconstruction and Development	(Collective Treaty)	E 16 594 412
Dec. 7	Chicago	Conv. on international civil aviation	(Collective Treaty)	E 16 571 397
Dec. 7	Chicago	International air services transit agreement	(Collective Treaty)	E 16 572 398
Dec. 7	Chicago	International air transport agreement	(Collective Treaty)	E 16 573 399