

SERIES E.—No. 14

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FOURTEENTH ANNUAL REPORT  
OF THE  
PERMANENT COURT OF INTERNATIONAL JUSTICE  
(June 15th, 1937—June 15th, 1938)

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PUBLICATIONS OF THE PERMANENT COURT  
OF INTERNATIONAL JUSTICE

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# FOURTEENTH ANNUAL REPORT

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PERMANENT COURT OF  
INTERNATIONAL JUSTICE

(JUNE 15th, 1937—JUNE 15th, 1938)



A. W. SIJTHOFF'S PUBLISHING COMPANY—LEYDEN  
(A. W. SIJTHOFF'S UITGEVERSMAATSCHAPPIJ N.V. — LEIDEN)

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## INTRODUCTION.

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The Fourteenth Annual Report covers the period June 15th, 1937, to June 15th, 1938. The plan is the same as that of preceding reports.

Chapter I indicates the composition of the Court and of its various Chambers: the Chamber for Labour cases, the Chamber for Communications and Transit cases and the Chamber for Summary Procedure. It also contains the new edition of the Instructions for the Registry, which came into force on March 31st, 1938.

Chapter II is concerned with the Statute and Rules of Court. Chapter III gives the facts which have occurred since June 15th, 1937, in regard to the subjects dealt with in the corresponding chapter of preceding Annual Reports.

Chapter IV brings up to date the tables and indexes contained in preceding reports, namely: a list of periods during which the Court has sat; a list of judgments, opinions and orders in the nature of judgments (these two lists cover the period from 1922 to June 15th, 1938); a chronological index and an analytical index of orders, the Court's General List (June 15th, 1937—June 15th, 1938).

Chapter V contains a summary of the judgments rendered by the Court on October 8th, 1937, in the case concerning lighthouses in Crete and Samos, on November 6th, 1937, in the Borchgrave case (preliminary objections), and on June 14th, 1938, in the case concerning phosphates in Morocco (preliminary objections).

Chapter VI, instead of—like the more recent Annual Reports—merely containing the decisions taken during the year, covers all the decisions taken by the Court between June 15th, 1933, and June 15th, 1938<sup>1</sup>. This digest is followed by an analytical

<sup>1</sup> The decisions from 1922 to June 15th, 1933, were given in Annual Reports Nos. 3 to 8. They were also referred to in a work entitled: *Statut et Règlement de la Cour permanente de Justice internationale (éléments d'interprétation)*, published by the *Institut für Ausländisches öffentliches Recht und Völkerrecht* of Berlin. As regards the decisions from June 15th, 1933 to June 15th, 1937, which are covered by the present Annual Report in addition to the decisions taken between June 15th, 1937, and June 15th, 1938, these were also given in Annual Reports Nos. 10 to 13.

index of decisions and indexes of the articles of the Statute and of the articles of the Rules to which the decisions relate.

Chapters VII to X supplement and bring up to date the matters contained in the corresponding chapters of preceding reports. Chapter VIII, *inter alia*, indicates the amendments made by the Assembly of the League of Nations, at its Eighteenth ordinary Session, in the Regulations for the Financial Administration of the League of Nations; it also mentions certain decisions in regard to financial and budgetary matters by the Supervisory Commission of the League of Nations and by the Assembly.

\* \* \*

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

The Hague, August 1st, 1938.

J. LÓPEZ OLIVÁN,  
Registrar.

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## CHAPTER I.

## THE COURT AND REGISTRY.

## I.—THE COURT.

## (I) COMPOSITION OF THE COURT.

As was announced in the Thirteenth Annual Report, M. Å. Hammarskjöld, member of the Court, died at The Hague on July 7th, 1937.

At the second meeting of its 98th Session (Sept. 14th, 1937), the Council of the League of Nations had to consider a report on the date of the election to be held in order to fill this vacancy; this report was in the following terms<sup>1</sup>:

“Since the Council’s last session, the Permanent Court of International Justice has again suffered a great loss through the death of one of its judges, M. Å. Hammarskjöld.

It is the Council’s duty, under Article 14 of the revised Statute of the Court, to fix during its present session the date of the election to this vacancy.

Article 5, paragraph 1, of the Statute of the Court provides that invitations to the national groups to nominate candidates for election to the Court shall be despatched at least three months before the date of the election. M. Hammarskjöld’s death occurred on July 7th. It was therefore impossible for nominations to be obtained in time to allow of the election taking place during this year’s ordinary session of the Assembly. Invitations to the groups were actually despatched on July 26th, and October 30th was fixed as the date by which the nominations should be received.

The same situation arose last autumn in regard to the vacancy created by the death of Baron Rolin-Jaequemyns. The Council took a decision which made it possible for the election to take place at the extraordinary session of the Assembly held last May. I propose that we should follow the same course on the present occasion and should accordingly decide that the election to the existing vacancy shall be held during the Assembly’s ordinary session of 1938, unless there is an earlier meeting of the Assembly, after

<sup>1</sup> League of Nations, *Official Journal*, XVIIIth Year, No. 12, December 1937, p. 388.

the close of the period fixed for receiving nominations, and the Council places the election on the agenda of that meeting."

The Council adopted the conclusions of the report.

On October 8th, 1937, at the first public sitting held by the Court after M. Hammarskjöld's death, the President of the Court paid the following tribute to the memory of the deceased judge :

"I cannot, without profound emotion, speak of the cruel gap made in our number by the death on July 7th last of our colleague, M. Hammarskjöld. He was, as the first Registrar, associated with the work of the Court from its inception ; with unwearying devotion, he gave without stint of his brilliant best to the service of the Court and of the ideals which it represents. When, a year ago, he was elected judge, he felt himself called to fulfil in another capacity the high task which had always been his life's ideal ; but death struck him down. Innumerable messages of sympathy have shown us how fully everyone realizes the greatness of the loss suffered by the Court. In opening this public sitting, the first held by the Court since his death, I wish once more to pay a tribute of respect and gratitude to the memory of our departed colleague."

(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 appointments on January 1st, 1937, and their periods of office will terminate on December 31st, 1939.

M. Guerrero had been elected Vice-President of the Court on January 17th, 1931, for the period expiring on December 31st, 1933, and re-elected to the same office on December 2nd, 1933, for the period from January 1st, 1934, to December 31st, 1936.

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
Count Rostworowski	Poland
MM. Fromageot	France
de Bustamante	Cuba
Altamira	Spain
Anzilotti	Italy
Urrutia	Colombia
Negulesco	Roumania
Jonkheer van Eysinga	Netherlands
MM. Nagaoka	Japan
Cheng Tien-Hsi	China
Hudson	U.S. of America
De Visscher	Belgium
(One vacancy.)	

(3) BIOGRAPHICAL NOTES CONCERNING MEMBERS OF THE COURT.  
 Biographical notes concerning M. Guerrero, Sir Cecil Hurst, Count Rostworowski, MM. Fromageot, de Bustamante, Altamira, Anzilotti, Urrutia, Negulesco and Jonkheer van Eysinga will be found in the Seventh Annual Report (pp. 22-36). A biographical note concerning M. Nagaoka, elected in September 1935, will be found in the Twelfth Annual Report (p. 23). 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).

(4) JUDGES "AD HOC". (See E I, p. 27.)

The persons enumerated below have been nominated in accordance with Articles 4 and 5 of the Statute on one or more of the following dates:

- 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
- 1937 List of candidates drawn up with a view to filling the place of the late M. Hammarskjöld

The names printed in **fatfaced letters** are those of candidates elected to the Court; the names printed in **fatfaced letters** but in brackets are those of persons who have been judges (or deputy-judges) of the Court; names printed in *italics* are those of persons whose death has been reported to the Court.

<i>Adatci</i> , Minéitcirô . . . . .	Japan
<i>Ador</i> , Gustave . . . . .	Switzerland
AHMED, Sir Saiyid Sultan . . . . .	India
AIYAR, Sir P. S. Sivaswami . . . . .	India
ALFARO, F. A. Guzman . . . . .	Venezuela
ALFARO, Ricardo J. . . . .	Panama
<b>Altamira</b> , Rafael . . . . .	Spain
ALVAREZ, Alexandre . . . . .	Chile
<i>Amcer Ali</i> , Saiyid . . . . .	India
ANDRÉ, Paul . . . . .	France
<i>Anglin</i> , Franck A. . . . .	Canada
<b>Anzilotti</b> , Dionisio . . . . .	Italy
ARENDT, Ernest . . . . .	Luxemburg

ARSEBÜK, Sadettin . . . . .	Turkey
AYON, Alfonso . . . . .	Nicaragua
BAGGE, Algot . . . . .	Sweden
BAKER, Newton D. . . . .	U.S. of America
BALAMEZOV, St. G. . . . .	Bulgaria
BALOGH, Eugène de . . . . .	Hungary
<i>Barbosa</i> , Ruy . . . . .	Brazil
BARRA, F. L. de la . . . . .	Mexico
BARTHÉLÉMY, Joseph . . . . .	France
BASDEVANT, Jules . . . . .	France
BATLLE Y ORDOÑEZ, José . . . . .	Uruguay
<i>Beichmann</i> , Frederik Waldemar, N. . . . .	Norway
BENUSSI, Balthazar . . . . .	Albania
BEVILAQUA, Clovis . . . . .	Brazil
BLANCO USTÁRIAZ, Julio . . . . .	Venezuela
BÆG, Niels Vilhelm . . . . .	Denmark
<i>Bonamy</i> , Auguste . . . . .	Haiti
<i>Borden</i> , Sir Robert . . . . .	Canada
BOREL, Eugène . . . . .	Switzerland
BORJA, Alejandro Ponce . . . . .	Ecuador
BORNO, Louis . . . . .	Haiti
BOSSA, Simon . . . . .	Colombia
<i>Bourgeois</i> , Léon . . . . .	France
BOURQUIN, Maurice . . . . .	Belgium
<i>Boyden</i> , 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
<b>Bustamante</b> , Antonio S. de . . . . .	Cuba
<i>Bustamante</i> , Daniel Sanchez . . . . .	Bolivia
BUSTILLOS, Juan Francisco . . . . .	Venezuela
CABRAL MONCADA, Luiz de . . . . .	Portugal
( <b>Caeiro da Matta</b> , José) . . . . .	Portugal
CEMIL BILSEL . . . . .	Turkey
CHAMBERLAIN, Joseph E. . . . .	U.S. of America
<b>Cheng Tien-Hsi</b> . . . . .	China
CHINDAPIROM, Phya . . . . .	Siam
CHYDENIUS, Jacob Wilhelm . . . . .	Finland
<i>Colin</i> , Ambroise . . . . .	France
CRUCHAGA TOCORNAL, Miguel . . . . .	Chile
DANEFF, Stoyan . . . . .	Bulgaria
DAS, S. R. . . . .	India
DEVIDUR, Phya . . . . .	Siam
<i>Descamps</i> (Le baron) . . . . .	Belgium
<i>Doherty</i> , Charles . . . . .	Canada
<i>Dreyfus</i> , Eugène . . . . .	France
DUFF, Lyman Poore . . . . .	Canada
DUPUIS, Charles . . . . .	France
DUZMANS, Charles . . . . .	Latvia
ELIZALDE, Rafael . . . . .	Ecuador
( <b>Erich</b> , Rafael) . . . . .	Finland

ETHEART, Emmanuel . . . . .	Haiti
<b>Eysinga</b> , Jonkheer W. J. M. van . . . . .	Netherlands
FADENHEHT, Joseph . . . . .	Bulgaria
FARRERA, Celestino . . . . .	Venezuela
<i>Fauchille</i> , Paul . . . . .	France
FERNANDEZ Y MEDINA, Benjamin . . . . .	Uruguay
<i>Finlay</i> , Robert Bannatyne, Viscount . . . . .	Great Britain
FRACHERI, Mehdi . . . . .	Albania
FRIIS, M. P. . . . .	Denmark
<b>Fromageot</b> , Henri . . . . .	France
FURRIOL, Alfredo . . . . .	Uruguay
GAJZAGO, Ladislav . . . . .	Hungary
GIL BORGES, Esteban . . . . .	Venezuela
GODDYN, Arthur . . . . .	Belgium
<i>Gonzalez</i> , Joaquin V. . . . .	Argentina
GOYENA, J. Y. . . . .	Uruguay
<i>Gram</i> , G. . . . .	Norway
GRISANTI, Carlos F. . . . .	Venezuela
GUANI, Alberto . . . . .	Uruguay
<b>Guerrero</b> , J. Gustavo . . . . .	Salvador
HAILSHAM, Lord . . . . .	Great Britain
<i>Halban</i> , Alfred . . . . .	Poland
HAMMARSKJÖLD, Hj. L. . . . .	Sweden
<i>Hammarskjöld</i> , Åke . . . . .	Sweden
HANOTAUX, Gabriel . . . . .	France
HANSSON, Michael . . . . .	Norway
HANWORTH, Lord . . . . .	Great Britain
HASSAN KHAN MOCHIROD DOVLEH (H.H.) . . . . .	Iran
HERMANN-OTAVSKÝ, Charles . . . . .	Czechoslovakia
<i>Higgins</i> , A. Pearce . . . . .	Great Britain
HONTORIA, Manuel Gonzalez . . . . .	Spain
Hoz, Julian de la . . . . .	Uruguay
( <b>Huber</b> , Max) . . . . .	Switzerland
HUDICOURT, Pierre . . . . .	Haiti
<b>Hudson</b> , Manley O. . . . .	U.S. of America
( <b>Hughes</b> , Charles Evans) . . . . .	U.S. of America
<b>Hurst</b> , Sir Cecil . . . . .	Great Britain
HYDE, Charles Cheney . . . . .	U.S. of America
HYMANS, Paul . . . . .	Belgium
IMAM, Sir Saiyid Ali . . . . .	India
JESSUP, Philip . . . . .	U.S. of America
KADLETZ, Karel . . . . .	Czechoslovakia
KARAGUIOZOV, Anguel . . . . .	Bulgaria
<i>Kellogg</i> , Frank B. . . . .	U.S. of America
KEY AYALA, Santiago . . . . .	Venezuela
KLAESTAD, Helge . . . . .	Norway
<i>Klein</i> , Franz . . . . .	Austria
KOSTERS, J. . . . .	Netherlands
KRAMARZ, Charles . . . . .	Czechoslovakia
KRIEGE, Johannes . . . . .	Germany
KRITIKANUKORNKITCH, Chowphya Bij- aiyati . . . . .	Siam
<i>Laflaur</i> , 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
Loder, B. C. J. . . . .	Netherlands
MACEDO SOARES, José Carlos . . . . .	Brazil
Magyary, Géza de . . . . .	Hungary
Manolesco Ramniceano . . . . .	Roumania
Marks de Wurtemberg, Baron Erik Teodor . . . . .	Sweden
MASTNY, Vojtěch . . . . .	Czechoslovakia
MAÚRTUA, Víctor . . . . .	Peru
MEYER, Cosmus A. C. . . . .	Denmark
MOHAMMED ALI KHAN ZOKAOL MOLK . . . . .	Iran
Møller, Axel . . . . .	Denmark
(Moore, John Bassett). . . . .	U.S. of America
MORALES, Eusebio . . . . .	Panama
MORENA, Alfredo Baquerizo . . . . .	Ecuador
MÜNIR ERTEKIN . . . . .	Turkey
MURNAGHAN, James Augustine . . . . .	Ireland
Nagaoka, Harukazu . . . . .	Japan
Negulesco, Demètre . . . . .	Roumania
(Novacovitch, Mileta) . . . . .	Yugoslavia
Nyholm, Didrik Galtrup Gjedde . . . . .	Denmark
OCA, Manuel Montès de . . . . .	Argentina
OCTAVIO DE LANGAARD MENEZES, Rodrigo . . . . .	Brazil
(Oda, Yorozu) . . . . .	Japan
OROLOGA, Thoma . . . . .	Albania
PAPAZOFF, Theohar . . . . .	Bulgaria
PAREJO, F. A. . . . .	Venezuela
PARRA PÉREZ, C. . . . .	Venezuela
(Pessôa, Epitacio da Silva) . . . . .	Brazil
Phillimore, Lord Walter George Frank . . . . .	Great Britain
PIOLA-CASELLI, Edoardo . . . . .	Italy
Poincaré, Raymond . . . . .	France
POLITIS, Nicolas . . . . .	Greece
Pollock, Sir Frederick . . . . .	Great Britain
POUND, Roscoe . . . . .	U.S. of America
RAHIM, Sir Abdur . . . . .	India
Reading, Marquess of . . . . .	Great Britain
Redlich, Joseph . . . . .	Austria
REYES, Pedro Miguel . . . . .	Venezuela
RIBEIRO, Arthur Rodrigues de Almeida . . . . .	Portugal
Richards, Sir Henry Erle . . . . .	Great Britain
ROLIN, Henri . . . . .	Belgium
Rolin-Jacquemyns (Le baron) . . . . .	Belgium
Root, Elihu . . . . .	U.S. of America

<b>Rostworowski, Michel (Count)</b> . . . . .	Poland
<i>Rougier, Antoine</i> . . . . .	France
<b>RUIZ MORENO, Isidoro</b> . . . . .	Argentina
<b>SAAVEDRA LAMAS, Carlos</b> . . . . .	Argentina
<b>SALAZAR, Carlos</b> . . . . .	Guatemala
<b>SANDSTRÖM, Alfred Emil Fredrik</b> . . . . .	Sweden
<b>SANTOS, Abel</b> . . . . .	Venezuela
<b>SAPRU, Sir Tej Bahadur</b> . . . . .	India
<b>SATO, Naotake</b> . . . . .	Japan
<b>SCHEY, Joseph</b> . . . . .	Austria
<b>SCHLYTER, Karl</b> . . . . .	Sweden
<i>Schücking, Walther</i> . . . . .	Germany
<b>SCHUMACHER, Franz</b> . . . . .	Austria
<b>SCOTT, James Brown</b> . . . . .	U.S. of America
<b>SCOTT, Sir Leslie</b> . . . . .	Great Britain
<b>SÉFÉRIADÈS, Stélio</b> . . . . .	Greece
<b>SETALVAD, Sir C. H.</b> . . . . .	India
<i>Simons, Walther</i> . . . . .	Germany
<b>SLAMECKA, Alfred</b> . . . . .	Austria
<b>SMUTS, General J. C.</b> . . . . .	Union of South Africa
<b>SOARES, Auguste Luis Vieira</b> . . . . .	Portugal
<b>STIMSON, H. L.</b> . . . . .	U.S. of America
<b>STREIT, Georges</b> . . . . .	Greece
<b>STRUPP, Karl</b> . . . . .	Germany
<i>Struycken, A. A. H.</i> . . . . .	Netherlands
<b>SUÁREZ, Eduardo</b> . . . . .	Mexico
<b>TCHIMITCH, Ernest</b> . . . . .	Yugoslavia
<i>Tybjerg, Erland</i> . . . . .	Denmark
<b>ULLOA, Alberto</b> . . . . .	Peru
<b>UNDÉN, Östen</b> . . . . .	Sweden
<b>Urrutia, Francisco José</b> . . . . .	Colombia
<b>VARELA, José Pedro</b> . . . . .	Uruguay
<b>VELEZ, Fernando</b> . . . . .	Colombia
<b>VERDROSS, Alfred</b> . . . . .	Austria
<b>VILLAZON, Eliodoro</b> . . . . .	Bolivia
<b>VILLIERS, Sir Etienne de</b> . . . . .	Union of South Africa
<b>Visscher, Charles De</b> . . . . .	Belgium
<b>VRYAKAS, Constantin</b> . . . . .	Greece
<b>WALKER, Gustave</b> . . . . .	Austria
<b>WALLACH, William</b> . . . . .	India
<b>(Wang Chung-Hui)</b> . . . . .	China
<i>Weiss, André</i> . . . . .	France
<b>Wessels, Sir Johannes Wilhelmus</b> . . . . .	Union of South Africa
<b>Wickersham, George Woodward</b> . . . . .	U.S. of America
<b>WIGMORE, John H.</b> . . . . .	U.S. of America
<b>WILSON, George Grafton</b> . . . . .	U.S. of America
<b>Wrede, Baron R. A.</b> . . . . .	Finland
<b>YAMADA, Saburo</b> . . . . .	Japan
<b>YEPES, J. M.</b> . . . . .	Colombia
<b>(Yovanovitch, Michel)</b> . . . . .	Yugoslavia
<b>Zeballos, Estanislao</b> . . . . .	Argentina
<b>ZEPEDA, Maximo</b> . . . . .	Nicaragua
<b>Zolger, Ivan</b> . . . . .	Yugoslavia

ZORILLA DE SAN MARTIN, Juan . . . . Uruguay  
 ZORIĆIĆ, Milovan . . . . . Yugoslavia

Judges  
*ad hoc.*

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

CONTENTIOUS CASES.

- "Wimbledon" (Gen. List No. 5) <sup>1</sup>,  
*Mavrommatis* (jurisdiction and merits) (Gen. List Nos. 10 and 12) <sup>2</sup>,  
*German interests in Polish Upper Silesia* (jurisdiction and merits) (Gen. List Nos. 18, 18 *bis* and 19) <sup>3</sup>,  
 "Lotus" (Gen. List No. 24) <sup>4</sup>,  
*Claim for indemnity in connection with the factory at Chorzów* (jurisdiction and merits) (Gen. List Nos. 25 and 26) <sup>5</sup>,  
*Readaptation of the Mavrommatis Jerusalem Concessions* (Gen. List Nos. 27 and 28) <sup>6</sup>,  
*Rights of Minorities in Polish Upper Silesia (Minority schools)* (Gen. List No. 31) <sup>7</sup>,  
*Payment of various Serbian loans issued in France* (Gen. List No. 34) <sup>8</sup>,  
*Payment in gold of Brazilian Federal loans contracted in France* (Gen. List No. 33) <sup>9</sup>,  
*Free Zones of Upper Savoy and the District of Gex* (first, second and third phases) (Gen. List No. 32) <sup>10</sup>,  
*Territorial extent of the jurisdiction of the Oder Commission* (Gen. List No. 36) <sup>11</sup>,  
*Interpretation of the Statute of Memel* (Gen. List Nos. 47 and 50) <sup>12</sup>,  
*Eastern Greenland* (Gen. List No. 43) <sup>13</sup>,  
*South-Eastern Greenland* (indication of interim measures of protection) (Gen. List No. 52) <sup>14</sup>,  
*Appeal against a judgment delivered on February 3rd, 1933, by the Hungaro-Czechoslovak Mixed Arbitral Tribunal* (Gen. List No. 58) <sup>15</sup>,  
*Franco-Greek Lighthouses case* (Gen. List No. 59) <sup>16</sup>,  
*The case of Losinger & Co.* (Gen. List Nos. 64 and 67) <sup>17</sup>,  
*The Pajzs, Csáky, Esterházy case* (Gen. List Nos. 65 and 66) <sup>18</sup>,

<sup>1</sup> See E 1, p. 163.

<sup>2</sup> " " " " 169.

<sup>3</sup> " " 2, " 99.

<sup>4</sup> See E 4, p. 166.

<sup>5</sup> " " " 155.

and " 5, " 183.

<sup>6</sup> See E 4, " 176.

<sup>7</sup> " " " " 191.

<sup>8</sup> " " 5, " 205.

<sup>9</sup> " " " " 216.

<sup>10</sup> See " 6, p. 201, E 7, p. 233.

and E 8, " 191.

<sup>11</sup> See E 6, p. 213.

<sup>12</sup> " E 8, " 207, and E 9,

p. 122.

<sup>13</sup> See E 9, p. 141.

<sup>14</sup> " " " " 119.

<sup>15</sup> See E 10, p. 135.

<sup>16</sup> " " " " 143.

<sup>17</sup> " " 12, p. 179, and E 13, p. 127.

<sup>18</sup> " " " " 174, " " " " 129.

*Waters of the Meuse* (Gen. List No. 69)<sup>1</sup>,  
*Lighthouses in Crete and Samos* (Gen. List No. 70)<sup>2</sup>,  
*Borchgrave case* (Gen. List Nos. 72 and 73)<sup>3</sup>.

CASES FOR ADVISORY OPINION (ART. 83 OF THE RULES).

*Jurisdiction of the Danzig Courts* (Gen. List No. 29)<sup>4</sup>,  
*Case of the Greco-Bulgarian Communities* (Gen. List No. 37)<sup>5</sup>,  
*Railway traffic between Lithuania and Poland* (Gen. List  
 No. 39)<sup>6</sup>,

*Access to and anchorage in the port of Danzig for Polish war  
 vessels* (Gen. List No. 44)<sup>7</sup>,

*Treatment of Polish nationals and other persons of Polish  
 origin or speech in the territory of Danzig* (Gen. List No. 42)<sup>8</sup>,

*Interpretation of the Greco-Bulgarian Agreement of December 9th,  
 1927 (Caphandaris-Molloff Agreement)* (Gen. List No. 45)<sup>9</sup>.

Since June 15th, 1937, the two following contentious cases  
 which have occasioned the appointment of judges *ad hoc* have  
 been submitted to the Court:

*The case concerning the Railway Line Panevezys-Saldutiskis*  
 (Gen. List Nos. 74 and 76), submitted by Application by the  
 Estonian Government against the Lithuanian Government.

(A biographical note concerning M. Strandman, designated  
 by the Estonian Government as a judge *ad hoc*, will be found  
 on page 24. A biographical note concerning M. Römeris,  
 designated by the Lithuanian Government as a judge *ad hoc*,  
 was given in the Eighth Annual Report, p. 28.)

*Case concerning the Electricity Company of Sofia and Bulgaria*  
 (Gen. List No. 75), submitted by Application by the Belgian  
 Government against the Government of Bulgaria.

(A biographical note concerning M. Théophar Papazoff,  
 designated by the Bulgarian Government as a judge *ad hoc*,  
 was given in the Sixth Annual Report, p. 26.)

A contentious case, that of the *Société commerciale de Belgique*  
 (Gen. List No. 77), in which one of the parties reserved its right  
 to designate a judge *ad hoc*, was also submitted to the Court.  
 This case had been submitted by Application by the Belgian  
 Government against the Greek Government; the latter Govern-  
 ment has no judge of its nationality upon the Bench.

<sup>1</sup> See E 13, p. 135. The judge *ad hoc* designated by the Belgian Govern-  
 ment in this case was subsequently appointed as a member of the Court.

<sup>2</sup> See p. 111.

<sup>3</sup> " " 116. The judge *ad hoc* designated by the Belgian Government  
 in this case was subsequently appointed as a member of the Court.

<sup>4</sup> See E 4, p. 213.

<sup>7</sup> See E 8, p. 226.

<sup>5</sup> " " 7, " 245.

<sup>8</sup> " " " " 232.

<sup>6</sup> " " 8, " 221.

<sup>9</sup> " " " " 238.

## M. OTTO STRANDMAN.

M. Strandman was born on November 18th/30th, 1875. He graduated in law at the University of St. Petersburg, and has been an advocate in the Court at Tallinn.

M. Strandman has been a Minister with portfolio in the Estonian Government. He is Envoy Extraordinary and Minister Plenipotentiary of Estonia in Paris.

(5) SPECIAL CHAMBERS. (See E I, p. 55.)

*Composition of the Chamber for Labour cases.*

Until December 31st, 1939, the Chamber for Labour cases was composed as follows:

*Members*: Sir CECIL HURST, *President*, MM. ALTAMIRA, URRUTIA, NEGULESCO, HUDSON.—*Substitute Members*: Jonkheer VAN EYSINGA, M. NAGAOKA.

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

In the Thirteenth Annual Report (p. 34), it was stated that the Chamber for Communications and Transit cases was composed as follows:

*Members*: M. GUERRERO, *President*, MM. FROMAGEOT, ANZILOTTI, Jonkheer VAN EYSINGA, M. HAMMARSKJÖLD.—*Substitute Members*: Count ROSTWOROWSKI, M. NAGAOKA.

In consequence of the death of M. Hammarskjöld, the Court elected M. Cheng Tien-Hsi, on November 4th, 1937, to fill the vacant post.

Accordingly, until December 31st, 1939, the Chamber for Communications and Transit cases will be composed as follows:

*Members*: M. GUERRERO, *President*, MM. FROMAGEOT, ANZILOTTI, Jonkheer VAN EYSINGA, MR. CHENG.—*Substitute Members*: Count ROSTWOROWSKI, M. NAGAOKA.

*Composition of the Chamber for Summary Procedure.*

In the Thirteenth Annual Report (p. 34), it was stated that the composition of the Chamber for Summary Procedure for the year 1937 was as follows:

*Members*: M. GUERRERO, *President*, Sir CECIL HURST, Count ROSTWOROWSKI, MM. FROMAGEOT, ANZILOTTI.—*Substitute Members*: MM. NAGAOKA, HAMMARSKJÖLD.

In accordance with Article 29 of the Statute and Article 24 of the Rules, the Court, on November 4th, 1937, elected the following as members of the Chamber for Summary Procedure for the year 1938:

*Members* : M. GUERRERO, *President*, Sir CECIL HURST, Count ROSTWOROWSKI, MM. FROMAGEOT, ANZILOTTI.—*Substitute Members* : MM. URRUTIA, DE VISSCHER.

The Court had, at the same time, designated M. Urrutia as substitute member of this Chamber, in the place of the late M. Hammarskjöld for the period that was still to run until December 31st, 1937.

(6) ASSESSORS. (See E 1, p. 57.)

The Thirteenth Annual Report of the Court contained the three following lists of assessors, completed up to June 15th, 1937<sup>1</sup> :

list of assessors for labour cases appointed by Members of the League of Nations and by the Governing Body of the International Labour Office, grouped by countries, in alphabetical order ;

list of assessors for transit and communications cases appointed by Members of the League of Nations, also grouped by countries, in alphabetical order ;

general list of assessors (labour and transit), in the alphabetical order of their names.

The only change to be made in these lists, since they were brought up to date on June 15th, 1937, is the omission of the name of Dr. Giovanni Balella (Italy), employers' representative, who had been presented by the Governing Body of the International Labour Office.

(7) EXPERTS.

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

The Court has only availed itself of this right once, namely, in the case concerning the claim for indemnity in regard to the factory at Chorzów (merits)<sup>2</sup>.

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## II.—THE REGISTRAR. (See E 1, p. 79.)

The post is occupied by M. JULIO LÓPEZ OLIVÁN, formerly Spanish Ambassador in London, who was appointed on December 5th, 1936, and entered upon his duties on December 9th, 1936.

*Deputy-Registrar* : M. L. J. H. JORSTAD, Head of Division in the Norwegian Ministry for Foreign Affairs, took up his duties on February 1st, 1931.

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<sup>1</sup> See Thirteenth Annual Report, pp. 36-45.

<sup>2</sup> See, in the Fifth Annual Report, the summary of Judgment No. 13 of September 13th, 1928 (p. 183), and of the Orders of September 13th, 1928 (p. 196), and May 25th, 1929 (p. 200).

## III.—THE REGISTRY. (See E I, p. 79.)

The officials of the Registrar (apart from auxiliary officials<sup>1</sup>) are as follows:

*List of officials of the Registry.*

Name.	Date of appointment.	Nationality.
<i>Deputy-Registrar :</i>		
M. L. J. H. Jorstad	February 1st, 1931	Norwegian
<i>Principal Editing Secretaries :</i>		
M. J. Garnier-Coignet, Secretary to the Presidency	March 1st, 1922	French
Mr. C. Hardy	June 1st, 1922	British
<i>Editing Secretaries :</i>		
Baron T. M. A. d'Honincthun	January 1st, 1925	French
Mr. S. T. Cross	February 1st, 1938	British
<i>Private Secretaries :</i>		
Miss M. G. Recaño	March 1st, 1922	British
Miss E. M. Fisher	January 1st, 1930	"
Mlle M. Jokl	(temporary <sup>2</sup> )	French
<i>Establishment :</i>		
M. D. J. Bruinsma, Accountant-Establishment Officer, Head of Department	August 1st, 1922	Netherlands
Jhr. F. C. Beelaerts van Blokland	January 1st, 1937	Netherlands
<i>Printing Department :</i>		
M. M. J. Tercier, Head of Department	May 19th, 1924	Swiss
M. R. Knaap	January 1st, 1932	Netherlands
<i>Archives :</i>		
Mlle L. P. M. Loeff, Head of Department	January 1st, 1925	Netherlands
Mlle R. B. Valck-Lucassen	January 1st, 1937	Netherlands
<i>Indexing :</i>		
Miss A. H. Welsby	January 1st, 1927	British
<i>Documents Department :</i>		
M. J. Douma, Head of Department	January 1st, 1931	Netherlands

<sup>1</sup> Auxiliary officials are those who are appointed for a period of less than six months.

<sup>2</sup> Temporary officials are those who are appointed for a period greater than six months, but less than seven years.

Name.	Date of appointment.	Nationality.
<i>Shorthand, typewriting and roneo-graphing Department:</i>		
Mlle J. C. Lamberts, Head of Department	March 1st, 1922	Belgian
Mlle M. L. Estoup, Verbatim Reporter	January 1st, 1927	French
Miss A. M. Driscoll	January 1st, 1930	British
Mme F. Lurié-Sloutzky	January 1st, 1931	Belgian
Mme C. van Meurs	(temporary <sup>1</sup> )	Netherlands
<i>Messengers:</i>		
M. H. C. van der Leeden	January 1st, 1929	Netherlands
M. K. Pronk	January 1st, 1929	"
M. J. W. H. Janssen	January 1st, 1930	"
M. A. Maas	January 1st, 1936	"
M. G. Korpel	(temporary <sup>1</sup> )	"
M. H. van der Kooy	( " )	"

\* \* \*

(See E 7, pp. 64 *et seq.*; E 11, p. 36.)Organization  
of the  
Registry.

\* \* \*

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

"Administrative  
Results."

\* \* \*

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

Pensions for  
officials.

\* \* \*

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

Staff  
Regulations.

\* \* \*

## INSTRUCTIONS FOR THE REGISTRY.

Instructions  
for the  
Registry.

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

As a result of the coming into force on March 11th, 1936, of the revised Rules of Court and as a consequence of changes in the organization of the Registry, the *Instructions for the Registry* had to be amended. The new text of the *Instructions*, which came into force on March 31st, 1938, is as follows<sup>2</sup>:

<sup>1</sup> See note 2 on the previous page.<sup>2</sup> The annexes are not reproduced.

## PREAMBLE.

The present instructions are drawn up in accordance with Article 23, paragraph 3, of the Rules of Court.

## PART I.

**The Registrar.***Article 1.*

The Registrar is responsible for all departments of the Registry. The Staff is under his control and he alone is authorized to direct the work of the Registry of which he is the Head.

*Article 2.*

1. The Deputy-Registrar will replace the Registrar, amongst other things in his capacity as Head of the Registry, as laid down in Article 14 of the Rules.

2. Should both the Registrar and the Deputy-Registrar be unable to perform their duties, a substitute as provided in Article 19 of the Rules will be appointed. His powers will be those of the Registrar in his capacity as the Head of the Registry.

3. The officials of the Registry will have the same duties towards the Deputy-Registrar and towards the substitute referred to in the preceding paragraph, when replacing the Registrar, as towards the Registrar himself.

## PART II.

**Duties of the Registrar.***(a) GENERAL.**Article 3.*

1. The Registrar is responsible for the preparation of cases for consideration by the Court. He assists the Drafting Committee appointed by the Court for the preparation of the text of judgments or opinions.

2. The official correspondence of the Court is prepared under the responsibility of the Registrar in conformity with Article 21 of the Rules. Letters not reserved for the President's signature are signed by the Registrar, or by the Deputy-Registrar or Heads of Services, in so far as he may delegate this duty to them. Notes drawn up in the third person are prepared in the Registrar's name.

*Article 4.*

The Registrar will make all arrangements, notably in application of Article 58 of the Rules, for the engagement of the necessary auxiliary staff.

*Article 5.*

1. The Registrar will inform the members of the Court of the dates fixed by the President for the assembly of the Court.
2. He will do likewise in the case of the convocation of the Chambers as provided in Article 28, paragraph 2, of the Rules.

*Article 6.*

1. In accordance with Article 20 of the Rules, the Registrar will prepare and keep up to date the general list of cases submitted to the Court for judgment or for advisory opinion.
2. He will prepare the agenda setting out administrative questions and will append explanatory notes thereto.
3. When this agenda has been approved by the President, the Registrar will send copies thereof to members of the Court.

*Article 7.*

1. The Registrar will place on the administrative agenda the question of the appointment of the Court's representative who is to attend meetings of the Supervisory Commission and of the Assembly and its Finance Committee.
2. He will also place on this agenda annually at the proper time the approval of the budget estimates for the following year and the election of members for the Chamber for Summary Procedure for the next judicial year.
3. Every third year, reckoning from the most recent general election of members of the Court, he will place on the agenda the list of long leaves (Art. 23 of the Court's Statute) for the ensuing period of three years, the election of the President and Vice-President of the Court and that of members of the Chambers referred to in Articles 26 and 27 of the Statute.

*Article 8.*

Whenever the Court has to deal with a case which has previously been before it, the Registrar will notify every judge who has already sat in the case, even if the presence of such judge on the Bench is not required for the other cases before the Court.

*Article 9.*

The Registrar will collect for submission to the President all information with regard to technical assessors likely to be of use for the purpose of the application of Article 7 of the Rules.

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*Article 10.*

Should the Court meet at a place other than that in which its seat is established, the Registrar will cause the necessary preparations to be made.

*Article 11.*

In all contentious cases and cases for advisory opinion submitted to the Court, the Registrar will issue the communications and notifications provided for by the Statute (Arts. 40, 41, 43, 44, 63, 66, 67) and by the Rules (Arts. 3, 33, 34, 44, 48, 49, 57, 60, 64, 66, 69, 72, 78, 79).

*Article 12.*

The "relevant information" referred to in paragraph 5 of Article 26 of the Statute will be supplied through the intermediary of the Registrar.

*Article 13.*

1 The Registrar will inform all concerned of the dates and hours of meetings. He will communicate to the judges the agenda, which must include all questions to be dealt with during the meeting.

2. He will cause the dates and times of all public sittings to be published; in the case of a public sitting for the reading of a judgment, advisory opinion or order, he will send a special notification to all agents whose appointment and address at the seat of the Court have been duly brought to his knowledge.

*Article 14.*

For every document of procedure filed with the Registry, a receipt upon a special form, prepared in accordance with the terms of Article 21 of the Rules, will be given.

*Article 15.*

Any failure to conform with the directions contained in the Statute or Rules of the Court which may be noted by the Registrar in a document instituting proceedings or in a document of the written proceedings, shall be brought by him to the notice of the party or person from whom the document in question emanates.

*Article 16.*

When the Court receives a request presented under Article 65 of the Statute, the Registrar may ask the Secretary-General of the League of Nations for any additional information.

*Article 17.*

1. The Registrar will obtain from the Court the special authorization contemplated by Article 30, paragraph 2, of the Rules, in respect of every person whose presence is required at private meetings of the Court.

2. He will ensure that, in the circumstances contemplated by Article 58, paragraph 2, of the Rules, the interpreters make the solemn declaration prescribed by paragraph 3 of the same Article.

*Article 18.*

1. In accordance with Article 58 of the Rules, the Registrar will make all arrangements for the oral translation of speeches and statements made by the parties or by witnesses or experts appearing at the instance of the Court.

2. He will, in the circumstances contemplated by Article 58, paragraph 2, of the Rules, ensure that the supervision of the Court is effectively exercised in respect of the translation of evidence or statements.

*Article 19.*

1. The Registrar will obtain from witnesses or experts called at the instance of the Court a statement of their expenses and of the subsistence allowance claimed by them, and will cause the amount due to them to be paid to the persons concerned.

2. The Registrar will take the necessary steps to recover from the parties to a suit concerning a question of transit or communications the amount of any expenses and allowances which he may have paid to technical assessors sitting at their request.

*Article 20.*

The Registrar will be responsible for the preparation of the minutes and shorthand notes referred to in Articles 23, 59 and 60 of the Rules.

*Article 21.*

The Registrar will place the necessary staff at the disposal of any individual or body entrusted with an enquiry or with the preparation of an expert opinion, under the terms of Article 50 of the Statute.

*Article 22.*

1. The Registrar will be responsible for the communication, in accordance with the terms of Articles 75 and 85 of the Rules, of judgments or advisory opinions rendered by the Court.

2. Advisory opinions will, like judgments, be communicated to all States entitled to appear before the Court.

3. Orders published in the collection of decisions referred to in Article 24 below will, for the purpose of their communication, be assimilated to judgments and advisory opinions of the Court.

*Article 23.*

1. Subject to the limitations prescribed in Article 21 of the Rules, the Registrar will communicate to the Press all information concerning the activities of the Court.

2. Before the 25th of each month he will supply to the Secretariat of the League of Nations all information the publication of which in the *Monthly Summary of the Work of the League of Nations* appears desirable.

*Article 24.*

1. In addition to the collection of judgments, advisory opinions and orders prescribed by Article 22 of the Rules, the Registrar will arrange for the printing, in the publications destined for this purpose, of the minutes of public sittings (Art. 59 of the Rules) and of all other documents in connection with cases the publication of which is not forbidden by a decision of the Court. Similarly, he is responsible for the publication of the annual reports and of any other volumes which the Court may decide to have published. He will conclude the necessary contracts with the printers for this purpose.

2. Of each publication the Registrar will reserve the necessary number of copies for gratuitous distribution by the Court,

- |  |  |
|--|--|
| (a) to members of the Court  | } (Through the Sec-<br>retariat of the<br>League of<br>Nations.) |
| (b) to Members of the League of Nations  |  |
| (c) to organizations of the League of Nations  |  |
| (d) to national associations for the League of Nations   |  |
| (e) to States not Members of the League of Nations which are entitled to appear before the Court   |  |
| (f) to persons or institutions having made a special application granted by the Registrar, in agreement with the Court's publisher, after consideration of each particular case. |  |

*Article 25.*

In accordance with the procedure laid down in No. 3 of the Resolution adopted by the Council of the League of Nations on May 17th, 1922, the Registrar will transmit copies of the declarations contemplated by this Resolution to the States specified therein.

*Article 26.*

1. The Registrar will inform the Secretary-General of the League of Nations of any changes which may occur in the composition of the Court, including any case of the application by the Court of Article 18 of the Statute.

2. He will communicate to the Members of the League of Nations, through the Secretary-General of the League, and to other States entitled to appear before the Court the long leave list referred to above in Article 7, paragraph 3.

*(b) FINANCIAL ADMINISTRATION.**Article 27.*

The Registrar is responsible for estimating the financial requirements of the Court and for submitting such estimates first to the Court or the President, as the case may be, and then to the Supervisory Commission. He will be responsible for the expenditure of all funds voted and for the appropriation of such expenditure to the proper items of the budget.

*Article 28.*

1. Budget estimates for each year will be divided into two sections, one including ordinary expenditure and the other capital expenditure.
2. The sections will be sub-divided into chapters corresponding to the various categories of expenditure.

*Article 29.*

1. The budget estimates will consist of:
  - (a) a summary of chapters;
  - (b) a full statement of items indicating in each case, in addition to the sum asked for, the sum voted for the current year and the sum voted and the amount actually expended in the preceding year;
  - (c) whenever possible, detailed schedules and explanatory statements.
2. Important differences in the amounts estimated for the same items in successive years will be fully explained by means of notes.

*Article 30.*

Budget estimates will be submitted for approval to the Court or, if the Court is not sitting, to the President, in the last week of March.

*Article 31.*

Budget estimates duly approved will be communicated by the Registrar to the Secretary-General of the League of Nations, for transmission to the Supervisory Commission, upon a date between April 1st and May 1st to be agreed upon between the Registrar and the Secretary-General.

*Article 32.*

When the Supervisory Commission considers the Court's budget, the latter will be represented before the Commission by the Registrar or such other official as the Court may appoint for the purpose.

*Article 33.*

In order to prevent any excess of expenditure over the amount voted for each item of the budget, the Registrar will cause a record to be prepared of all appropriations made and of liabilities incurred, showing at any time the balance available under each item.

*Article 34.*

1. If necessary, the Registrar may ask the Court to authorize by a special resolution transfers from one item to another of the same chapter of the budget. He will immediately communicate such resolutions to the Secretary-General of the League of Nations, in order to enable the latter to take the measures necessary under Article 29 of the League's Financial Regulations.

2. The Registrar may himself authorize any transfers, which circumstances may render necessary, as between sub-heads of the same item of the budget. Such transfers need not be communicated to the Secretary-General.

*Article 35.*

1. Between March 1st and 15th of each year the Registrar will submit to the Court, or to the President if the Court is not sitting, the accounts of the previous year, with annexes.

2. Between March 15th and April 1st, he will forward the documents in question to the Supervisory Commission.

*Article 36.*

The Registrar alone is entitled to incur liabilities in the name of the Court. It is for him to judge in what cases he should obtain previous authorization from the Court or the President.

*Article 37.*

1. The Registrar will cause an accurate record to be kept of all capital acquisitions and of all supplies purchased and used during each year. He will annually submit to the Auditor of the League of Nations between 15th and 30th January a statement showing the stores in hand on December 31st, distinguishing stores purchased on capital account and stores purchased on ordinary expenditure account.

2. The Registrar will cause to be submitted annually to the Auditor, before January 15th, a statement of unpaid debts incurred during the preceding year; should the accounts not be received in sufficient time, the orders or deliveries will be entered in the statement for an approximate amount.

*Article 38.*

1. The Registrar will hold at the disposal of the Auditor, should he make a request to that effect, any document which may be of use to him in his examination of the accounts or other duties.

2. The Registrar will send to the Auditor, on or about the 10th of each month, a statement of receipts and expenditure for the preceding month.

*Article 39.*

The funds of the Court will be deposited by the Registrar at interest with a bank offering the requisite guarantees. The interest obtained will be shown in the accounts.

PART III.

**The Officials of the Registry.**

*Article 40.*

Permanent officials of the Registry are appointed, in the case of the Deputy-Registrar, in accordance with the procedure laid down in Article 14 of the Rules, and, in other cases, in accordance with Article 17 of the Rules.

*Article 41.*

1. Apart from the Deputy-Registrar, to whom Article 15 of the Rules applies, every official of the Registry will make the declaration provided for in Article 17 of the Rules before the President, the Registrar being present.

2. A record of this declaration will be made by the Registrar, signed by the President and the Registrar and deposited in the archives of the Court.

*Article 42.*

The Registrar will take all steps necessary to preserve the diplomatic character conferred upon officials of the Registry under Article 7 of the Covenant of the League of Nations.

PART IV.

**The duties of the Officials of the Registry.**

A.—THE DEPUTY-REGISTRAR.

*Article 43.*

1. The Deputy-Registrar shares the duties falling upon the Registrar, both in connection with the exercise of the judicial and advisory powers of the Court (Rules of Court, Arts. 23 and 30) and in connection with the direction of the Registry (Part II above).

2. The Registrar will divide the work between himself and the Deputy-Registrar, ensuring that it is so organized that both of them are at all times fully conversant with all branches of the Court's and of the Registry's work.

#### B.—THE EDITING SECRETARIES.

##### *Article 44.*

The Registrar will allocate among the Principal Editing Secretaries and the Editing Secretaries all tasks which he sees fit to entrust to them. Apart from the duties of Secretary to the Presidency, which are performed by a Principal Editing Secretary, these tasks comprise *inter alia*: the preparation of correspondence, legal research, the preparation and translation of documents, interpretation at meetings of the Court, the writing of minutes, the editing of the Confidential Bulletin and the preparation of the Court's publications.

#### C.—THE ARCHIVES AND DISTRIBUTION SERVICE.

##### *Article 45.*

1. The Court's Archivist is responsible to the Registrar for keeping the archives and indexes and for the despatch and distribution of documents in accordance with the following provisions.

2. She will perform these various duties with the help of her assistants.

##### *Article 46.*

1. All documents in the archives will be kept under lock and key.  
2. No file or original of any document registered in the archives may be taken out of the offices of the Registry without express permission from the Registrar.

##### *Article 47.*

1. The archives will contain files duly kept up to date of all notifications sent to the Court concerning:

(a) declarations whereby Members of the League of Nations or States mentioned in the Annex to the Covenant have accepted the compulsory jurisdiction of the Court, and likewise general declarations whereby States other than the foregoing have accepted the jurisdiction of the Court under the Resolution of the Council of the League of Nations of May 17th, 1922;

(b) the articles of treaties, conventions or international agreements, in which provision is made for recourse to the jurisdiction of the Court, together with the text of the articles, a list of the States affected and the conditions governing the competence of the Court in each case;

(c) the channel and procedure to be used for direct communications between the Court and each government.

2. They will also contain :

(a) the lists of nominations mentioned in Articles 4 and 5 of the Statute and complete particulars concerning the members of the Court and of its three Chambers, as also concerning the assessors for labour cases and for communications and transit cases ;

(b) an official file of the documents of the written proceedings and an official file of correspondence in respect of each case dealt with by the Court or pending before it ;

(c) correspondence exchanged with other organizations of the League of Nations ;

(d) the general correspondence of the Court ;

(e) the personal files of members of the Registry, which are confidential in character and will be kept by the Archivist personally.

3. In addition to the files above mentioned, the archives will contain the general list of cases, duly kept up to date under the instructions of the Registrar ; the office copies, duly signed and sealed, of judgments, advisory opinions and orders of the Court, as also manuscripts of drafts which have been used in the preparation of the Court's decisions.

4. In case of doubt, the allocation of documents to the various files will be decided by the Registrar.

5. Card indexes, by names and subjects, will be kept by the Archives :

(a) of correspondence and documents relating to cases submitted to the Court ;

(b) of general correspondence ;

(c) of distributed documents.

#### *Article 48.*

1. The post, on arrival at the Registry, will be delivered to the Archivist who, after sorting it, will open official letters. Every document will be immediately registered, as prescribed in Article 49 below, and submitted to the Registrar, together with previous correspondence, if any.

2. Every outgoing document, the official character of which will be indicated by the signature or initials of the Registrar, will be handed, together with the necessary number of copies, any enclosures and the requisite envelope, to the Archivist for registration and despatch.

#### *Article 49.*

1. Incoming documents will be registered by writing in the register entitled *In Register* the particulars indicated by the various columns of this register, and by writing upon the document itself the date of receipt, the consecutive number in the register, the reference to the file concerned and the reference number within this file.

2. Outgoing documents will be registered by entering similar particulars in the register entitled *Out Register* and by writing on the document itself and on the copies thereof kept in the archives the consecutive number in the *Out Register* and the reference number of the document, if any, to which the outgoing document is a

reply. Reference numbers and *In Register* numbers will be written upon the document and upon copies thereof by the typist in accordance with the instructions of the person drafting the document.

3. To each of the files to which the various documents are allotted will be attached a list of the documents contained therein (file register).

4. In the case of outgoing letters, a second copy will be inserted in a chronological file.

5. The file registers will be brought up to date as each document is registered. Nevertheless, in order to prevent delay in the despatch of outgoing documents, the necessary entries concerning them, except those which must appear on the documents themselves, may be made later, but as soon as possible, from the particulars upon the copies.

*Article 50.*

1. The Archivist is responsible for the despatch of any document inscribed in the *Out Register*. She will ascertain that the required annexes are attached thereto; she will also satisfy herself that every letter, note or telegram is duly signed or initialled.

2. A confirmation of every telegram, upon a special form, will be immediately sent by post to the person to whom the telegram is addressed.

3. Within the town, any packet which is not sent by post will be delivered in return for a receipt, to be made out according to the detailed provisions in the annex<sup>1</sup>.

4. For despatches by post, the Archivist will affix the official stamp of the Court on all packets; they will then be stamped at the Post Office with the Court's special postage stamps in accordance with the arrangement made with the Netherlands' Postal Authorities.

5. The despatch of letters, telegrams and parcels is to be regulated by the strictest economy.

6. The messengers' registers, in which the costs of despatch are noted, will be checked by the Archivist.

*Article 51.*

1. The Archivist will search in correspondence and documents for any information for which she may be asked.

2. She will keep a diary in which will be entered at the required date a note to the effect that a given document is to be handed to the official who has given instructions for the note to be made.

3. She will send to the Registrar daily press cuttings taken from the papers subscribed to by the Registry.

*Article 52.*

1. The assistant in charge of the distribution of documents will be responsible for the despatch and distribution of all the Court's

<sup>1</sup> Not reproduced.

multigraphed or printed documents and of documents filed by the parties or persons concerned in cases before the Court. These documents will be communicated to: (a) members of the Court; (b) officials of the Registry; (c) the Press, in certain cases; (d) in certain cases, to persons or institutions which have made a special application considered by the Registrar in each particular case, and which, if their application is granted, are placed on a special list.

2. She will keep up to date the registers of all despatches. In the case of the persons or institutions referred to in No. 1 (d) above, the registers must show whether the distribution of documents is made subject to certain conditions such as the sending of other publications in exchange, the payment of carriage, etc.

3. She will ensure that the stock of the Court's printed publications is maintained and will make a note of the numbers of those publications the available stock of which, for free distribution, is exhausted. She will keep up to date the collections of the Court's publications placed in the judges' rooms and in the room where the private meetings of the Court are held.

4. She will see that the instructions concerning documents set out in the following annex<sup>1</sup> are carried out.

#### D.—INDEXING.

##### *Article 53.*

The duties of the official in charge of indexing will be as follows:

1. The keeping of card indexes by names and subjects of the minutes of meetings of the Court.
2. The preparation: (a) of indexes of all the Court's publications, and (b) of certain special indexes.
3. Research in the minutes of meetings of the Court.
4. Indexing and cataloguing undertaken at the request of the Head of the Documents Department.

#### E.—SHORTHAND, TYPING AND MULTIGRAPHING DEPARTMENT.

##### *Article 54.*

1. The Head of this Department, upon which falls the clerical side of the preparation and the reproduction of all documents (including correspondence and the shorthand notes of hearings of the Court), will be responsible for the carrying out of this work with the assistance of verbatim reporters, shorthand typists and multigraphists.

2. The Head of the Department will invariably observe the rules laid down in the annex to this Article<sup>1</sup>.

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<sup>1</sup> Not reproduced.

## F.—ACCOUNTANT-ESTABLISHMENT OFFICER.

*Article 55.*

The Accountant-Establishment Officer is responsible to the Registrar for the following :

- (1) accounts,
- (2) payments,
- (3) purchases,
- (4) equipment and supplies.

*Article 56.*

1. The following books will be kept :

- (a) Budget ledger,
- (b) Bank book,
- (c) Current account ledger,
- (d) Cash book,
- (e) a register for each financial year of the contributions of Member States and of payments made in respect of such contributions,
- (f) a register of salaries of the permanent staff,
- (g) the registers necessary for the verification at any time of supplies and equipment.

2. In the budget ledger will be inscribed under headings corresponding to the chapters and items of the budget : (a) the credit originally voted ; (b) this credit with modifications resulting from any transfers ; and (c) actual expenditure chargeable to the various chapters and items.

3. For the purpose of keeping this ledger, every cheque issued by the Court shall be regarded as expended and entered accordingly, whether or not it has been presented to the Bank for payment.

4. In the bank book will be inscribed all operations affecting the Court's banking account, in particular the issue of cheques and their presentation for payment according to the notification forms sent by the Bank.

5. In the current account ledger will be inscribed, on receipt of notification from the Bank, cheques issued by the Court which have been presented for payment.

6. In the cash book will be noted all payments in cash as they are made.

*Article 57.*

The budget ledger will be supplemented by a register entitled "Personal Accounts", which will be kept so as to show at any time, in respect of each member of the Court and each official, payments made to the person concerned. Each person has the right to inspect his personal account.

*Article 58.*

1. The cash will be checked by the Accountant-Establishment Officer at the commencement of each working day.

2. It will be controlled by the Registrar at intervals to be fixed by him. He will approve the accounts by means of his signature in the cash book.

*Article 59.*

The Accountant-Establishment Officer will prepare in the first week of each month a summary of the accounts of the preceding month upon a special form.

*Article 60.*

1. All payments will be made in return for receipts, which in the case of transactions falling under the jurisdiction of the Courts of the Netherlands will be stamped in accordance with local legislation. Other receipts will be prepared on a special form.

2. The payment of any allowances and the reimbursement of travelling expenses to judges, judges *ad hoc* and assessors will only be made on presentation of a claim for repayment upon a special form duly signed by the person concerned, countersigned by the Registrar and approved by the President.

3. The salaries of the permanent staff will be paid on the basis of the register of salaries provided for above in Article 56, No. 1, (f). The register will be initialled by the Registrar. Salaries of temporary or auxiliary staff will be paid on the basis of the letter of appointment signed by the Registrar.

4. Payments to the staff of subsistence allowance and refunds of travelling expenses (including authorized journeys of an official and his family, if any, to his native country) will be made upon presentation of a detailed application upon a special form signed by the person concerned and by the Registrar in token of his approval. In the case of journeys on duty, the application, to be valid, must be accompanied by a signed letter from the Registrar instructing the person concerned to undertake the journey in question.

5. Except with the approval of the Registrar, accounts for supplies will only be paid if the account is accompanied by the order form signed by him.

6. Salaries of less than 6,000 florins per annum will be paid half monthly; other salaries will be paid monthly in arrears.

7. Except with the written permission of the Registrar, payment of advances is forbidden; should an advance be made, interest from the date of payment until the day the sum advanced falls due will be deducted.

*Article 61.*

1. All purchases will be made by means of an order form signed by the Registrar.

2. When required, the Accountant-Establishment Officer will obtain at least three tenders for submission to the Registrar for his decision.

*Article 62.*

1. A messenger specially designated for the purpose will receive each month a sum to cover certain postal and telegraphic charges and minor expenses. He will enter postal and telegraph charges in a book which will be verified and initialled every morning by the Archivist.

2. Every month the Hall porter of the Peace Palace will receive a sum for minor expenses (postage due). He will render an account on a special form.

3. A statement of letters stamped upon despatch by the Netherlands Posts, Telegraph and Telephone Administration will be presented monthly to the Accountant-Establishment Officer who verifies it and submits it to the Registrar.

4. All the foregoing accounts will be settled monthly after approval by the Registrar.

*Article 63.*

The Registrar will ensure that no expenditure is incurred which is not provided for in the Budget, that no payment is made except where an obligation actually exists and that the strictest economy is observed in incurring liabilities.

*Article 64.*

1. The Accountant-Establishment Officer will prepare and keep up to date separate inventories (*a*) for the supplies of stationery and the like, and (*b*) for furniture and equipment.

2. The inventory of supplies will be brought up to date each week and submitted to the Registrar.

3. The inventory of furniture, etc., will be kept up to date as purchases are made or losses occur.

*Article 65.*

1. Every Monday the Accountant-Establishment Officer will place at the disposal of the staff supplies of stationery, etc., sufficient to meet the consumption estimates for the week.

2. Every person who uses the supplies thus made available will immediately enter on the control-sheet attached to the particular species the quantity taken, and will sign his name.

3. The Accountant-Establishment Officer will verify the entries when bringing the inventory up to date.

*Article 66.*

1. Officials are forbidden to use stationery belonging to the Court for private purposes.

2. Members of the Court may apply to the Registrar for the use of the Court's services and stationery even for work which is not strictly speaking within the domain of the Court. As regards the Court's services, the Registrar will comply in so far as it is compatible with the requirements of the work of the Court; as regards stationery, he will comply subject to repayment by the member concerned of the cost price. The amount will be deducted from the next monthly payment of salary to the member.

*Article 67.*

The Accountant-Establishment Officer is responsible that a sufficient stock of all necessary material is available for the work of the Court and of the Registry.

G.—PRINTING DEPARTMENT.

*Article 68.*

1. The duties of the Head of the Printing Department include:
  - (a) preparation and examination of all estimates, "dummies", etc., relating to the Court's publications;
  - (b) the typographical arrangement and "preparation for press" of manuscripts intended for printing;
  - (c) correction of proofs and supervision of time devoted to author's corrections;
  - (d) preparation of the tables of the Court's publications reproducing speeches, oral statements and documents;
  - (e) verification of costs of printing.
2. The duties above mentioned under 1 (b), 1 (c) and 1 (e) also apply in respect of any documents of the written proceedings which the Registrar causes to be printed at the charges of the parties under Article 40, paragraph 4, of the Rules.
3. The Head of the Printing Department will as a rule attend the meetings of the Publications Committee set up by the Court; he will supply this Committee with all information of a technical nature and will prepare the minutes of its meetings.
4. Generally speaking, the Head of the Printing Department will act as intermediary in all dealings between the Registry and the printers of the Court's publications.
5. He will keep in close and permanent contact with the Publisher and if need be with the agents for sale, with a view to the consideration and carrying out of all measures calculated to ensure a wider circulation of the publications of the Court, such as the preparation and bringing up to date of catalogues of these publications and the technical organization of exhibitions.

*Article 69.*

1. With regard to the typographical preparation of manuscripts, the correction of proofs and the verification of charges, the Head of
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the Printing Department will ensure that the conditions of the printing contract and the *Typographical Rules for the Publications of the Court* are strictly complied with. He also verifies concordance between the French and English texts of each publication.

2. The order to print may only be given when the Registrar's approval, after inspection of definitive, paginated proofs, has been obtained.

*Article 70.*

1. As regards the printing of documents urgently required (judgments, advisory opinions, preliminary volumes, etc.), the Head of the Printing Department will take all measures necessary to ensure that the work is carried out as promptly as possible.

2. As the Court's publications are printed at Leyden, he may proceed to that town whenever he considers it necessary to do so to ensure satisfactory performance of the work, after having on each occasion informed the Registrar. His travelling expenses will be refunded, as also any other expenses which may be involved by remaining at Leyden.

H.—DOCUMENTS DEPARTMENT.

*Article 71.*

The Head of the Documents Department is also responsible for the Court's Library and bibliography.

*Article 72.*

1. The Head of the Documents Department will supply the members of the Court, the Registrar and the officials of the Registry with all information for which they may ask for the purposes of their work, and will procure for them all texts and sources which they may need either from the collections in the Court's Library or in the Carnegie Library, or, if need be, from other libraries.

2. He will send regularly to the Registrar all newly published works acquired either for the Court's private Library or for the Carnegie Library and will call his attention to review articles concerning the Court.

*Article 73.*

1. The Head of the Documents Department will prepare, in respect of each case submitted to the Court, a chronological list, with bibliographical references, of the documents relied upon in the documents of the written proceedings filed by the parties or persons concerned.

2. Every year he will prepare, for publication in a special chapter of the Court's Annual Report, a complete bibliography of works and articles, official or otherwise, relating to the Court. A special print of this bibliography will be sent by him to the correspondents

in the various countries who assist him in his research and documentation work. He will prepare and keep up to date an index of the names of authors and an index of subjects in respect of the bibliographies already published.

3. He will supply members of the Court, the Registrar and officials of the Registry with any bibliographical information for which he may be asked on a particular subject.

*Article 74.*

1. The Head of the Documents Department, in his capacity as the Court's librarian, will be responsible for the books, periodicals and documents belonging to the Court's Library and remaining the property of the League of Nations.

2. He will as a rule attend meetings of the Library Committee set up by the Court; he will supply this Committee with all information of a technical nature and will prepare the minutes of its meetings.

3. Subject to the approval of the Registrar, he will prepare the lists of purchases for submission to the Library Committee and will collect all information likely to assist the latter in making its choice. With due regard to obtaining the most favourable conditions, he will prepare the orders for works to be purchased in accordance with the Committee's decisions and will check the consignments and accounts received from booksellers or publishers.

4. He will keep an *In Register* showing in chronological order the titles of works acquired by the Court; the name of the donor or bookseller, the price of the work and, when necessary, the date of its deposit in the Carnegie Library at the Peace Palace will be indicated.

5. He will supervise the carrying out of the contract<sup>1</sup> entered into with the Carnegie Foundation regarding the Library and will report thereon to the Registrar. He will append to works deposited in the Carnegie Library the full title of such works in quadruplicate and a receipt indicating the title and condition of books deposited, as also the number of volumes. This receipt will be signed by the Director of the Carnegie Library. The receipts will be numbered and kept under lock and key.

6. He will retain duly classified in the Court's private Library the publications of the League of Nations and of the International Labour Office, the texts of certain important treaties, dictionaries and works of reference, as also works of which the Carnegie Library already has a copy.

7. He will prepare and keep up to date a *catalogue of authors' names* and a *catalogue of subjects* in respect of all books, periodicals and documents belonging to the Court's private Library, whether kept in that Library, deposited in the offices of the Court or Registry, or handed over to the Carnegie Library. All these works will be marked by him with the stamp of the Court and, in so far as may be considered necessary, he will have them bound.

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<sup>1</sup> For this contract, see Seventh Annual Report (Series E., No. 7, pp. 85-87).

8. He will keep a *register of works on loan* showing the titles of such works, to whom they have been lent and the dates on which they are taken out and returned.

## PART V.

**Amendments.***Article 75.*

The present instructions may be modified by means of amendments to be approved by the President.

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Administrative Tribunal of the L. N. (See E 3, p. 32; E 4, p. 52; E 9, pp. 33-34.)  
The Administrative Tribunal of the League of Nations was constituted as follows for 1938: *Judges*: M. Eide (Danish), *President*, M. Devèze (Belgian), Jhr. van Ryckevorsel (Netherlands).—*Deputy-Judges*: M. de Tomcsányi (Hungarian), M. Scelle (French), M. G. Havelka (Czechoslovak).—*Registrar*: M. Nisot; *Deputy-Registrar*: M. Secrétan.

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 E 1, pp. 104-119; E 2, p. 42; E 4, pp. 63-70; E 5, pp. 78-80; E 6, pp. 50-53; E 7, pp. 82-83; E 8, pp. 47-51; E 9, pp. 34-51; E 10, pp. 32-33; E 11, pp. 37-38; E 12, p. 52; E 13, p. 49.)

The Library Committee held its twelfth meeting on June 10th, 1938. At this meeting, the Committee considered proposal lists of purchases in respect more particularly of the following countries: South Africa, America (United States of—), Belgium, Bolivia, Canada, France, Germany, Great Britain, British India, Italy, Luxemburg, Netherlands, New Zealand, Norway, Palestine, Peru, Switzerland.

On June 15th, 1938, the number of volumes placed by the Court in the Carnegie Library, in accordance with the agreement of 1931<sup>1</sup>, was 3673.

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VI.—POSTAL COMMUNICATIONS, ETC.

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

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<sup>1</sup> See E 7, pp. 85-97.

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## 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 decision taken by the Assembly of December 13th, 1920, and which remains open for signature by the States mentioned in the Annex to the Covenant<sup>1</sup>, had, on June 15th, 1938, been signed by fifty-seven States or Members of the League of Nations. These States are: 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 Rica<sup>2</sup>, Cuba, Czechoslovakia, Denmark, the Dominican Republic, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, Iran, 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<sup>3</sup>, Uruguay, Venezuela, Yugoslavia.

The Protocol  
of Signature  
of 1920.

All the above States have ratified the Protocol of 1920, except: the United States of America, Argentina, Costa Rica, Guatemala, Liberia, Nicaragua, 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

The Revision  
Protocol of  
1929.

<sup>1</sup> The States mentioned in the Annex to the Covenant of the League of Nations and which, on June 15th, 1938, had not signed the Protocol of Signature of the Statute, are: Ecuador, Sa'udi Arabia (Hedjaz) and Honduras.

<sup>2</sup> See note p. 56.

<sup>3</sup> The Protocol of Signature of the Statute was signed on behalf of the Government of the Turkish Republic on March 12th, 1936, i.e., after the coming into force of the Revision Protocol (see below).

with the Assembly's Resolution of September 27th, 1935, and the report adopted by the Council on January 23rd, 1936, it came into force on February 1st, 1936<sup>1</sup>.

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.

During the year 1938, a volume will be published, as No. 4 of Series F. of the Court's Publications, containing the following indexes, relating to the Statute and the Rules of Court and to the preparatory work in connection with them:

(1) Index to the minutes concerning the preparation and the revision of the Statute (1922-1936).

(2) Index to the minutes concerning the preparation and the revision of the Rules (1922-1936).

(3) Index to the Statute in force as from February 1st, 1936, and to the Rules of Court adopted on March 11th, 1936.

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## 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.

Index to the Rules of Court and to the preparatory work, etc.: see above, at the end of the section concerned with the Statute.

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<sup>1</sup> See on this subject Chapter II of E 6 to E 13.

## CHAPTER III.

## THE COURT'S JURISDICTION.

## I.—JURISDICTION IN CONTESTED CASES.

(1) *Jurisdiction* *ratione materiae*.

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

As regards cases which the parties submit to the Court by special agreement, the document instituting proceedings is that giving notice of the compromis setting out the terms of the agreement. In order that a case may be validly brought before the Court, notice of the special agreement must be given by all the parties, unless it is expressly laid down in one of the clauses of the special agreement that the Court may take cognizance of the case upon notice being given by one party only<sup>1</sup>.

The table hereafter gives the list of cases which have been submitted to the Court by special agreement<sup>2</sup>; the parties to the case as well as the date of the special agreement are also indicated.

<sup>1</sup> 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.

<sup>2</sup> For the list of cases brought by unilateral application, see pp. 62-63, and for the list of cases for advisory opinion, see pp. 72-75.

## CASES SUBMITTED BY SPECIAL AGREEMENT.

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
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

Jurisdiction under 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 1932<sup>1</sup>. 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

<sup>1</sup> 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.

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 clauses relating to the Court's jurisdiction. On June 5th, 1928<sup>1</sup>, a reminder was sent to those governments which had not yet replied on that date. On June 15th, 1938, the following States had accepted the suggestion made: 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 June 15th, 1938, may be divided into several categories<sup>2</sup>:

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.)

To the lists which have appeared in preceding Annual Reports the following convention is to be added:

International Convention concerning the use of broadcasting in the cause of peace.—Geneva, September 23rd, 1936.

<sup>1</sup> On October 5th, 1931, the Registrar, having in view the preparation of the fourth edition of the *Collection*, sent a new special communication to all States entitled to appear before the Court (see E 8, p. 63).

<sup>2</sup> See pp. 317-353 of this volume for a list in chronological order of these instruments.

Furthermore, at its 23rd Session held in Geneva in June 1937, the International Labour Conference adopted the following conventions<sup>1</sup>:

Convention fixing the minimum age for admission of children to industrial employment (revised 1937).

Convention concerning the age for admission of children to non-industrial employment (revised 1937).

Convention concerning the reduction of hours of work in the textile industry.

Convention concerning safety provisions in the building industry.

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.)

To the lists which have already appeared in the Annual Reports is to be added the following treaty:

Treaty of friendship, commerce and navigation between Siam and Sweden.—Stockholm, November 5th, 1937.

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.)

To the lists which have already appeared in the Annual Reports is to be added the following treaty:

Air Navigation Convention between Estonia and Finland.—Helsinki, September 12th, 1936.

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.)

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

<sup>1</sup> 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. (See E 3, pp. 45-46; E 4, p. 81; E 5, p. 99; E 6, p. 104; E 7, p. 114; E 8, p. 65; E 9, p. 68; E 10, p. 42; E 11, p. 46; E 12, p. 98, and E 13, p. 58, for the conventions adopted by the Labour Conference in the course of its previous sessions.)

Treaty of conciliation, arbitration and judicial settlement between Bulgaria and Denmark.—Sofia, December 7th, 1935.

Treaty of conciliation, arbitration and judicial settlement between Denmark and Yugoslavia.—Belgrade, December 14th, 1935.

\* \* \*

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 every State adhering to it and all other States which have already adhered or may subsequently adhere to it<sup>1</sup>.

\*

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 : Optional Clause.

"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."

<sup>1</sup> 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 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. 276) indicates the names of the States or Members of the League of Nations which have signed the Optional Clause (or have renewed their acceptance of the Court's compulsory jurisdiction), and indicates the conditions of their acceptance (or renewed adherence). The date on which declarations were affixed is entered on the table in those cases where it is known from documentary evidence. The text of declarations made before January 31st, 1932, is reproduced in the *Collection of Texts governing the jurisdiction of the Court* (4th ed.). The declarations made since that date will be found in Chapter X of the Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Annual Reports, and in Chapter X of the present volume (p. 275).

The position resulting from the table mentioned in the preceding paragraph is indicated below ; see also the synoptic table, page 60.

## I.

A. *States having signed the Optional Clause* : the Union of South Africa, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, China, Colombia, Costa Rica<sup>1</sup>, Czechoslovakia, Denmark, the Dominican Republic, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, India, Iran, Ireland, Italy, Latvia, Liberia, Lithuania, Luxemburg, the Netherlands, New Zealand,

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

Nicaragua, Norway, Panama, Paraguay<sup>1</sup>, Peru, Poland, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Turkey, Uruguay, Yugoslavia.

<sup>1</sup> By a letter dated June 16th, 1938, the Secretary-General of the League of Nations sent to the Registrar of the Court, for information, a certified true copy of the following correspondence between the Paraguayan Minister in Paris and the Secretariat :

I.—LETTER FROM THE MINISTER OF PARAGUAY IN PARIS  
TO THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS.

[*Translation.*]

Paris, May 27th, 1938.

Sir,

Acting on my Government's instructions, I have the honour to transmit to you, for appropriate action and with a request for its communication in the usual manner, the duly legalized Decree No. 6172 of April 26th, 1938, by which the Republic of Paraguay has withdrawn its declaration recognizing the jurisdiction of the Permanent Court of International Justice as compulsory within the meaning of Article 36, paragraph 2, of the Statute.

Requesting you to be so good as to acknowledge the receipt of the present communication, I have the honour to be, etc.

(Signed) R. V. CABALLERO DE BEDOYA.

*Annex to No. I.*

DECREE NO. 6172 BY WHICH PARAGUAY WITHDRAWS HER ACCEPTANCE OF THE  
COMPULSORY JURISDICTION PROVIDED FOR BY THE STATUTE OF THE PERMANENT  
COURT OF INTERNATIONAL JUSTICE.

[*Translation by the Secretariat  
of the League of Nations.*]

Asunción, April 26th, 1938.

Whereas the National Executive Authority, in pursuance of Law No. 1298 of January 14th, 1933, accepted the compulsory jurisdiction of the Permanent Court of International Justice in accordance with Article 36, paragraph 2, of the Statute of the Court ;

Whereas such acceptance was in some measure a consequence of Paraguay's membership of the League of Nations, the Court having been set up in pursuance of a provision of the Treaty of Versailles ;

Whereas Paraguay has ceased to be a Member of the League ;

Whereas, furthermore, Paraguay's acceptance of or adherence to the compulsory jurisdiction of the Court was a simple acceptance or adherence unaccompanied by any undertaking to maintain such acceptance or adherence for any stated period ;

Whereas the above-mentioned Law No. 1298 contains no imperative rule, but merely authorizes the action of the National Executive Authority ;

Whereas therefore nothing stands in the way of the withdrawal of Paraguay's acceptance of the above-mentioned jurisdiction ;

Whereas, moreover, in regard to the frontier dispute between Paraguay and Bolivia, the Protocol of June 12th, 1935, provides for a special mode of settlement to be reached through direct agreement or through legal arbitration, the bases, manner and precise terms of which are to be determined exclusively by the Parties concerned ;

The opinion of the Council of Ministers having been heard,

THE ACTING PRESIDENT OF THE REPUBLIC

DECREES AS FOLLOWS :

## II.

B. *Of these, the following have signed, subject to ratification, and have ratified:* the Union of South Africa, Albania<sup>1</sup>, Australia, Austria, Belgium, the United Kingdom of Great Britain and Northern Ireland, Canada, Denmark, the Dominican Republic, Finland<sup>1</sup>, France<sup>1</sup>, Germany, Greece, Hungary, India, Iran, Ireland, Italy, Latvia, New Zealand, Norway<sup>1</sup>, Peru, Roumania<sup>1</sup>, Siam, Switzerland, Yugoslavia.

C. *States having signed subject to ratification but not ratified:* Argentina, Czechoslovakia, Guatemala, Liberia, Poland.

D. *States having signed without condition as to ratification*<sup>2</sup>: Bolivia, Brazil, Bulgaria, China, Colombia, Costa Rica<sup>3</sup>, Estonia,

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*Article 1.*—The acceptance by Paraguay of the compulsory jurisdiction of the Permanent Court of International Justice in accordance with Article 36, paragraph 2, of the Statute of the Court is hereby withdrawn.

*Article 2.*—The present decision shall be communicated to all whom it may concern, and entered in the Official Register.

[Signatures.]

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II.—LETTER FROM THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS TO THE MINISTER OF PARAGUAY IN PARIS.

[Translation.]

Geneva, June 13th, 1938.

Sir,

I have the honour to acknowledge receipt of the letter dated May 27th, 1938, in which, acting on your Government's instructions, you were good enough to transmit to me for appropriate action and with a request for its communication in the usual manner, the duly legalized Decree No. 6172 of April 26th, 1938, by which the Republic of Paraguay withdraws its declaration recognizing as compulsory the jurisdiction of the Permanent Court of International Justice within the meaning of Article 36, paragraph 2, of the Statute of the Court.

2. In the absence of any express provision in the Court's Statute regarding the denunciation of declarations recognizing the Court's jurisdiction as compulsory (Art. 36, second and third paras.), I must confine myself to circulating your communication to the States Parties to the Protocol of Signature of the Statute of the Court and to the Members of the League of Nations.

I have the honour, etc.

For the Secretary-General,  
The Legal Adviser *a. i.*  
of the Secretariat:

(Signed) H. MCKINNON WOOD.

<sup>1</sup> This State had signed the Optional Clause subject to ratification, but has renewed its acceptance without this reservation.

<sup>2</sup> Certain of these States have ratified their declarations, although this was not required according to the Optional Clause.

<sup>3</sup> See p. 56, note.

Ethiopia, Haiti, Lithuania, Luxemburg, the Netherlands, Nicaragua, Panama, Paraguay<sup>1</sup>, Portugal, Salvador, Spain, Sweden, Turkey, Uruguay.

E. *States having signed without condition as to ratification but not ratified the Protocol of Signature of the Statute*: Costa Rica<sup>2</sup>, Nicaragua, Turkey.

F. *States in the case of which the period for which Clause was accepted has expired*: China (date of expiration: May 13th, 1927); Ethiopia (date of expiration: Sept. 18th, 1936); Germany (date of expiration: March 1st, 1938); Italy (date of expiration: Sept. 7th, 1936); Yugoslavia (date of expiration: Nov. 24th, 1935).

### III.

G. *State which has 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*<sup>3</sup>: Monaco<sup>4</sup>.

### IV.

H. *States bound by the Clause*<sup>5</sup>: the Union of South Africa, Albania, Australia, Belgium, Bolivia, Brazil, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, Colombia, Denmark, the Dominican Republic, Estonia, Finland, France, Greece, Haiti, Hungary, India, Iran, Ireland, Latvia, Lithuania, Luxemburg, Monaco<sup>4</sup>, the Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Portugal, Roumania, Salvador, Siam, Spain, Sweden, Switzerland, Uruguay.

<sup>1</sup> See p. 57, note.

<sup>2</sup> See p. 56, note.

<sup>3</sup> This Resolution provides that States which are neither Members of the League of Nations nor mentioned in the Annex to the Covenant, may accept the jurisdiction of the Court as compulsory, but that such acceptance may not, without special convention, be relied upon *vis-à-vis* Members of the League or States mentioned in the Annex to the Covenant which have signed or may thereafter sign the Optional Clause (see p. 61).

<sup>4</sup> See p. 68.

<sup>5</sup> On June 15th, 1938.

SYNOPTIC TABLE.

STATES WHICH HAVE SIGNED THE OPTIONAL CLAUSE (51)					STATE WHICH HAS ACCEPTED
without any condition as to ratification or other suspensive conditions		subject to ratification or other suspensive conditions		States previously bound but whose engagement has expired.	the compulsory jurisdiction of the Court under Art. 36, para. 2, of the Statute and the Resolution of the Council of May 17th, 1922 <sup>1</sup> .
but which have not ratified the Protocol of Signature of the Statute.	and which have ratified the Protocol of Signature of the Statute.	and in the case of which the condition(s) is (are) fulfilled.	and in the case of which the condition(s) was (were) not fulfilled on June 15th, 1938.		
Costa Rica <sup>2</sup> Nicaragua Turkey	Bolivia Brazil Bulgaria Colombia Estonia Haiti Lithuania Luxemburg Netherlands Panama Paraguay <sup>3</sup> Portugal Salvador Spain Sweden Uruguay	Union of South Africa Albania <sup>4</sup> Australia Belgium United Kingdom Canada Denmark Dominican Republic Finland <sup>4</sup> France <sup>4</sup> Greece Hungary India Iran Ireland Latvia New Zealand Norway <sup>4</sup> Peru Roumania <sup>4</sup> Siam Switzerland	Argentina Czechoslovakia Guatemala Liberia Poland	China Ethiopia Germany Italy Yugoslavia	Monaco
States not bound by the Clause.	<b>STATES BOUND BY THE CLAUSE (38).</b>		States not bound by the Clause.	<b>STATE BOUND (1).</b>	

<sup>1</sup> See p. 59, note 3.

<sup>2</sup> See p. 56, note.

<sup>3</sup> See p. 57, note.

<sup>4</sup> This State acceded to the Clause subject to ratification, but renewed its accession without attaching that condition.

\*

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

According to this Resolution (the text of which was reproduced in the First Annual Report, pp. 142-144<sup>1</sup>), 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.

On April 26th, 1937, a general declaration signed on behalf of the Principality of Monaco was filed with the Registry of the Court<sup>2</sup>.

\*

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 thereto. General Act  
of 1928.

The fourth edition of the *Collection of Texts governing the jurisdiction of the Court* reproduces the text of this instrument under No. II.

On June 15th, 1938, the States whose names are given below had adhered to the General Act<sup>3</sup> (the most recent adherence is that of Latvia, which was given on September 17th, 1935) :

<sup>1</sup> See also E 5, pp. 138-139, and E 8, p. 116.

<sup>2</sup> „ pp. 68-69.

<sup>3</sup> 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).”

Australia	(A)	21 v 31	Ireland	(A)	26 IX 31
Belgium	(A)	18 v 29	Italy	(A)	7 IX 31
Canada	(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	(A)	21 v 31
Finland	(A)	6 IX 30	Norway	(A)	11 VI 30 <sup>1</sup>
France	(A)	21 v 31	Peru	(A)	21 XI 31
Great Britain	(A)	21 v 31	Spain	(A)	16 IX 30
Greece	(A)	14 IX 31	Sweden	(B)	13 v 29
India	(A)	21 v 31	Switzerland	(A)	7 XII 34
			Turkey	(A)	26 VI 34

\* \* \*

Cases submitted by unilateral application. 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)<sup>2</sup>. The number in the General 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 bis	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

<sup>1</sup> Norway had acceded to Chapters I, II and IV on June 11th, 1929; it has extended its accession to include Chapter III on June 11th, 1930.

<sup>2</sup> For a list of cases submitted by special agreement, see p. 52; for a list of cases for advisory opinion, see pp. 72-75.

No. in Gen. List.	Name of the case.	Parties to the case.	Date of application.
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
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

These applications were based upon the following instruments:

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

Mavrommatis cases (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 <i>bis</i> 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
<i>Société commerciale de Belgique</i> (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

\*

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.)

\* \* \*

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.)  
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<sup>1</sup> 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 <sup>2</sup> .	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 <sup>3</sup>	Italy/France	16 XII 36
72	Borchgrave <sup>4</sup>	Belgium/Spain	29 VI 37

Since June 15th, 1937, preliminary objections have been lodged in the following case:

76	Railway line Panevezys-Saldutiskis	Estonia/Lithuania	15 III 38
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<sup>1</sup> A list of cases submitted by unilateral application is given on pages 72-75.

<sup>2</sup> 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.

<sup>3</sup> See p. 119.

<sup>4</sup> This case was submitted by Special Agreement. Preliminary objections were lodged by the Spanish Government. See page 116 for the summary of the Court's judgment on the objections.

In accordance with the Order made by the President of the Court on March 15th, 1938, the written proceedings in this case were terminated on April 30th, 1938.

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Interpretation of judgments. (See E 5, p. 140.)

\* \* \*

(2) *Jurisdiction* ratione personæ.

States to which the Court is open.

Only States or Members of the League of Nations can be parties in cases before the Court<sup>1</sup>. The Statute makes a distinction between States, according to whether they are, on the one hand, Members of the League of Nations or mentioned in the Annex to the Covenant, or, on the other hand, outside the League of Nations<sup>2</sup>.

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

On June 15th, 1938, the Secretary-General communicated to the Registrar the official list of Members of the League of Nations on the date in question; this list is as follows<sup>3</sup>: Afghanistan,

<sup>1</sup> Article 34 of Statute.

<sup>2</sup> " 35 " " "

<sup>3</sup> On February 24th, 1935, Paraguay gave notice of withdrawal (Art. 1, para. 3, of the Covenant) which was confirmed by telegram of February 19th, 1937.

The special situation of Paraguay was considered by the Assembly at its Eighteenth Session (Sept.-Oct., 1937). The Fourth Committee of the Assembly (finance) asked the First Committee (legal) whether Paraguay's withdrawal was effective—for she had allowed the two years' period to elapse without paying her debt to the League; or whether she continued to be a Member and to incur liability for additional contributions until she regularized her financial position. The First Committee's view was that it was not "advisable to reply at present to the question as put to it".

The Fourth Committee's report to the Assembly took account of this opinion of the First Committee, and contained the following paragraphs on the subject:

"48. As regards the question whether Paraguay has ceased to be a Member of the League, since the expiry of the period of notice (two years from February 25th, 1935), the Fourth Committee, after having received the answer of the First Committee, does not press for an interpretation of Article 1 of the Covenant.

"49. It is perfectly clear, however, that Paraguay will, in all circumstances, owe the League the full amount of her arrears of contributions down to the date of her withdrawal from the League in conformity with Article 1 of the Covenant. The Supervisory Commission and the Special Committee on Contributions will no doubt take the necessary measures to deal with this part of the question.

"50. On the other hand, the Fourth Committee can see no advantage, in present circumstances, in continuing to treat Paraguay as a State which is contributing to the expenses of the League. To do so would not merely introduce an element of unreality into the League budget but would also complicate the financial situation of the League.

"51. The Assembly has frequently exercised its power to take special decisions with regard to the contributions of particular Members of the League,

the Union of South Africa, Albania, the Argentine Republic, Australia, Belgium, Bolivia, the United Kingdom of Great Britain and Northern Ireland, Bulgaria, Canada, Chile<sup>1</sup>, China, Colombia, Cuba, Czechoslovakia, Denmark, the Dominican Republic, Ecuador, Egypt, Esthonia, Ethiopia, Finland, France, Greece, Haiti, Honduras<sup>2</sup>, Hungary, India, Iran, Iraq, Ireland, Italy<sup>3</sup>, Latvia, Liberia, Lithuania, Luxemburg, the United States of Mexico, the Netherlands, New Zealand, Nicaragua<sup>4</sup>, Norway, Panama, Peru, Poland, Portugal, Roumania, Salvador<sup>5</sup>, Siam, Union of Soviet Socialist Republics, Spain, Sweden, Switzerland, Turkey, Uruguay, Venezuela, 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 June 15th, 1938, 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 communicated to the Registrar by the Secretary-General of the League of Nations on June 15th, 1938, are the following: the United States of America, Brazil, Guatemala, Hedjaz (which now forms part of Sa'udi Arabia), Japan and Paraguay.

The United States of America have signed the Protocol of Signature of the Statute of December 16th, 1920 (together with the Protocols of September 14th, 1929, concerning the accession of the United States to the Court and the revision of the Statute), but have not ratified these instruments. Brazil and Japan have signed the Protocol of December 16th, 1920,

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where it has thought it equitable to do so in the interests of those Members, and, on one occasion, it exercised this power in order to deal with an anomalous situation which had arisen with regard to a particular Member. There can be no doubt that it is entitled to exercise such a power in the interests of the League itself and of sound budgeting.

"52. The Fourth Committee, therefore, considers that, in allocating the expenses among the Members of the League for 1938, Paraguay should be left entirely out of account."

<sup>1</sup> By a letter received in the Secretariat of the League of Nations on June 2nd, 1938, Chile gave notice of her intention to withdraw from the League of Nations in accordance with Article 1, paragraph 3, of the Covenant.

<sup>2</sup> By a letter received in the Secretariat of the League of Nations on July 10th, 1936, Honduras gave notice of her intention to withdraw.

<sup>3</sup> By a telegram received in the Secretariat of the League of Nations on December 11th, 1937, Italy gave notice of her intention to withdraw.

<sup>4</sup> By a telegram received in the Secretariat of the League of Nations on June 27th, 1936, Nicaragua gave notice of her intention to withdraw.

<sup>5</sup> By a letter received in the Secretariat of the League of Nations on August 10th, 1937, Salvador gave notice of her intention to withdraw.

and ratified it respectively on November 1st, 1921, and November 16th, 1921, when they were Members of the League of Nations. Guatemala has signed the Protocol of Signature of the Statute of the Court, but has not ratified it; Paraguay has also signed it, and deposited her ratification on May 11th, 1933, when she was a Member of the League.

\*

United States of America. (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.)

Since the publication of the Court's Twelfth Annual Report (June 15th, 1936), there has been no change in the position in regard to the signatures and ratifications of the Protocol of September 14th, 1929, concerning the accession of the United States to the Court (see E 12, p. 110).

\*

Other States to which the Court is open. 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.

In accordance with this Article, the Council, on May 17th, 1922, adopted a Resolution which regulates this matter and which has been referred to above (jurisdiction of the Court *ratione materiae*, p. 61). The text of this Resolution has been reproduced in the First Annual Report (pp. 142-144) and in the third edition (March 1936) of Volume No. 1 of Series D. (pp. 58-59).

See the First Annual Report, page 144, for the list of States to which the Resolution of May 17th, 1922, has been communicated.

Monaco. By a letter dated April 22nd, 1937, the Minister of State of the Principality of Monaco—one of the States to which the Resolution of May 17th, 1922, had been communicated<sup>1</sup>—sent to the Registry of the Court a Declaration, dated the same day, whereby the Principality accepts the jurisdiction of the Court and recognizes the jurisdiction of the Court as compulsory, *ipso facto*, and without special convention, in conformity with Article 36, paragraph 2, of the Statute of the Court and No. 2, paragraph 4, of the Resolution of the Council of May 17th, 1922.

<sup>1</sup> The Resolution in question had been transmitted by the Registrar of the Court to the Principality of Monaco on June 30th, 1922. (See E 1, p. 144.)

The declaration of the Principality of Monaco was registered in the Registry on April 26th, 1937. It was notified to the Members of the League of Nations and States mentioned in the Annex to the Covenant, to other States to which the Court is open and to the Secretary-General of the League of Nations. It was published in the Thirteenth Annual Report, pages 72-73.

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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.*

At this date, June 15th, 1938, direct communications from the Court to governments entitled to appear before it are despatched by the following channels which have been indicated by the governments themselves<sup>1</sup>:

Afghanistan	The Minister for Foreign Affairs, Cabul.	Through the Royal Afghan Legation in London.
South Africa (Union of—)	The Prime Minister of the Union of South Africa, Capetown.	
America (United States of—)	The Secretary of State, Washington.	Through the U.S. Legation at The Hague.
Argentine Republic	Ministry for Foreign Affairs, Buenos Ayres.	Through the Argentine Legation at The Hague.
Australia	The Prime Minister of the Commonwealth of Australia, Canberra.	
Belgium	The Minister for Foreign Affairs, Brussels.	
Brazil	The Ministry for Foreign Affairs, Rio de Janeiro.	Through the Brazilian Legation at The Hague.
United Kingdom of Great Britain and Northern Ireland	The Secretary of State for Foreign Affairs, Foreign Office, Whitehall, London, S.W. 1.	
Bulgaria	The Ministry for Foreign Affairs, Sofia.	
Canada	The Secretary of State for External Affairs, Ottawa.	
Chile	The Minister for Foreign Affairs, Santiago.	
China	The Chinese Legation at The Hague.	

<sup>1</sup> See E 1, pp. 144-145, and E 4, p. 129.

Colombia	The Ministry for Foreign Affairs, Bogotá.	
Cuba	The Secretary of State for Foreign Affairs, Havana.	
Czechoslovakia	The Czechoslovak Minister at The Hague.	
Danzig	The Polish Minister at The Hague.	
Denmark	The Danish Legation at The Hague.	In case of extreme urgency : The Ministry for Foreign Affairs, Copenhagen.
Dominican Republic	The Secretary of State for Foreign Affairs, Ciudad-Trujillo.	
Ecuador	The Ministry for Foreign Affairs, Quito.	
Egypt	The Ministry for Foreign Affairs, Cairo.	
Estonia	The Ministry for Foreign Affairs, Tallinn.	
Finland	The Finnish Chargé d'affaires at The Hague.	
France	The Ministry for Foreign Affairs, French Service for the League of Nations, Paris.	
Germany	The German Legation at The Hague.	
Greece	The Ministry for Foreign Affairs, Athens.	Copy to the Greek Delegation to the League of Nations at Geneva.
Haiti	The Secretary of State for Foreign Affairs, Port-au-Prince.	
Honduras	The Ministry for Foreign Affairs, Tegucigalpa.	
Hungary	The Hungarian Minister at The Hague.	For communications under Art. 44 of Statute : The Royal Ministry of Justice, Budapest.
India	The India Office, Whitehall, London, S.W. 1.	
Iran	The Ministry for Foreign Affairs (3rd Section), Teheran.	
Ireland	Ministry for External Affairs, Dublin.	
Italy	Ministry for Foreign Affairs—League of Nations Section, Rome.	

Japan	The Minister for Foreign Affairs, Tokio.	Through the Japanese Consulate-General at Geneva.
Latvia	Ministry for Foreign Affairs, Riga.	
Liberia	The Liberian Secretary of State, Monrovia.	
Lithuania	The Minister for Foreign Affairs of the Lithuanian Republic, Kovno.	
Luxemburg	The Minister of State, President of the Grand-Ducal Government, Luxemburg.	(By registered letter.)
Mexico	The Secretary of State for Foreign Affairs, Mexico.	Through the Mexican Legation at The Hague.
Monaco	The Minister of State, Director of the Foreign Relations of the Principality of Monaco.	
Netherlands	The Ministry for Foreign Affairs, The Hague.	
New Zealand	The High Commissioner for New Zealand, New Zealand Government Offices, London, Strand, W.C. 2.	
Nicaragua	The Ministry for Foreign Affairs, Managua.	
Norway	The Ministry for Foreign Affairs, Oslo.	Through the Norwegian Legation at The Hague.
Panama	The Ministry for Foreign Affairs, Panama.	
Paraguay	The Minister for Foreign Affairs of Paraguay, Asunción.	
Peru	The Peruvian Chargé d'affaires at The Hague.	The Court's publications are sent direct to the Ministry for Foreign Affairs at Lima.
Poland	The Polish Minister at The Hague.	
Portugal	The Minister for Foreign Affairs, Lisbon.	
Roumania	The Minister for Foreign Affairs, Bucharest.	Copy to the Roumanian Minister at The Hague, with the request to transmit it to Bucharest.
Salvador	The Ministry for Foreign Affairs, San Salvador.	
Siam	The Ministry for Foreign Affairs, Bangkok.	Copy to the Siamese Legation in London.

Union of Soviet Socialist Republics	The Commissary of the People for Foreign Affairs, Moscow.	Care of the Embassy of the Union in Berlin.
Spain	The Ministry of State, Madrid.	Through the Spanish Legation at The Hague.
Sweden	The Swedish Minister at The Hague.	
Switzerland	The Swiss Minister at The Hague.	
Turkey	The Minister for Foreign Affairs (fourth department), Ankara.	
Uruguay	The Ministry for Foreign Affairs, Montevideo.	
Venezuela	The Venezuelan Legation at The Hague.	
Yugoslavia	The Yugoslav Minister at The Hague.	

In the case of governments not appearing in the above list, the Court communicates either with their Legation at The Hague, or, where necessary, with their Ministry for Foreign Affairs.

## 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. 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  
*proprio motu.*

*The following belong to the first category:*

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

No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.
17	Expulsion of the Œcumenical 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 (Protocol 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 Agreement 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

*The following belong to the second category :*

No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.	Other requests.
1	International Labour Organization and the conditions of agricultural labour	France, Great Britain, Hungary, Italy, Portugal, Sweden, I. L. O., International Agricultural Commission, International Federation of Landworkers, Central Association of French Agriculturalists, International Institute of Agriculture, International Federation of Christian Unions of Landworkers, International Federation of Agricultural Trades Unions	22 V 22	

No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.
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 Confederation of Christian Trades Unions	20 III 26
23	Jurisdiction of the European Commission of the Danube	France, Great Britain, Italy/ Roumania	18 XII 26

No. in Gen. List.	Name of the case.	Govts. and organizations directly interested.	Date of request.
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

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(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.)

As was mentioned in the Thirteenth Annual Report, pages 79 to 81, the Assembly of the League of Nations decided, by a Resolution of October 10th, 1936<sup>1</sup>, to set up a "Special Committee for the Application of the Principles of the Covenant". This Committee traced its origin to a recommendation adopted by the Assembly on July 4th, 1936<sup>2</sup>: Its task was to study, not only the application of the principles of the Covenant, but also the other problems arising in that connection. Thus, it was instructed to pursue the work begun by the "Committee for the Amendment of the Covenant of the League of Nations in order to bring it into harmony with the Pact of Paris"<sup>3</sup>

Procedure for voting upon requests for opinions.

<sup>1</sup> Sixteenth meeting of the Seventeenth Ordinary Session.

<sup>2</sup> Last meeting of the Sixteenth Ordinary Session; the question of the application of the principles of the Covenant had arisen as a consequence of the Italo-Ethiopian conflict.

<sup>3</sup> This Committee was set up in pursuance of a Resolution by the Assembly dated September 25th, 1931.

(that Committee had proposed in 1930 to insert a clause in the Covenant of the League of Nations providing that, at any stage in the examination of a dispute, the Council might ask for an advisory opinion, without a unanimous vote being required), and also to consider the action to be taken in pursuance of the Resolution of September 24th, 1928, by which the Assembly had invited the Council to have a study made of the question whether advisory opinions might be asked for by a simple majority.

This Committee had held its first session from December 14th to 16th, 1936. It had then drawn up a list of the questions which it must examine, and had instructed a number of rapporteurs to undertake an objective analysis of these questions. Since then, the Committee has held a second session, in September 1937, and a third session in January-February 1938. The question of advisory opinions was not among those examined by it.

### 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. 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, 1937, have been mentioned and classified in the lists given in Part III of Chapter III of preceding Annual Reports<sup>1</sup>.

To these lists the following additions are to be made in respect of the period June 15th, 1937, to June 15th, 1938.

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<sup>1</sup> In the case of international legal instruments which provide for such cases and which had come to the knowledge of the Registry by June 15th, 1937, the text of the relevant clauses has been reproduced in the *Collection of Texts governing the jurisdiction of the Court* (4th ed., 1932) or in the addenda to that *Collection* (Chapter X of the Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Annual Reports); with regard to those which have come to the knowledge of the Registry since June 15th, 1937, the relevant clauses are given in Chapter X of this Report. The synopsis given at the beginning of the third edition (1926) of the *Collection* also contains an analysis and classification of those of these clauses which were known at the time.

(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.)

1.—*Under an instrument of public international law.*

Since June 15th, 1937, the Court has not been notified of any instrument under which it might in certain circumstances be asked to make an appointment.

2.—*Under a contract of private law.*

Since June 15th, 1937, the Court has not been asked to make any appointment under a contract of private law.

(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.)

*Agreements for the pacific settlement of international disputes.*

Appointment in certain circumstances of an umpire:

Treaty of conciliation, arbitration and judicial settlement between Bulgaria and Denmark.—Sofia, December 7th, 1935.

Appointment in certain circumstances of two arbitrators and an umpire:

Treaty of conciliation, arbitration and judicial settlement between Denmark and Yugoslavia.—Belgrade, December 14th, 1935.

Appointment in certain circumstances of the President and two members of a conciliation commission:

Treaty of conciliation between Chile and Norway.—Oslo, January 27th, 1936.

*Treaties of peace and various conventions.*

Appointment in certain circumstances of an umpire:

Convention of establishment, commerce and navigation between Hungary and Roumania.—Sinaia, August 12th, 1931.

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.)

Since June 15th, 1937, no notice has been received of any contract of private law under which the President might in certain circumstances be asked to make an appointment.

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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. These are generally claims for compensation for dispossession and arise as a rule from the fact that the applicants have lost their original national status and have not acquired another, and, for this reason, have met with a refusal, on the part of the courts to which they have applied, to entertain their claims. Most of these disputes have arisen in countries which have undergone territorial readjustments; for instance, persons entitled to pensions (former officials, war-cripples, widows) who have changed their nationality complain that payment of their pensions is refused both by the State in whose service they were and by the succession State. Often also claims are received for compensation for injuries resulting from the war, for debts dating from before the war and for the depreciation of assets in specie and in securities. Sometimes also private persons wish to appeal against the decisions of a Mixed Arbitral Tribunal. (Cf. the Agreement of Paris of April 28th, 1930, in the *Collection of Texts governing the jurisdiction of the Court*, 4th ed., 1932, p. 620.)

The First Annual Report (pp. 155 *et seq.*), the Third Annual Report (pp. 109 *et seq.*), the Fifth Annual Report (pp. 162 *et seq.*), the Seventh Annual Report (pp. 191 *et seq.*), the Ninth Annual Report (pp. 86-88), the Eleventh Annual Report (pp. 72-75) and the Thirteenth Annual Report (pp. 84 *et seq.*) gave several examples showing what is, as a general rule, the nature of such cases; 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".

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## CHAPTER IV.

SESSIONS AND DECISIONS OF THE COURT ;  
GENERAL LIST<sup>1</sup>.*Contents of the Chapter.*

*List of sessions.*—The list on page 81 gives the dates of sessions held by the Court up to February 1st, 1936, the date of the entry into force of the Statute as amended in accordance with the Protocol of September 15th, 1929.

After February 1st, 1936, the list gives for each judicial year the periods during which the Court has sat.

*List of judgments, opinions, etc.*—The table on pages 82-98 gives a list of the judgments and opinions rendered, as also of certain orders in the nature of judgments, made by the Court from 1922 until June 15th, 1938. This table gives: (1) a summary of each decision; (2) the page of the Annual Report where a short report of each decision is to be found, and (3) the serial numbers of the Court's publications in which the decisions and the relevant documents have been or shall be printed.

*Index of orders.*—On pages 99-104 there is given a chronological list and a subject index of orders made by the Court or by the President from July 1st, 1937, till June 15th, 1938<sup>2</sup>. These indexes include all orders, both those in the nature of judgments (interim measures of protection, joinder of applications, closure of proceedings, etc.) mentioned in the list of

<sup>1</sup> The present Chapter reproduces the data which, in Reports Nos. 1 to 8, were included in Chapters IV and V.

<sup>2</sup> For orders delivered by the Court until January 1st, 1935, see Eleventh Annual Report (pp. 95-126).

For orders made between January 1st, 1935, and June 15th, 1936, see Twelfth Annual Report (pp. 149-155).

For orders made between June 15th, 1936, and June 15th, 1937, see Thirteenth Annual Report (pp. 110-118).

judgments and opinions, and those relating exclusively to the "conduct of the case" (Art. 48 of the Statute).

It will be noticed that, in the case of certain recent orders, there are no references to pages or, in some cases, even to volumes: the orders in question are orders which are to be published in volumes of Series C. which have not yet been published and the composition and numbering of which have not been settled.

*General List.*—The tables on pages 106 to 110 reproduce the folios from the General List in which new entries have been made since June 15th, 1937.

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DATES OF THE SESSIONS HELD BY THE COURT.

(Periods during which the Court has been sitting.)

Order number.		Year.	Date	
			of opening.	of closure.
<i>Preliminary</i>	—	1922	Jan. 30th	March 24th
First	O <sup>1</sup>	"	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
Twenty-Eighth	E	"	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
		Judicial Year 1936 :	Feb. 1st	March 17th
			April 28th	May 19th
			June 3rd	June 25th
			Oct. 26th	Dec. 16th
		Judicial Year 1937 :	May 3rd	July 9th
			Sept. 20th	Nov. 6th
		Judicial Year 1938 :	April 29th	June 30th
			July 13th	

<sup>1</sup> O : Ordinary Session.—E : Extraordinary Session.

## 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 I, p. 204	B 6; C 3, vols. I, III <sup>r</sup> and III <sup>n</sup> .
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 I, p. 210	B 7; C 3, vols. I, III <sup>r</sup> and III <sup>n</sup> .
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 I, 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 I, 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 I, 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 I, p. 180	A 3; C 6.

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 1, p. 226	B 10; C 7—I.
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The Mavrommatis Palestine concessions (merits). Date: 26 III 25. Gen. list: 10. (Judgm. No. 5.)	The conditions for the validity of the Mavrommatis 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 1, 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 1, p. 231; E 2, p. 139	B II; 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 bis. (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 II, 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>Lotus</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—II.
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.
<p>Claim for indemnities in respect of the factory at Chorzów (merits). Date : 13 IX 28. Gen. list : 25. (Judgm. No. 13.)</p>	<p>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.</p>	<p>E 5, p. 183</p>	<p>A 17 ; C 15—II.</p>
<p><i>Idem.</i> Date : 13 IX 28. Gen. list : 25. (Order.)</p>	<p>Institution of an expert enquiry. Determination of the subject-matters of the enquiry. Composition of the Committee of experts ; its procedure. Allocation of expenses.</p>	<p>E 5, p. 196</p>	<p>A 17 ; C 15—II.</p>
<p>Denunciation of the Treaty of Nov. 2nd, 1865, between China and Belgium. Date : 25 v 29. Gen. list : 22. (Order.)</p>	<p>Termination of proceedings by withdrawal of suit.</p>	<p>E 5, p. 203</p>	<p>A 18 ; C 16—I.</p>
<p>Claim for indemnities in respect of the factory at Chorzów (merits). Date : 25 v 29. Gen. list : 25. (Order.)</p>	<p>Termination of proceedings by agreement.</p>	<p>E 5, p. 200</p>	<p>A 19 ; C 16—II.</p>
<p>Serbian loans issued in France. Date : 12 VII 29. Gen. list : 34. (Judgm. No. 14.)</p>	<p>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.</p>	<p>E 5, p. 205</p>	<p>A 20 ; C 16— III.</p>
<p>Brazilian Federal loans issued in France. Date : 12 VII 29. Gen. list : 33. (Judgm. No. 15.)</p>	<p>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.</p>	<p>E 5, p. 216</p>	<p>A 21 ; C 16— IV.</p>
<p>Territorial jurisdiction of the International Commission of the River Oder. Date : 15 VIII 29. Gen. list : 36. (Order.)</p>	<p>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.</p>	<p>E 6, p. 217</p>	<p>A 23 ; C 17—II.</p>

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.
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Name of case.	Summary.	Short report.	Relevant documents.
<p>Access to German Minority Schools in Polish Upper Silesia. Date: 15 V 31. Gen. list: 40. (Opinion.)</p>	<p>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.</p>	<p>E 7, p. 261</p>	<p>A/B 40; C 52.</p>
<p>Customs régime between Germany and Austria (Protocol of March 19th, 1931). Date: 5 IX 31. Gen. list: 41. (Opinion.)</p>	<p>Treaty of Peace of Saint-Germain of Sept. 10th, 1919, Art. 88, and Geneva Protocol No. I of Oct. 4th, 1922. Inalienability of the independence of Austria. Acts calculated to compromise this independence. Projected Austro-German Customs Union. Question of compatibility.</p>	<p>E 8, p. 216</p>	<p>A/B 41; C 53.</p>
<p>Railway traffic between Lithuania and Poland. Date: 15 X 31. Gen. list: 39. (Opinion.)</p>	<p>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.</p>	<p>E 8, p. 221</p>	<p>A/B 42; C 54.</p>
<p>Access to and anchorage in the port of Danzig for Polish war vessels. Date: 11 XII 31. Gen. list: 44. (Opinion.)</p>	<p>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.</p>	<p>E 8, p. 226</p>	<p>A/B 43; C 55.</p>
<p>Treatment of Polish nationals, etc., in Danzig. Date: 4 II 32. Gen. list: 42. (Opinion.)</p>	<p>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</p>	<p>E 8, p. 232</p>	<p>A/B 44; C 56.</p>

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.		
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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.

Name of case.	Summary.	Short report.	Relevant documents.
<p>Interpretation of the Statute of Memel (jurisdiction). Date: 24 VI 32. Gen. list: 50. (Judgment.)</p>	<p>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?</p>	<p>E 8, p. 207</p>	<p>A/B 47; C 59.</p>
<p>South-Eastern territory of Greenland. Date: 2 VIII 32. Gen. list: 52 and 53. (Order.)</p>	<p>Joinder of the two Applications.</p>	<p>E 9, p. 119</p>	<p>A/B 48; C 69.</p>
<p>South-Eastern territory of Greenland. Date: 3 VIII 32. Gen. list: 52 and 53. (Order.)</p>	<p>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.</p>	<p>E 9, p. 119</p>	<p>A/B 48; C 69.</p>
<p>Interpretation of the Statute of Memel. Date: 11 VIII 32. Gen. list: 47. (Judgment.)</p>	<p>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</p>	<p>E 9, p. 122</p>	<p>A/B 49; C 59.</p>
<p>Employment of women during the night. Date: 15 XI 32. Gen. list: 48. (Opinion.)</p>	<p>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).</p>	<p>E 9, p. 131</p>	<p>A/B 50; C 60.</p>

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 10th, 1931; 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.

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.
<p>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.)</p>	<p>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.</p>	<p>E 10, p. 135</p>	<p>A/B 61; C 72, 73.</p>
<p>Lighthouses case between France and Greece. Date: 17 III 34. Gen. list: 59. (Judgment.)</p>	<p>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.</p>	<p>E 10, p. 143</p>	<p>A/B 62; C 74.</p>
<p>Oscar Chinn case. Date: 12 XII 34. Gen. list: 61. (Judgment.)</p>	<p>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</p>	<p>E 11, p. 129</p>	<p>A/B 63; C 75.</p>

Name of case.	Summary.	Short report.	Relevant documents.
Minority schools in Albania. Date: 6 IV 35. Gen. list: 62. (Opinion.)	freedom of trade and of equality of treatment.—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.  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 11, 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 36. Gen. list: 69. (Judgment.)	Withdrawal of the suit. Removal of the case from the list.	E 13, p. 135	A/B 70; C 81.
Case concerning lighthouses in Crete and Samos. Date: 8 X 37. Gen. list: 70. (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 14, p. III	A/B 71; C 82.
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.		

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.

## ORDERS BY THE COURT AND BY THE PRESIDENT.

(July 1st, 1937—June 15th, 1938.)

I.—CHRONOLOGICAL INDEX <sup>1</sup>.

(Supplement.)

**1937.***September 20th :*

Moroccan phosphates case. Granting request of French Govt. to reply in writing to observations of Italian Govt. on preliminary objection; fixing time-limit; and making reservation as to time-limit for further written observations by Italian Govt., if any. (*To be printed in Series C., No. 85.*)

*November 6th :*

Borchgrave case. Fixing time-limits for subsequent documents on the merits: **A./B. 72.** 172-173.

*November 15th :*

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*December 8th :*

Moroccan phosphates case. Fixing time-limit for written statement by Italian Govt. in regard to answer of French Govt. concerning observations on objections. (*To be printed in Series C., No. 85.*)

*December 21st :*

Borchgrave case. Extension of time-limit for filing Counter-Memorial: **83.**

**1938.***January 4th :*

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*March 28th :*

Electricity Company of Sofia and Bulgaria case. Time-limits for Memorial and Counter-Memorial; a subsequent order to fix time-limits for Reply and Rejoinder. (*To be printed in Series C.*)

*April 30th :*

Borchgrave case. Recording discontinuance of proceedings; removal of case from list: **A./B. 73.**

*June 3rd :*

“Société commerciale de Belgique”. Time-limits for Memorial and Counter-Memorial; a subsequent order to fix time-limits for Reply and Rejoinder. (*To be printed in Series C.*)

<sup>1</sup> Unless preceded by the letters **A./B.** (*Series A./B.*), the numbers refer to volumes of **Series C.** of the Court's Publications.

II.—SUBJECT INDEX TO ORDERS<sup>1</sup>.

(July 1st, 1937—June 15th, 1938.)

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Govt. Government.  
L. N. League of Nations.

## AGENTS :

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Panevezys-Saldutiskis Railway, 15 XI 37. (*To be printed in Series C.*)  
"Société commerciale de Belgique", 3 VI 38. (*To be printed in Series C.*)  
See also *Parties to cases*.

AGREEMENTS BETWEEN PARTIES, see *Parties to cases*, and *Settlement and discontinuance*.

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Electricity Company of Sofia case, 28 III 38. (*To be printed in Series C.*)  
Panevezys-Saldutiskis Railway case, 15 XI 37. (*To be printed in Series C.*)  
Provision on which applicant founds the jurisdiction of the Court :  
Electricity Company of Sofia case, 28 III 38. (*To be printed in Series C.*)  
Panevezys-Saldutiskis Railway case, 15 XI 37. (*To be printed in Series C.*)  
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BELGIUM : Borchgrave case ; Electricity Company of Sofia case ; "Société commerciale de Belgique" case.

## BORCHGRAVE CASE :

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DOCUMENTS OF WRITTEN PROCEEDINGS, see *Written proceedings*.

ELECTRICITY COMPANY OF SOFIA CASE ; 28 III 38 (time-limits for Memorial and Counter-Memorial ; a subsequent order to fix time-limits for Reply and Rejoinder). (*To be printed in Series C.*)

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FRANCE : Moroccan phosphates case.

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GREECE : "Société commerciale de Belgique" case.

ITALY : Moroccan phosphates case.

<sup>1</sup> Unless preceded by the letters **A./B.** (*Series A./B.*), the numbers refer to volumes of **Series C.** of the Court's Publications.

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LITHUANIA: Panevezys-Saldutiskis Railway case.

## MOROCCAN PHOSPHATES CASE :

- 20 IX 37 (granting request of French Govt. to reply in writing to Italian Govt.'s observations on preliminary objection; fixing time-limit; and making reservation as to time-limit for further written observations by Italian Govt., if any). (*To be printed in Series C, No. 85.*)
- 8 XII 37 (fixing time-limit for written statement by Italian Govt. in regard to answer of French Govt. concerning observations on objections). (*To be printed in Series C., No. 85.*)

OBJECTIONS TO JURISDICTION, see *Jurisdiction of the Court.*

## OPTIONAL CLAUSE (Art. 32, para. 2, of the Statute of the Court) :

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- Panevezys-Saldutiskis Railway case, 15 XI 37. (*To be printed in Series C.*)

## PANEVEZYS-SALDUTISKIS RAILWAY CASE :

- 15 XI 37 (time-limits for Memorial, Counter-Memorial, Reply and Rejoinder). (*To be printed in Series C.*)
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## GENERAL LIST OF THE COURT.

In the Seventh Annual Report (pp. 199 to 231) were reproduced the particulars given in the General List with regard to the forty-three cases which had been submitted to the Court up to July 12th, 1931. The particulars were completed in the following Reports: 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.

The tables on pages 106-110 of the present Report reproduce the folios of the General List in respect of which new entries have been made since June 15th, 1937, up to July 1st, 1938.

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.*

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**Fol. No. 68.**

- I. 68.
- II. **Phosphates in Morocco (merits).**
- III. 30 III 36.
- IV. I. II. 14688.
- V. E. c. XXXVI. 1.
- VI. Contentious case.
- VII. *Applicant*: Italy.  
*Respondent*: France.
- VIII.
- 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.
- XIX. By its Judgment given on 14 VI 38, the Court decided that the Application of the

Entry approved on 30 III 36.

Italian Govt. could not be entertained; see No. 71.

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 Application.

(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.

**Fol. No. 70.**

- I. 70.
- II. **Lighthouses in Crete and Samos.**
- III. 27 X 36.
- IV. I. II. 16065.
- V. E. c. XXXVIII. 1.
- VI. Contentious case.
- VII. France.  
Greece.
- VIII.
- IX. Special Agreement.
- X. Date of Special Agreement, 28 VIII 36.  
Date of the document notifying the Special Agreement, 23 X 36.

Entry approved on 27 X 36.

XI. 17 III 37 (Memorials).

17 VI 37 (Counter-Memorials).

XII.

XIII. 10 VI 37.

XIV.

XV. 28 VI 37.

XVI. Judicial Year 1937.

XVII. No. 59.

XVIII. Judgment: 8 X 37.

XIX.

XX. Series A./B., Vol. 71.

„ C., „ 82.

„ E., „ 14, p. 111.

**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.
- XVI. Judicial Year 1938.
- XVII. No. 68.

Entry approved on 16 XII 36.  
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.
- VII. Belgium.  
Spain.
- VIII.
- IX. Special Agreement.
- X. Date of Special Agreement,  
20 II 37.

Entry approved on 5 III 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.
- 
- 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.
- 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.
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- 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. 1.  
 VI. Contentious case.  
 VII. *Applicant* : Estonia.  
*Respondent* : Lithuania.  
 VIII.  
 IX. Application of the Estonian Govt.  
 X. 25 X 37.
- Entry approved on 2 XI 37.
- XI. 15 I 38 (Memorial).  
 15 III 38 (Counter-Memorial).  
 30 IV 38 (Reply).  
 15 VI 38 (Rejoinder).  
 XII.  
 XIII.  
 XIV.  
 XV.  
 XVI.  
 XVII. No. 76.  
 XVIII.  
 XIX.  
 XX.
-

<b>Fol. No. 75.</b>	Entry approved on 26 I 38.
I. 75.	XIV.
II. <b>The Electricity Company of Sofia and Bulgaria.</b>	XV.
	XVI.
III. 26 I 38.	XVII.
IV. I. II. 18694.	XVIII.
V. E. c. XLI. 1.	XIX.
VI. Contentious case.	XX.
VII. <i>Applicant</i> : Belgium. <i>Respondent</i> : Bulgaria.	
VIII.	
IX. Application of the Belgian Govt.	
X. 25 I 38.	
XI. I VI 38 (Memorial). 12 IX 38 (Counter-Memorial).	
XII.	
XIII.	

*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.

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<b>Fol. No. 76.</b>	Entry approved on 15 III 38.
I. 76.	X. 12 III 38.
II. <b>Panevezys-Saldutiskis Railway (preliminary objections).</b>	XI. 30 IV 38 (Reply to the objections).
	XII.
III. 15 III 38.	XIII. 30 IV 38.
IV. I. II. 18913.	XIV.
V. E. c. XL. 3.	XV. 13 VI 38.
VI. Contentious case.	XVI. Judicial Year 1938.
VII. <i>Applicant</i> : Estonia. <i>Respondent</i> : Lithuania.	XVII. No. 74.
VIII.	XVIII.
IX. Prelimin. objections raised by the Lithuanian Govt.	XIX.
	XX.

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## 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 Belgian Govt.  
 X. 4 v 38.  
 XI. 15 VII 38 (Memorial).  
       30 IX 38 (Counter-Memorial).  
 XII.  
 XIII.

Entry approved on 5 v 38.

- XIV.  
 XV.  
 XVI.  
 XVII.  
 XVIII.  
 XIX.  
 XX.

*Notes.*

(1) By Order dated 3 VI 38, 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 Rejoinder to be fixed by a subsequent order.

## CHAPTER V.

JUDGMENTS, ORDERS  
AND ADVISORY OPINIONS.JUDGMENT OF OCTOBER 8th, 1937<sup>1</sup>.THE CASE CONCERNING THE LIGHTHOUSES  
IN CRETE AND SAMOS.

The case concerning the lighthouses<sup>2</sup>, which had been submitted to the Court by a Special Agreement concluded between the French and Greek Governments, had been the subject of a judgment delivered on March 17th, 1934, in which the Court decided that "the contract of April 1st/14th, 1913, between the French firm Collas & Michel, known as the '*Administration générale des Phares de l'Empire ottoman*', and the Ottoman Government, extending from September 4th, 1924, to September 4th, 1949, concession contracts granted to the said firm, was duly entered into and is accordingly operative as regards the Greek Government in so far as concerns lighthouses situated in the territories assigned to it after the Balkan wars or subsequently". This decision was preceded by a reservation in which the Court observed that the Special Agreement only required it to decide on a question of principle, and that it was not called upon to specify which were the territories detached from Turkey and assigned to Greece after the Balkan wars or subsequently where the lighthouses in regard to which the contract of 1913 is operative were situated. The Court further pointed out that it was all the more necessary to make this reservation because the Parties had not argued before the Court the questions of fact and of law which might be raised in that connection, and which the Court had not been asked to decide.

<sup>1</sup> Series A./B., Fasc. No. 71.

<sup>2</sup> Series A./B., Fasc. No. 62. A summary of this case was given in the Court's Tenth Annual Report, page 143.

After this judgment the Greek Government, while declaring itself prepared to execute it, observed to the French Government (see *note verbale* addressed on July 17th, 1934, to the French Legation at Athens) that, as the territories covered by the contract had not been specified, and that as that question therefore remained open, it considered that the lighthouses in Crete and in Samos remained outside the ambit of the contract of April 1st/14th, 1913. For the territories in which they were situated were detached from Turkey well before that date, and the contract was entirely inoperative in so far as concerns those islands, which were detached from Turkey before 1913, just as it now is in so far as concerns Greece, the legal successor of those islands, which were previously autonomous territories incorporated in the territory of Greece in 1913.

As the French Government was unable to accept this standpoint, the two Governments, on August 28th, 1936, concluded a Special Agreement, in which the Court was asked to decide whether "the contract concluded on April 1st/14th, 1913, was duly entered into and is accordingly operative as regards the Greek Government in so far as concerns lighthouses situated in the territories of Crete, including the adjacent islets, and of Samos, which were assigned to that Government after the Balkan Wars". The terms of the Special Agreement itself provided that it should take effect as soon as it had been signed, and that it might be transmitted to the Court by either Party: it was filed with the Registry on October 27th, 1936, by the French Minister at The Hague.

A Memorial and Counter-Memorial were filed by each of the Parties within the time-limits that had been fixed. The Court heard the arguments presented orally by the Parties on June 28th and 29th, 1937.

On this occasion the Court was composed as follows: M. GUERRERO, *President*; Sir CECIL HURST, *Vice-President*; Count ROSTWOROWSKI, MM. FROMAGEOT, DE BUSTAMANTE, ALTAMIRA, URRUTIA, NEGULESCO, Jonkheer VAN EYSINGA, MM. CHENG, HUDSON, DE VISSCHER, *Judges*. Professor S. P. Séfériadès, nominated by the Greek Government as Judge *ad hoc*, also sat in the Court for the purposes of the case.

\* \* \*

The Court's judgment was delivered on October 8th, 1937.

The Court states in the first place that, according to the terms of the Special Agreement, the dispute relates to the applicability in a particular case of the principle laid down in the judgment of 1934. It goes on to observe that this question is regarded by the Parties as accessory to the principal question already decided by the Court, which is now *res judi-*

*cala*, and that that question is in no way reopened. The Parties simply ask the Court whether Crete and the adjacent islets and Samos are included amongst the territories to which the decision on the question of principle applies and whether, consequently, the contract of 1913 was duly entered into in so far as concerns them.

The issue thus formulated amounts to the question what special reasons or circumstances were contemplated or recognized by the Parties as a possible ground for exception to the principle adopted by the 1934 judgment, such as would warrant the exclusion of the territories of Crete and Samos from the application of that judgment. The Parties expressed themselves very clearly on this subject in the Special Agreement itself: they requested the Court to decide the question "taking into account the period at which the territories specified were detached from the Ottoman Empire".

Accordingly there is one circumstance, and one circumstance only, which will warrant an exception to the application of the Judgment of March 17th, 1934, on the question of principle, namely: the period at which detachment from the Ottoman Empire took place in the case of the territories in question. It follows that, in deciding the question submitted to it, the Court cannot, without disregarding the terms of the Special Agreement, take into account considerations which might warrant an exception to the applicability of the principle laid down by the Judgment of March 17th, 1934, for reasons other than the sole ground for an exception admitted by the Parties.

The Court therefore has to determine the period at which Crete and Samos were detached from the Ottoman Empire. In the first place, however, it has to examine Article 9 of Protocol XII, signed at the same time as the Treaty of Lausanne of July 24th, 1923: does this Article, which is binding on both Parties and formed the basis of the judgment of 1934, warrant in favour of Crete and Samos an exception to the principle laid down by that judgment? No, it does not. The text is of a general character and does not warrant any exception or reservation. It applies to all the territories which were detached from Turkey after the Balkan Wars, and lays down that a State succeeding to Turkish territory is subrogated as regards the rights and obligations of Turkey in those territories. It provides for the direct and immediate succession of Greece to the obligations contracted by Turkey, without any break in the continuity of the sovereignty over the territories to which it refers. It establishes a close correlation between the detachment and the assignment of the territories. Therefore, from the standpoint of the applicability of the principle in question, there is nothing in the text of Article 9 of Protocol XII to

warrant any differentiation between the various territories which were assigned to Greece.

But the reasoning of the Greek Government seeks precisely to preclude any contention based on this absence of differentiation. The line of argument is as follows: Article 9 had no need to differentiate, because, having been framed to meet a different case from that which is now submitted to the Court, it is, *a priori*, incapable of being applied to the territories of Crete and Samos. Thus, Article 9 could not do otherwise than consider the detachment and the assignment of the territories as two aspects of a single operation, for the hypothesis envisaged by that Article was that of territories transferred from the sovereignty of Turkey to another sovereignty. But, in the case of Crete and Samos, these territories were not and could not have been detached from Turkey by a transfer of sovereignty from that State to Greece, seeing that Turkey had long since lost her sovereignty in regard to them. Therefore, in 1913, the Ottoman Government no longer had any title, competence or capacity to conclude the contract in dispute. Consequently, the issue, reduced to its essence, may be stated as follows: Had every link between the Ottoman Empire and the islands disappeared at the time of the contract?

The Court does not consider that this was the case. Examining the régime of autonomy granted to the territories in question, it arrives at the conclusion that, though the Sultan had been obliged to accept important restrictions on the exercise of his rights of sovereignty as regards Crete and Samos, that sovereignty had not ceased to belong to him. The Court finds proof of this more especially in Articles 4 and 5 of the Treaty of London (May 17th/30th, 1913), in the Treaty of Athens (Nov. 1st/14th, 1913) and in Article 12 of the Treaty of Lausanne (July 24th, 1923).

The Court accordingly considers that the Greek Government has not proved its contention and that the lighthouses in Crete and Samos are indeed lighthouses situated in territories which not only were assigned to Greece after the Balkan wars, but also were not detached from the Ottoman Empire until that time. Article 9 of Protocol XII of Lausanne is therefore applicable to the contract of 1913, and that contract must be considered as having been duly entered into and as accordingly operative as regards Greece in respect of the said territories. The particular case therefore falls within the scope of the decision on the question of principle delivered by the Court in 1934.

This conclusion, deduced from the international instruments, is not, in the opinion of the Court, invalidated by an argument which the Greek Government had founded on the autonomous régimes granted by the Porte to Crete and Samos prior to the

date of the contract. These régimes of autonomy had not abrogated the rights of the Sultan. Accordingly Crete and Samos must be regarded as having still formed part of the Ottoman Empire at the date of the contract in dispute, and that contract, being applicable to the whole of the Ottoman Empire, is therefore applicable to these islands.

\* \* \*

The Court's judgment was delivered by ten votes against three.

Sir Cecil Hurst and Mr. Hudson, Judges, and M. Sfériadès, Judge *ad hoc*, declared that they were unable to concur in the judgment, to which they appended their separate opinions.

Jonkheer van Eysinga, Judge, while in agreement with the operative clause of the judgment, appended a separate opinion regarding its grounds.

JUDGMENT OF NOVEMBER 6th, 1937<sup>1</sup>.

## THE BORCHGRAVE CASE (PRELIMINARY OBJECTIONS).

On March 5th, 1937, the Belgian Minister at The Hague filed with the Permanent Court of International Justice a Special Agreement concluded on February 20th, 1937, between the Belgian and Spanish Governments. By the terms of this Special Agreement the two Governments, in view of the fact that a dispute had arisen between them *à propos* the death of Baron Jacques de Borchgrave, agreed to submit it to the Court, which was requested to say whether, having regard to the circumstances of fact and of law concerning the case, the responsibility of the Spanish Government was involved.

On April 1st, 1937, the President of the Court, taking into consideration a proposal submitted by agreement between the Parties, made an Order fixing the time-limits of the written procedure so as to provide for the successive submission of the following documents: a Memorial by the Belgian Government, a Counter-Memorial by the Spanish Government, a Reply by the Belgian Government, and a Rejoinder by the Spanish Government. Within the time-limit fixed for the filing of the Counter-Memorial, the Spanish Government submitted preliminary objections to the jurisdiction. The procedure on the merits having then been suspended, the Belgian Government filed a written statement of its observations and submissions in regard to the objections.

In the course of public sittings held on October 18th, 19th and 20th, 1937, the Court heard oral arguments by the representatives of the Parties concerning the Spanish objections. The Court was composed, on this occasion, as follows: M. GUERRERO, *President*; Sir CECIL HURST, *Vice-President*; Count ROSTWOROWSKI, MM. FROMAGEOT, DE BUSTAMANTE, ALTAMIRA, URRUTIA, NEGULESCO, Jonkheer VAN EYSINGA, MM. CHENG, HUDSON, DE VISSCHER, *Judges*. (M. De Visscher, who was elected as a member of the Court by the Assembly and Council of the League of Nations on May 27th, 1937, had been designated as Judge *ad hoc* by the Belgian Government at the outset of the proceedings.)

By an Order made by the Court on May 13th, 1937, the Spanish Government's Agent had, at his request, been authorized to present his oral arguments in the Spanish language, causing them to be immediately followed by an oral translation, arranged for by him, into one of the official languages of the Court.

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<sup>1</sup> Series A./B., Fasc. No. 72.

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On November 6th, 1937, the Court delivered its judgment on the Spanish Government's preliminary objections.

The judgment first sets forth the facts as alleged: During the later months of 1936, Baron Jacques de Borchgrave, a Belgian national resident in Madrid, collaborated in the work of the Belgian Embassy in Madrid. He left the Embassy by automobile on December 20th, 1936, and never returned. On the same day, his disappearance was notified by the Embassy to the Spanish civil and military authorities. A body found on the route from Madrid to Fuencarral on December 22nd, five kilometres from Madrid, was later identified as the body of Baron Jacques de Borchgrave. Some days thereafter, the automobile in which Baron Jacques de Borchgrave had left the Embassy was retrieved in Madrid.

The judgment next analyzes the submissions of the Parties. In its Memorial, the Belgian Government submitted: (1) that the responsibility of the Spanish Government was involved on account of the crime committed; (2) that that Government was responsible for not having used sufficient diligence in the apprehension and prosecution of the guilty. In the Spanish preliminary objections it was submitted that the Court had no jurisdiction to examine the second of the Belgian Government's submissions, and, moreover, that neither submission could be entertained so long as remedies afforded by Spanish municipal law had not been exhausted. In the course of his oral argument, the Spanish representative stated that he maintained his first objection but asked that the second, which he maintained as a part of his defence, should be joined to the merits. To sum up, according to the Spanish Government's contention, the Special Agreement refers only to responsibility by reason of the fact of the death of Borchgrave and does not refer to facts subsequent to the death; the Belgian Government holds, on the contrary, that the Special Agreement includes two different reasons for the responsibility: the death of the victim, and the lack of diligence in apprehending the guilty.

The issue thus submitted to the Court depends, therefore, on the interpretation of the Special Agreement. In the view of the Court, the terms of the Special Agreement are so unlimited, and its text is so free from qualifying expressions, that it may be said that the Special Agreement is characterized by its generality. This conclusion is not weakened by the notes which were exchanged by the Parties after the death of the victim, and which the Court proceeds to analyze: the agreement reached in the course of this correspondence related to the general question of the legal responsibility of the Spanish

Government in connection both with the fact of the death and with the measures taken subsequently.

Having thus rejected the first objection of the Spanish Government, the Court observes that the representative of the Spanish Government had withdrawn the second as a preliminary objection, but had maintained it as part of his defence to be joined to the merits. The Court takes note of this withdrawal and accordingly does not adjudicate upon the Belgian submissions in regard to that objection. However, it observes that it is possible to join to the merits only objections which are before it. The withdrawal of the preliminary objection has left nothing of it to be joined to the merits. Any defence on the merits must be presented in the regular way in the course of the proceedings on the merits.

\* \* \*

The Court's judgment was delivered unanimously. M. Altamira, though concurring in the operative part of this judgment, was unable to agree with the reasons on which the Court based No. 1 of the operative clauses.

\* \* \*

By an order appended to the judgment and bearing the same date, the Court had fixed the time-limits for the continuation of the written proceedings on the merits, namely, for the filing of a Counter-Memorial by the Spanish Government, of a Reply by the Belgian Government, and of a Rejoinder by the Spanish Government.

On January 4th, 1938, within the time-limit fixed for the filing of the Counter-Memorial—a time-limit which had been extended at the request of the Parties—the Registrar of the Court received from the Agents of the Parties letters, in identic terms, requesting him to inform the Court that the Belgian and Spanish Governments had agreed to discontinue proceedings in the Borchgrave case. Pending the moment when the Court was sitting and was able to take the requisite formal action upon these communications and to order the removal of the case from the list, the President of the Court made an Order the same day suspending the written proceedings. The Order by which the Court, under Article 68 of its Rules, placed on record the discontinuance of the proceedings by the Parties and ordered the case to be removed from the Court's list was made on April 30th, 1938<sup>1</sup>.

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<sup>1</sup> Series A./B., Fasc. No. 73.

JUDGMENT OF JUNE 14th, 1938<sup>1</sup>.

PHOSPHATES IN MOROCCO  
(PRELIMINARY OBJECTIONS).

The General Act signed at Algeciras, on April 7th, 1906, provides (Art. 112) that the conditions for the granting of concessions and for the working of mines and quarries in Morocco will be determined by Shereefian firman. According to the provisions of the General Act and of the Franco-German Convention of November 4th, 1911, concerning Morocco, to which the Italian Government acceded, the regulations thus made were to respect the general principle of economic liberty ("the open door"). The regulations came into force on January 19th, 1914, the date on which were promulgated two mining dahirs of which one laid down the mining régime and the other established an Arbitration Commission to adjudicate upon rights arising out of acts dating from before the new regulations. From November 3rd, 1914, to June 9th, 1918, the right to apply for mining prospecting licences was suspended. In 1918 and 1919, new dahirs and decrees laid down the conditions governing the deposit of applications for mining prospecting licences and prospecting operations, etc., with especial reference to phosphate deposits.

On January 27th, 1920, a dahir was promulgated reserving to the Maghzen the right to prospect for and to work phosphates. This dahir took account of vested rights and a special procedure was laid down for obtaining recognition of such rights. Another dahir, dated August 7th, 1920, established a State monopoly (*régie*), known as the Shereefian Phosphates Office, which was responsible for prospecting and for working phosphates in Morocco. This Office carried on the prospecting work which had been undertaken by the Moroccan Mines Department since 1917, commenced the working of deposits and, between 1933 and 1934, participated in the formation of the North African Phosphates cartel.

Between October 1918 and April 1919, thirty-three prospecting licences in reserved areas had been issued by the Mines Department of Morocco to French citizens. The rights of the latter (or certain of their rights) were ceded to an Italian citizen, M. Tassara. The latter, in October 1921—i.e., after the promulgation of the dahirs reserving to the Maghzen the right to prospect for and to work phosphates—applied to the Moroccan Mines Department for recognition of his rights. On January 8th, 1925, his application was rejected. Subsequent representations were made by him or by his successors to the Shereefian and

<sup>1</sup> Series A./B., Fasc. No. 74.

French authorities. The Italian Embassy in Paris lent its good offices. Later, the Italian Government took up the case on behalf of its nationals and proposed to the French Government that the question should be referred to arbitrators or to the Permanent Court of International Justice.

On March 10th, 1934, the French Government gave a negative answer. After making further representations which proved fruitless, the Italian Government decided to bring the case before the Court by Application.

The Application of the Italian Government was filed with the Registry on March 30th, 1936; it relies on the declarations of Italy and France acceding to the Optional Clause of Article 36 of the Court's Statute. It asks the Court to declare that certain measures taken by the Shereefian Administration (in particular the Mines Department), by the French authorities in Morocco and by the French Government in its capacity as the State protecting Morocco, in connection with prospecting for and working phosphates in Morocco, are inconsistent with the international obligations of Morocco and of France as laid down in the Act of Algeciras and in the Franco-German Convention and should for that reason be annulled; alternatively, that the decision of the Mines Department of January 8th, 1925, and the denial of justice which followed it, are inconsistent with the international obligation incumbent on Morocco and on France to respect the rights acquired by Italian nationals.

The Italian Government's Application was notified to the French Government and the communications provided for in Article 40 of the Statute and Article 34 of the Rules were duly despatched. Furthermore, in accordance with Article 63 of the Statute and Article 66 of the Rules, the Registrar notified the United States of America, Belgium, Great Britain, the Netherlands, Portugal, Spain and Sweden, as parties to the Act of Algeciras, certain of these Powers having moreover acceded to the Franco-German Convention.

The Italian Government submitted a Memorial within the time-limit fixed. Within the time-limit for the filing of the Counter-Memorial, the French Government presented preliminary objections. The proceedings on the merits were thereupon suspended and a time-limit was fixed for the filing by the Italian Government of its observations upon the French objections. Subsequently, at the request of the Parties, two additional written documents were filed: a French Answer to the Italian Observations, and further Italian Observations. In the course of public sittings held between May 2nd and 16th, 1938, the Court heard oral argument by the Parties' representatives.

The Court was composed as follows for the examination of the case: M. GUERRERO, *President*; Sir CECIL HURST, *Vice-President*; Count ROSTWOROWSKI, MM. FROMAGEOT, DE BUSTA-

MANTE, ALTAMIRA, ANZILOTTI, URRUTIA, NEGULESCO, Jonkheer VAN EYSINGA, MM. CHENG, DE VISSCHER, *Judges*<sup>1</sup>.

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The Court's judgment was delivered on June 14th, 1938.

In its judgment, the Court first of all observes that the facts and circumstances out of which the dispute originated are set out in the Italian Application. Without expressing any opinion upon the divergencies of view to which they gave rise, the Court, for the purposes of its judgment, which is limited to the question of its jurisdiction, confines itself to considering those the existence and date of which are not disputed.

Among the French objections is one which contests, in regard to the Application as a whole, the compulsory jurisdiction of the Court as established between France and Italy by their declarations acceding to the Optional Clause. The Court therefore must first adjudicate upon this objection in order to satisfy itself as to the grounds of its jurisdiction.

In its declaration, of which the ratification was deposited on April 25th, 1931, the French Government accepts as compulsory the jurisdiction of the Court "... in any disputes which may arise after the ratification of the present declaration with regard to situations or facts subsequent to such ratification". The French Government, relying on this passage, maintains that, as the situations and facts out of which the present dispute arises date from before the crucial date, namely, the date of its acceptance of the compulsory jurisdiction, the Italian Government's Application cannot be entertained. The Italian Government, on the other hand, argues that the dispute arises from factors subsequent to the crucial date, first because certain acts, which considered separately are in themselves unlawful international acts, were actually accomplished after the crucial date; secondly, because these acts, taken in conjunction with earlier acts to which they are closely linked, constitute as a whole a single, continuing and progressive illegal act which was not fully accomplished until after the crucial date; and lastly, because certain acts, though carried out prior to the crucial date, nevertheless gave rise to a permanent situation inconsistent with international law which has continued to exist after the said date.

Interpreting the limitation contained in the French declaration, the Court observes that this limitation is twofold. It relates in the first place to the date on which the dispute arose. It is not denied that in this case the dispute arose

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<sup>1</sup> Mr. Manley O. Hudson sat throughout the hearings but was unable to take part in the deliberations for reasons of health.

after the crucial date; there is therefore no need to consider that point. The second limitation relates to the situations and facts with regard to which the dispute arose. The declaration is quite clear on this point: the only situations or facts falling under the compulsory jurisdiction are those which are subsequent to the crucial date and with regard to which the dispute arose, that is to say, those which must be considered as being the source of the dispute. The intention of the French Government in stipulating this limitation is also quite clear: it intended to deprive the acceptance of the compulsory jurisdiction of any retroactive effects, in order both to avoid, in general, a revival of old disputes and to preclude the possibility of the submission to the Court by application of situations or facts dating from a period when the State whose action was impugned was not in a position to foresee the legal proceedings to which these facts and situations might give rise. Accordingly, the situations and facts have to be considered from the point of view both of their date in relation to the date of ratification and of their connection with the birth of the dispute. Situations or facts subsequent to the ratification could serve to found the Court's compulsory jurisdiction only if it was with regard to them that the dispute arose. The question whether a given situation or fact is prior or subsequent to a particular date is one to be decided in regard to each specific case, just as the question of the situations or facts with regard to which the dispute arose must be decided in regard to each specific case. In answering these questions, it is necessary to bear in mind the will of the State which only accepted the compulsory jurisdiction within specified limits, and consequently only intended to submit to that jurisdiction disputes having actually arisen from situations or facts subsequent to its acceptance. It would be impossible to admit the existence of such a relationship between a dispute and subsequent factors, which either presume the existence or are merely the confirmation or development of earlier situations or facts constituting the real causes of the dispute.

The Court then considers whether the dispute forming the subject of the Italian Government's Application arose with regard to situations or facts subsequent to the crucial date. The subject of the dispute has been presented by the Italian Government under two separate aspects: First, a general aspect, which is referred to as the "monopolization of the phosphates". This monopolization is described as a régime instituted by the dahirs of 1920 which, by reserving to the Maghzen the right to prospect for and to work phosphates, established a monopoly inconsistent with the international obligations of Morocco and of France; this régime, being still in force, is said to constitute a situation subsequent to the crucial date and one which therefore falls within the Court's compulsory

jurisdiction. The second aspect of the dispute is more limited: it relates to the decision given in 1925 by the Moroccan Mines Department rejecting the application of the Italian citizen M. Tassara, and to the alleged denial of justice to him and his successors. These acts are also included under the general designation of the monopolization of phosphates, but are put forward here as contrary to the international obligation to respect the vested rights of the Italian nationals.

As regards the first of these aspects, the Court holds that the alleged inconsistency of the monopoly régime with the international obligations of Morocco and of France is a reproach which applies first and foremost to the dahirs of 1920 establishing the monopoly. Those dahirs are the facts which really gave rise to the dispute regarding the monopolization; but, by their date, these dahirs fall outside the Court's jurisdiction. The Italian Government, however, has presented the monopolization as a continuing and progressive action which has only been completed by certain acts subsequent to the crucial date; the denial of justice suffered by M. Tassara and his successors in 1931-1933, and the participation of the Moroccan Phosphates Administration in the North African Phosphates cartel in 1933-1934. The Court holds that the participation of the Moroccan Phosphates Administration in the Phosphates cartel did not alter the situation which had been established ever since 1920 by the monopoly. The monopoly alone could form the subject of complaint in this connection; it may have made the participation in the cartel possible, but this participation does not in any way affect the legality or illegality of the monopoly.

The Court next considers the dispute from the second aspect. The Italian Government does not deny that the alleged dispossession of M. Tassara results from the Mines Department's decision of 1925 which, by reason of its date, falls outside the Court's jurisdiction. But it contends that that decision constituted only an uncompleted violation of international law and that this violation only became definitive as a result of the final refusal of any redress—which refusal was subsequent to the crucial date.

The Court, however, holds that acts subsequent to the crucial date cannot be regarded as factors giving rise to the present dispute. The alleged denial of justice merely results in allowing the alleged unlawful act to subsist: it exercises no influence either on the accomplishment of the act or on the responsibility ensuing from it. As regards the argument that the dispossession of M. Tassara and his successors constituted a permanent illegal situation which, although brought about by the decision of the Mines Department, was maintained in existence at a period subsequent to the crucial date, the Court considers that

the complaint of a denial of justice cannot be considered separately from the decision of 1925. For the Court could not regard the denial of justice as established without first satisfying itself as to the existence of the rights of the private citizens alleged to have been refused judicial protection. And this it could not do without calling in question the decision of 1925. It follows that an examination of the justice of this complaint could not be undertaken without extending the Court's jurisdiction to a fact which, by reason of its date, is not subject thereto.

Accordingly, whatever aspect of the question is considered, it is the decision of 1925 which is always found, in this matter of the dispossession of the Italian nationals, to be the fact with regard to which the dispute arose.

In conclusion, the Court finds that the dispute submitted to it, whether regarded in its general aspect, represented by the alleged monopolization of the Moroccan phosphates, or in its more limited aspect, represented by the claim of the Italian nationals, did not arise with regard to situations or facts subsequent to the ratification of the acceptance by France of the compulsory jurisdiction, and that, in consequence, it has no jurisdiction to adjudicate on this dispute. It does not accordingly feel called upon to adjudicate on the other objections submitted by the French Government.

For these reasons, the Court decides that the Italian Government's Application cannot be entertained.

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The Court's judgment was adopted by eleven votes to one, namely that of Jonkheer van Eysinga, Judge, who declared that he was unable to concur in the judgment and appended a separate opinion thereto.

Mr. Cheng Tien-Hsi, Judge, while in agreement with the operative clause of the judgment, appended a separate opinion regarding some of the grounds on which the judgment was based.

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## CHAPTER VI.

DECISIONS TAKEN BY THE COURT  
IN APPLICATION OF THE STATUTE AND RULES  
(JUNE 15th, 1933—JUNE 15th, 1938).

*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 each succeeding Annual Report published since then has contained an addendum supplementing and bringing this Digest up to date. The last Annual Report (E 13) contained the tenth of these addenda.

In order to facilitate reference to the Digest, it has seemed desirable to assemble all the matter contained in addenda Nos. 7<sup>1</sup> to 10, together with the decisions taken since the publication of the last Annual Report.

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. This index covers the decisions recorded in this volume. An analytical index of decisions between 1922 and June 15th, 1932, will be found in E 8, pages 276-307; for the decisions taken between June 15th, 1932, and June 15th, 1933, see E 9, pages 178-183.

(2) An index of the articles of the Statute to which the decisions relate. This index covers all decisions since 1922; accordingly, it refers to E 3 (June 15th, 1922—June 15th, 1927), E 4, E 5, E 6, E 7, E 8, E 9 (June 15th, 1927—June 15th, 1933), and to the present volume (June 15th, 1933—June 15th, 1938).

<sup>1</sup> The Digest and the first six addenda 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.

126 DECISIONS TAKEN BY THE COURT (15 VI 33—15 VI 38)

(3) An index of the articles of the Rules to which the decisions relate. This index also covers all decisions since 1922 and refers to the same volumes as the preceding index. It is prepared on the basis of the Rules in force since March 11th, 1936 (the reference to the old Rules is given in brackets).

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*FIRST PART.*

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DIGEST OF DECISIONS TAKEN BY THE COURT  
IN APPLICATION OF THE STATUTE AND RULES  
(JUNE 15th, 1933—JUNE 15th, 1938)<sup>1</sup>.

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*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.

**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

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<sup>1</sup> R. : Rules.—St. : Statute.

of a new president. This the President of the Court undertook to do (see Section III).

#### 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 1.

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 13, NO. 1.

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.

1933-1938.—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.

**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. 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.

RULES, ARTICLE 26, NO. I.

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 I.

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.

#### 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.

#### 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, 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.)

#### 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.

#### 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.)

#### 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 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 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

(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.

I 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 of 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.

#### ARTICLE 43, PARAGRAPH 5.

RULES, ARTICLE 46, NO. I.

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.

I 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. 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.

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 expenses<sup>1</sup>. 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,

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<sup>1</sup> 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.

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 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 document 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, 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.

#### 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, whenever 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, 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.

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## 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.)

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## 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.)

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## SECTION A.—ANALYTICAL INDEX TO CHAPTER VI.

## ABBREVIATIONS :

Govt. Government.  
L. N. League of Nations.

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ADVISORY OPINIONS :			
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" (")	9	174-175	" (")	7	301
" —	14	133-134,	" (")	8	273
69 —	14	151-152	84, 1 (71, 1)	3	216
		136	" " (", " ")	6	301

## CHAPTER VII.

## PUBLICATIONS OF THE COURT.

The Court's publications are issued in the five following series: *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. (See the list in E 8, pp. 310-321; this list was brought up to date in Chapter VII of the following Annual Reports.)

The catalogue of the Court's publications gives a detailed list of these publications, together with summaries or extracts from the tables of contents. (For publications recently issued, see Catalogue No. 13—published in April, 1937 (English edition), and in February, 1937 (French edition)—as also the table given below. See further, for Series A./B. and C., the table reproduced in Chapter IV of this volume, pp. 82-98.)

*New Publications issued in Series A./B.  
since June 15th, 1937 :*

Fascicule

- No. 71.** LIGHTHOUSES IN CRETE AND SAMOS.—Judgment of October 8th, 1937.
- No. 72.** THE BORCHGRAVE CASE (PRELIMINARY OBJECTIONS).—Judgment of November 6th, 1937.
- No. 73.** THE BORCHGRAVE CASE (DISCONTINUANCE).—Order of April 30th, 1938.
- No. 74.** THE PHOSPHATES IN MOROCCO CASE (PRELIMINARY OBJECTIONS).—Judgment of June 14th, 1938.

*Publications recently issued in Series C. :*

- No. 81.** Judicial Year 1937.—Documents relating to the Judgment of June 28th, 1937 (DIVERSION OF WATER FROM THE MEUSE).

- No. 82.** Judicial Year 1937.—Documents relating to the Judgment of October 8th, 1937 (LIGHTHOUSES IN CRETE AND SAMOS).
- No. 83.** Judicial Year 1937.—THE BORCHGRAVE CASE.

*Series F.—To be issued in the course of 1938 :*

- No. 4.** *Index to the Statute and Rules of Court.*—I: Index to the minutes concerning the preparation and the revision of the Statute (1922-1936). II: Index to the minutes concerning the preparation and the revision of the Rules (1922-1936). III: Index to the Statute—amended in accordance with the Protocol of September 14th, 1929, and in force as from February 1st, 1936—and to the Rules of Court adopted on March 11th, 1936. English and French texts combined in one volume.

\* \* \*

The table given below (p. 187) indicates the number of volumes published in each year, since 1922, in the various series of publications, as also the total number of pages in each series.

\* \* \*

German  
edition.

(See *inter alia* E 5, pp. 291-292.)

The following volumes of the German edition of the publications of Series A./B. had appeared up to June 15th, 1938: I (1922-1923); II (1924); III (1925); IV (1926); V (1927); VI (1928); VII (1929-1930); VIII (1931); IX (1932); X (1933); XI (1934); XII (1935).

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	2	202	1	208	—	—	2	720	—	—	5	1130
(Jan. 1st- June 30th)	75	6,261	88	45,834	10	4,971	28	12,119	3	815	204	70,000
											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 I, p. 279.)

B.—THE FINANCIAL REGULATIONS.

(See E I, pp. 281-289; E 6, pp. 339-342; E II, pp. 167-170; E 12, pp. 219-228; E 13, pp. 173-174.)

*Payments to the Budget of the League effected by the States non-Members* (Arts. 22 and 23 of the Financial Regulations). (See E II, pp. 167-168; E 12, pp. 220-221.)

On the proposal of the Supervisory Commission, which was approved by the Fourth Committee, the Assembly adopted, on October 5th, 1937 (13th meeting of the Eighteenth Ordinary Session), a new text of Article 22 for its Financial Regulations; this text is as follows<sup>1</sup>:

“(1) States not Members of the League which have been admitted members of any autonomous organization of the League shall contribute towards the expenses of the autonomous organization concerned in the proportion in which they would contribute to such expenses if they were Members of the League.

The contributions of States not Members of the League, which shall be calculated on the total outlay of the autonomous organizations to which they have been admitted members, shall be applied exclusively to the expenses of such autonomous organizations.

(2) The amounts receivable in accordance with paragraph (1) shall be shown separately in the Budget; they shall be entered as revenue in the Budget for the financial year for which they have been fixed, and shall be applied to reduce the sums to be contributed by the Members of the League. They shall be collected by the autonomous organizations themselves, which shall, in so doing, be guided by the rules laid down in Article 21;

<sup>1</sup> *Official Journal of the League of Nations*, 1937, Special Supplement No. 173, pp. 110-111.

the competent officials shall supply the Secretary-General with the necessary information as to the results obtained.

(3) States not Members of the League which either (a) have been admitted members of any non-autonomous organization or (b) participate in the work of the League in the sense of being represented at conferences convened by, or at the expense of, the League or of having official representation upon committees set up by the League and maintained at its expense, shall contribute towards the cost of such organization or work, in the same proportion as if they were Members of the League.

(4) The amounts receivable in accordance with paragraph (3) shall be calculated on the total outlay which such non-autonomous organization or such work involves for the League in any given year, irrespective of the Budget heads to which the relevant expenditure has been charged.

The Secretary-General shall assess the contributions due from the non-member States in accordance with the provisions of this paragraph on the basis of the completed accounts; he shall take the steps prescribed in Article 21 which shall apply *mutatis mutandis* to the collection of contributions from the non-member States. The amounts received shall be inserted in the first Budget under preparation thereafter, in reduction of the total sum chargeable, for the year in question, to the Members of the League."

The report in which the Fourth Committee recommended the Assembly to adopt this text stated<sup>1</sup> that "the amendment in question does not affect the provisions of Article 22 concerning the autonomous organizations". The report added that "these rules, of course, only hold good for the League of Nations, and they are necessarily subject to arrangement or agreement with non-Member States".

As regards the Court, the report in which the Supervisory Commission had proposed the new text of Article 22<sup>2</sup> contained the following paragraph:

"50. The compulsory and proportional character of the contributions of States not Members of the League of Nations which have acceded to an autonomous organization is clearly brought out in paragraphs 1 and 2 of the above-mentioned Article<sup>3</sup>. It is necessary, however, to bear in mind the reservations made by the Registrar of the Permanent Court of International Justice to the Fourth Committee of the 1935 Assembly<sup>4</sup>. He pointed out that the situa-

<sup>1</sup> *Ibid.*, p. 151, § 33.

<sup>2</sup> Second report to the Assembly of 1937, *ibid.*, pp. 109-111.

<sup>3</sup> [Note by the Registrar.] That is, the paragraphs of the old text which the Supervisory Commission did not propose to amend.

<sup>4</sup> [Note by the Registrar.] The Registrar's statement, which is given in the Minutes of the Fourth Committee (8th meeting, Sept. 25th, 1935; see *Official Journal of the League of Nations*, 1935, Special Supplement No. 141, pp. 57-58), is worded as follows:

tion of a State not a Member of the League of Nations which acceded to the Statute of the Court seemed to him from a legal point of view to be quite different from that of a non-Member State entering the International Labour Organization. As the Financial Regulations could not change existing international agreements, the provision in question could, in his opinion, only apply to the Court by analogy, and only in so far as such an analogy existed.

From the purely financial standpoint, however, it would seem inadmissible that a non-Member State should enjoy the rights in regard to the Court which now result from being a party to the Protocol of Signature of the Court Statute without being obliged to contribute to the expenses of the Court. It should be pointed out, however, that two States not Members of the League of Nations, Brazil and Japan, have paid, in respect of the years 1936 and 1937 respectively, contributions towards the expenses of the Court<sup>1</sup>.

The Supervisory Commission therefore confidently hopes that the principles enunciated in Article 22 will eventually be accepted by all the States parties to the Statute, as they have been by the States Members of the International Labour Organization."

### 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.)

"M. Hammarshjöld, Registrar of the Permanent Court of International Justice, thought that the members of the Fourth Committee had probably been struck by the fact that the new text of Article 22, submitted to the Assembly for adoption, had been so drafted that it could apply to all the organizations of the League, including the autonomous organizations and the Court in particular, whereas the change was due, as the report itself stated, to a difficulty experienced solely by the International Labour Organization. More especially must it be remembered that the situation of a State non-Member of the League which acceded to the Statute of the Court was juridically quite different from that of a State non-Member of the League which became a Member of the International Labour Organization.

"This circumstance, however, had not been overlooked, as was stated in its report, during the Supervisory Commission's examination of the question in collaboration, *inter alios*, with the competent official of the Court. It was in order to take this circumstance into account that the new article had been so drafted as not to refer directly to the Court, but, at the same time, in terms sufficiently elastic to allow of its application to the Court by analogy, and to the extent that an analogy might exist between the various situations contemplated. Naturally, every effort would be made to extend the principles of the article, so far as possible, to the Court also, in order to ensure unity of practice and jurisprudence; but the fact remained that it had been recognized, when the text was being drawn up, that it would apply to the Court only by analogy and in so far as there was any analogy.

"Consequently, the proposed text would not add a fresh condition to those which must be fulfilled by a State non-Member of the League that wished to accede to the Statute of the Court. He had thought it desirable to give this explanation in order to allay certain apprehensions that might have arisen in certain circles outside the League."

<sup>1</sup> [Note by the Registrar.] See p. 193.

(2) THE REGISTRAR. (See E 1, p. 292; E 8, p. 325; E 13, pp. 176-178.)

*Salary of the Registrar.*—The Thirteenth Annual Report (pp. 178-179) referred to the approval given by the Supervisory Commission to the Court's proposal regarding the fixing of the Registrar's salary. This proposal was adopted by the Assembly on October 5th, 1937, at the same time as the Court's Budget for 1938.

(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.)

#### D.—SPECIAL MEASURES.

(1) BUDGET FOR 1937. (See E 12, pp. 230-231; E 13, pp. 180-186.) As was stated in the Thirteenth Annual Report (pp. 180-184), the competent officials of the three autonomous organizations of the League of Nations had, in January 1937, submitted to the Supervisory Commission their proposals for augmenting items of the budget for 1937 which might prove insufficient owing to the devaluation of the Swiss franc and the depreciation of the florin; in the case of the Permanent Court of International Justice, the Supervisory Commission had authorized the withdrawal of a total of 16,275 florins from the Special Fund.

The Fourth (Financial) Committee of the Eighteenth Assembly, and subsequently the Assembly itself, took note of the decision of the Supervisory Commission on this subject<sup>1</sup>.

The financial year 1937 ended without its being necessary for the Court to draw upon the Special Fund. Nevertheless, it appears from the closed accounts for the financial year 1937 that an amount of 368,276 Swiss francs was withdrawn for the Court. The first report of the Supervisory Commission to the Assembly of 1938 gives the following explanation on this subject :

“4. The Commission noted that the amounts drawn on the devaluation credits were, for the Secretariat, 14,452 Swiss francs; for the International Labour Organization, 94,131 Swiss francs; and for the Permanent Court of International Justice, 368,276 Swiss francs. It wishes to point out, with reference to the Permanent Court, that these appropriations were made, not in order to meet deficiencies in credits, but to make good the lesser devaluation of the Netherlands florin as compared with the Swiss franc. That was why it was obliged to have recourse to the devaluation credits, although the accounts for the year show a substantial surplus.”

<sup>1</sup> General report of the Fourth Committee, § 4 (*Official Journal* of the League of Nations, 1937, Special Supplement, No. 173, p. 147).

\* \* \*

On January 22nd, 1937, the Minister of Brazil at The Hague, in pursuance of instructions from his Government, transmitted a cheque for 82,203.27 Swiss francs to the Registrar in payment of Brazil's contribution to the Court for the financial year 1936.

On July 8th, 1937, the Japanese Legation at The Hague transmitted a cheque for 60,037.52 florins to the Registrar, representing the amount of Japan's contribution to the Court for the financial year 1937.

These amounts, which were encashed by the Registry, were shown in the balance-sheet (see p. 197, summary of assets and liabilities on Dec. 31st, 1937). During its session in April-May 1938, the Supervisory Commission adopted a decision on this subject to which it referred as follows in its first report to the 1938 Assembly:

"48. It [the Supervisory Commission] noted that, on the assets side of the balance-sheet at December 31st, 1937, there appears an amount of 94,340.94 florins, or 227,055.05 Swiss francs, for contributions received during 1937 from States which are not Members of the League of Nations but are Parties to the Statute of the Court.

In pursuance of the provisions of Article 22 of the Financial Regulations, the Commission decided that this amount, subject to the deduction of the shares due to the States in question, should be applied to reduce the amounts payable by States Members of the League of Nations in respect of the Court in 1939. It was thus possible to reduce the Court budget by 88,089.27 florins, or 213,176 Swiss francs."

(2) BUDGET FOR 1938. (See E 13, pp. 184 and 189.)

The Court's budget for 1938 was adopted by the Assembly on October 5th, 1937 (13th meeting of the Eighteenth Ordinary Session). It was not subjected to any amendment by the Fourth Committee.

\* \* \*

The Supervisory Commission had entered a sum of 1,300,000 Swiss francs in the general budget of the League of Nations for 1938, under the heading: "Fund at the disposal of the Supervisory Commission to meet expenditure resulting from currency depreciation"<sup>1</sup>. In proposing this credit to the Assembly of 1937, the Supervisory Commission expressed itself as follows in its report<sup>2</sup>:

<sup>1</sup> "Part X" of the 1938 Budget: see *Official Journal* of the League of Nations, October 1937, p. 708.

<sup>2</sup> First report to the 1937 Assembly, *Official Journal* of the League of Nations, 1937, Special Supplement No. 173, p. 89.

"64. Since, to a reasonable extent, account is taken of the effects of devaluation—in so far as these can be measured in existing circumstances—in the various parts of the budget, the Secretary-General had proposed to the Supervisory Commission that the coefficient of reduction to be applied to the expenditure budget expressed in terms of Swiss francs, in order to convert it into an income budget expressed in terms of gold francs should, for 1938, be increased from 20 % (the rate adopted for 1937) to 25 %. The balance of 4.26 %, corresponding to the difference between 25 % coefficient and the figure of 29.26 % which is the true rate of depreciation of the Swiss franc, would, as before, have been paid into a special account under the control of the Supervisory Commission ; this special account would have been used to meet any exceptional emergency, such as a considerable increase in prices.

65. To the solution outlined above, the Commission preferred another, to which the Secretary-General was able to agree. It consists in calculating the income budget in gold francs at the existing legal rate, thus leaving to States Members the whole of the profit resulting from the devaluation of the Swiss franc. To obviate the risk of difficulties in the course of the year 1938, however, a new 'Part X' will be opened in the budget, with a total credit of 1,300,000 Swiss francs, against which sums may be drawn by the decision of the Supervisory Commission to effect any necessary increase in the other parts of the budget<sup>1</sup>, should a considerable rise in prices—which cannot at present be foreseen—occur."

The Fourth Committee approved the creation of the new fund. Its report contained the following passage on this subject<sup>2</sup>:

"18. In reply to the observations made by various delegates, the Secretary-General agreed that the establishment of a fund to meet a possible rise in prices constituted an innovation. The League, however, was not in the same position as States which, being free to choose their own policy, could take precautions to guard against any rise that might result therefrom. The League had no means of consulting the Assembly during the year: it must therefore possess reserves to enable it to meet contingencies over which it had no control and which could not be foreseen, as they depended on a number of unknown factors. Moreover, the fund could only be drawn on by an express decision of the Supervisory Commission."

The Assembly adopted the Supervisory Commission's proposal on October 5th, 1937 (13th meeting of the Eighteenth Ordinary Session).

On June 15th, 1938, it had not yet been necessary for the Court to have recourse to this fund.

<sup>1</sup> The Court's Budget forms "Part III" of the General Budget of the League of Nations.

<sup>2</sup> General report by the Fourth Committee to the 1937 Assembly, *ibid.*, p. 149.

## (3) BUDGET ESTIMATES FOR 1939.

The Supervisory Commission has recommended the 1938 Assembly to adopt the Court's budget estimates for 1939 in the following terms (first report of the Supervisory Commission to the 1938 Assembly) :

"46. The Registrar informed the Commission that the expenditure budget for 1939 showed an increase over 1938 of 55,466.01 florins, or 158,349 Swiss francs, attributable to the following two factors :

(1) In pursuance of a proposal adopted last year by the Supervisory Commission, the lump-sum reduction made in Chapter III on account of the *ad hoc* judges was revised ; the total of the lump-sum reductions was thus reduced by 30,400 florins, this involving an increase of the same amount in the budget as submitted.

(2) Having previously obtained the Supervisory Commission's consent, the Court inserted in its draft budget for 1939, in view of circumstances which cannot recur, an extraordinary credit of 35,000 florins.

In other words, the budget of the Court for 1939 shows, so far as ordinary credits are concerned, a reduction of nearly 10,000 florins.

47. Subject to a change in the apportionment, as between the various chapters, of the lump-sum reduction of 67,800 florins proposed by the Registrar, the Commission gave its approval to the draft expenditure budget submitted to it by the Court."

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2.—ANNUAL ACCOUNTS<sup>1</sup>.

1937.

## 1.—BUDGET. (See E 13, p. 188.)

## 2.—ACCOUNTS.

	Original credits.	Original credits together with withdrawals from the Special Fund.	Expenditure.
SECTION 1.—ORDINARY EXPENDITURE.			
		Dutch florins.	
<i>Chapter I.</i> Members of the Court . . . . .	727,000.—	732,460.—	678,577.84
<i>Chapter II.</i> Registrar and officials of the Registry . . . . .	281,938.75	283,833.75	235,937.20
<i>Chapter III.</i> Judges <i>ad hoc</i> , assessors, etc.	57,800.—	59,960.—	11,327.96
<i>Chapter IV.</i> Premises . . . . .	60,000.—	60,000.—	60,000.—
<i>Chapter V.</i> Administration . . . . .	55,135.—	61,015.—	41,847.04
<i>Chapter VI.</i> Cost of administration of the Court's Funds . . . . .	200.—	200.—	—1,050.30*
<i>Chapter VII.</i> Contribution towards the fund to defray the expenses resulting from the application of the "Regulations regarding the granting of Retiring-Pensions to Members and to the Registrar of the P. C. I. J." . . . . .	140,078.—	140,078.—	140,078.—
SECTION 2.—CAPITAL ACCOUNT.			
<i>Chapter VIII.</i> Permanent installations, etc.	4,000.—	4,880.—	3,934.12
	1,326,151.75	1,342,426.75	1,170,651.86
Receipts to be deducted:			
Bank interest . . . . .	500.—	500.—	266.77
	1,325,651.75	1,341,926.75	1,170,384.09
Deductions to be made in Chapters I, II, III and V, in view of the creation of a special guarantee fund:			
	Florins.		
Chapter I . . . . .	12,001.92		
"    II . . . . .	20,163.23		
"    III . . . . .	57,609.21		
"    V . . . . .	6,241.—		
	96,015.36	96,015.36	11,137.17
	1,229,636.39	1,245,911.39	1,159,246.92
		Swiss francs	2,780,861.50

<sup>1</sup> For the details, see: (a) for the 1937 budget, *L. N., Official Journal*, XVIIth year, No. 10 (Oct. 1936), p. 1089; (b) for the 1937 accounts, *L. N. Document A. 3.* 1938. X, p. 79; (c) for the 1938 budget, *L. N., Official Journal*, XVIIIth year, No. 10 (Oct. 1937), p. 779; (d) for the draft budget for 1939, *L. N. Document A. 4* (b). 1938. X.

\* Net profit on exchange.



1938.

I.—BUDGET <sup>1</sup>.

SECTION I.—ORDINARY EXPENDITURE.	Dutch florins.
<i>Chapter I.</i> Members of the Court . . . . .	731,680.—
<i>Chapter II.</i> The Registrar and officials of the Registry. . . . .	281,965.—
<i>Chapter III.</i> Judges <i>ad hoc</i> , assessors, etc. . . . .	66,000.—
<i>Chapter IV.</i> Premises . . . . .	60,000.—
<i>Chapter V.</i> Administration . . . . .	56,435.—
<i>Chapter VI.</i> Cost of administration of the Court's funds . . . . .	200.—
<i>Chapter VII.</i> Contribution to the Pensions' Fund for Members of the Court . . . . .	109,769.33
Total of Section I . . . . .	<u>1,306,049.33</u>
Deduction to be made from Section I :	
Contribution to the expenses of the Court by non-Member States . . . . .	6,101.—
	<u>1,299,948.33</u>
SECTION 2.—CAPITAL ACCOUNT.	
<i>Chapter VIII.</i> Permanent installations, etc. . . . .	4,800.—
Total of Sections I and 2 . . . . .	<u>1,304,748.33</u>
Receipts to be deducted :	
Bank interest . . . . .	500.—
	<u>1,304,248.33</u>
Deductions to be made in Chapters I, II, III and V, in view of the creation of a special guarantee fund :	
	Florins.
Chapter I . . . . .	11,000.—
"    II . . . . .	20,200.—
"    III . . . . .	66,000.—
"    V . . . . .	1,000.—
	<u>98,200.—</u>
	98,200.—
	<u>1,206,048.33</u>

<sup>1</sup> As regards the presentation of the budget estimates for 1938 to the Assembly, see pp. 193-194.

1939.

I.—BUDGET ESTIMATES<sup>1</sup>.

SECTION I.—ORDINARY EXPENDITURE.	Dutch florins.
<i>Chapter I.</i> Members of the Court . . . . .	727,000.—
<i>Chapter II.</i> The Registrar and officials of the Registry . . . . .	279,304.34
<i>Chapter III.</i> Judges <i>ad hoc</i> , assessors, etc. . . . .	66,000.—
<i>Chapter IV.</i> Premises . . . . .	60,000.—
<i>Chapter V.</i> Administration . . . . .	50,135.—
<i>Chapter VI.</i> Cost of administration of the Court's funds . . . . .	200.—
<i>Chapter VII.</i> Contribution to the Pensions' Fund for Members of the Court . . . . .	140,626.—
Total of Section I . . . . .	1,323,265.34
Deduction to be made from Section I :	
Contribution to the expenses of the Court by non-Member States . . . . .	6,101.—
	<u>1,317,164.34</u>
SECTION 2.—CAPITAL ACCOUNT.	
<i>Chapter VIII.</i> Permanent installations, etc. . . . .	12,300.—
Total of Sections I and 2 . . . . .	1,329,464.34
Receipts to be deducted :	
Bank interest . . . . .	150.—
	<u>1,329,314.34</u>
Deductions to be made in Chapters I, II and III, in view of the creation of a guarantee fund :	
	Florins.
Chapter I . . . . .	14,000.—
"    II . . . . .	20,000.—
"    III . . . . .	33,800.—
	<u>67,800.—</u>
	<u>1,261,514.34</u>
To be deducted :	
Contributions of States non-Members of the League of Nations received in 1937 . . . . .	88,089.27
Total chargeable to Members of the League of Nations for 1939 . . . . .	<u>1,173,425.07</u>

<sup>1</sup> Presented to the 19th Session of the Assembly of the League of Nations (Sept. 1938).

## CHAPTER IX.

No. 14.

BIBLIOGRAPHICAL LIST OF OFFICIAL AND UNOFFICIAL  
PUBLICATIONS CONCERNING THE PERMANENT COURT  
OF INTERNATIONAL JUSTICE <sup>1</sup>.

The present list is a continuation of the bibliographical lists which have appeared in Chapter IX of the Annual Reports (Series E., Nos. 2-13 <sup>2</sup>). It supplements and refers to them, the system of grouping being the same.

The bibliographical references are uniform only as concerns titles prepared by the Registry; the others have been reproduced as they appear in national bibliographies or in the letters of casual correspondents; this explains the slight differences which will be observed in the system followed for these references or as regards the typographical composition of the present Bibliography.

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<sup>1</sup> This list, like those in the thirteen preceding Annual Reports of the Court, has been prepared by M. J. Douma, formerly Assistant Librarian of the Carnegie Library in the Peace Palace. As from January 1st, 1931, M. Douma has become a member of the Registry of the Court in the capacity of Head of the Documents Department.

<sup>2</sup> Explanation of abbreviations used for references :

E 2 : Second Annual Report.

E 3 : Third " " , etc.

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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.)

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- (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.)

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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.)

## 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.)

## 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.)

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#### 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.)

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**6123.** Fasc. n° 72. *Affaire Borchgrave (Exceptions préliminaires). Arrêt du 6 novembre 1937.* 1937. *Judgment of November 6th, 1937.* Fasc. No. 72. *The Borchgrave case (Preliminary objections).*

**6124.** Fasc. n° 73. *Affaire Borchgrave (Désistement). Ordonnance du 30 avril 1938.* 1938. *Order of April 30th, 1938.* Fasc. No. 73. *The Borchgrave case (Discontinuance).*

**6125.** Fasc. n° 74. *Phosphates du Maroc (Exceptions préliminaires). Arrêt du 14 juin 1938.* 1938. *Judgment of June 14th, 1938.* Fasc. No. 74. *Phosphates in Morocco (Preliminary objections).*

**6126.** Fasc. n° 75. *Affaire du chemin de fer Panevezys-Saldutiskis (Exceptions préliminaires). Ordonnance du 30 juin 1938.* 1938. *Order of June 30th, 1938.* *The Panevezys-Saldutiskis railway case (Preliminary objections).*

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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.)

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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.)

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A.—*Complete Works and Pamphlets.*

(See E 2, pp. 303-304; E 3, p. 284; E 4, pp. 366-367; E 5, pp. 332-333; E 6, pp. 396-397; 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.)

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(See E 2, pp. 304-311; E 3, pp. 285-289; E 4, pp. 367-370; E 5, pp. 333-336; E 6, pp. 397-400; E 7, pp. 396-398; E 8, pp. 229-231; E 9, pp. 239-241; E 10, pp. 219-221; E 11, pp. 204-205; E 12, pp. 277-279; E 13, pp. 223-224.)

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I. WORKS ON THE LEAGUE OF NATIONS.

(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.)

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- 6226.** HAMBRO (EDVARD), *Folkeforbund og verdenspolitikk*. (Internasjonal politikk, 1938, no. 3, pp. 62-76.)
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E 11, p. 207; E 12, p. 282.)

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(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.)

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## A.—General.

(See E 2, pp. 321-323; E 3, pp. 297-298; E 4, p. 378; E 5, pp. 343-344; E 6, p. 407; E 7, pp. 403-404; E 8, p. 391; E 9, p. 246; E 10, pp. 226-227; E 11, pp. 209-210; E 12, p. 286.)

- 6254.** CALOYANNI (MÉGALOS), *The Organisation of International Justice, justiciable and political disputes, and the prospects thereof*. (Transactions of the Grotius Society, Vol. 23. Problems of peace and war, Papers read before the Society in the year 1937, pp. 71-84.)
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- 6256.** FÖRSTER (ROBERT VON), *Schiedssprechung und Repressalie*. Inaugural-Dissertation, Göttingen. Würzburg, Konrad Triltsch, 1936. In-8°, VI+41 pages. [P. C. I. J., pp. 25-27.]
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(See E 2, pp. 323-324; E 3, pp. 298-299; E 4, pp. 378-379; E 5, pp. 344-345; E 6, pp. 408-409; E 7, p. 404; E 8, pp. 391-392; E 9, pp. 246-247; E 10, p. 227; E 11, p. 210; E 12, pp. 286-287, E 13, p. 228.)

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C.—*The Geneva Protocol.*

(See E 2, pp. 324-326; E 3, p. 299; E 4, p. 379; E 6, p. 409; E 10, p. 227; E 12, p. 287.)

D.—*The Locarno Agreements.*

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(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.)

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F.—*The Kellogg Pact.*

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## 5. RELATIONS BETWEEN STATES.—POLITICS.—DIPLOMACY.

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(See E 2, p. 347; E 3, p. 312; E 4, pp. 385-386; E 5, p. 356; E 6, pp. 419-421; E 7, p. 411; E 8, p. 403; E 9, p. 253; E 11, p. 216; E 12, p. 292; E 13, p. 232.)

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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.)

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#### 5. VARIOUS.

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 BEUVE-MÉRY (M.) **3**: 1397.  
 BEVERIDGE (A. J.) **2**: 1096.  
 BEVILAQUA (C.) **2**: 96, 111, 112.  
 BIANCHERI **10**: 4521, 4522.  
 BIBIÉ (M.) **6**: 2721. **8**: 3564.  
 BIDAU (E. L.) **4**: 2110.  
 BIKKAL (D.) **10**: 4783.  
 BILFINGER (C.) **8**: 3709, 3710. **14**: 6236.  
 BILSEL (C.) **12**: 5423. **13**: 5966.  
 BINET (H. T. P.) **7**: 3270.  
 BING (F.) **8**: 3725. **9**: 4189.  
 BINGHAM **2**: 327.  
 BINTER (R.) **5**: 2484.  
 BIOUX (J.) **11**: 5195.  
 BIRD (H. R.) **13**: 6002.  
 BIRKÁS (G.) **6**: 3128.  
 BIRKENHEAD (F. E. SMITH, Earl of) **3**: 1635.  
 BISE (E.) **2**: 59.  
 BISHOP (C. M.) **7**: 3454.  
 BITTER (F. W.) **8**: 3896.  
 BJORGBJERG **2**: 261.  
 BLACK **2**: 302.  
 BLAGOYEVITCH (D. O.) **8**: 3797.  
 BLAGOYEVITCH (V. O.) **8**: 3797.  
 BLAINE **4**: 1883.  
 BLAKESLEE (G. H.) **2**: 1083. **8**: 3933.  
 BLANCK Y MENOCAL (G. de) **7**: 3147.  
 BLANCO (C.) **7**: 3526, 3527. **9**: 4324.  
 BLANTON (Th. L.) **8**: 3902.  
 BLEASE **2**: 291, 319, 320, 322, 323, 325, 326, 329. **3**: 1353. **5**: 2607.  
 BLISS (T. H.) **2**: 73. **4**: 1860.  
 BLOCISZEWSKI (J.) **2**: 441. **3**: 1641. **7**: 3442.  
 BLÜHDORN (R.) **10**: 4760.  
 BLUM (H.) **11**: 4975.  
 BLYMYER (W. H.) **2**: 1097.  
 BOCOCK (W. H.) **12**: 5682.  
 BODKIN (M. M.) **3**: 1300.  
 BOECKEL (F. B.) **4**: 2174. **5**: 2548. **6**: 3012. **7**: 3469. **12**: 5533.  
 BÖHL **2**: 398, 399.  
 BÖHMERT (V.) **7**: 3347. **8**: 3766, 3850. **9**: 4157, 4183, 4286. **12**: 5429.  
 BÖLCSEY (R.) **7**: 3414. **8**: 3845.  
 BÖTTCHER **9**: 4098.  
 BOGAEVSKI (P.) **4**: 2111.  
 BOK (E. W.) **2**: 1049, 1161, 1196. **7**: 3389, 3486, 3488, 3498, 3501, 3514, 3520.  
 BOK (W. C.) **7**: 3498. **8**: 3711.  
 BOLLES (S.) **3**: 1767.  
 BOLLI **2**: 398, 399.  
 BOMLI (P. E. J.) **5**: 2374.  
 BONCOUR (P.) **10**: 4521, 4522.  
 BONDE (A.) **2**: 950.  
 BONFILS (H.) **2**: 962.  
 BONNECASE (J.) **5**: 2313.  
 BONVALOT (G.) **2**: 697.  
 BORAH (W. E.) **2**: 312, 314, 319, 322, 325, 327, 329, 1098, 1105, 1122, 1179, 1214. **3**: 1353, 1517, 1538, 1748, 1749, 1755. **4**: 1883, 1886. **5**: 2608. **6**: 3063, 3088. **7**: 3499. **8**: 3557. **11**: 4851, 4853, 4855, 4856, 4861, 4863, 4866. **12**: 5706. **13**: 6004, 6005.  
 BORCHARD (E. M.) **2**: 147, 689, 783, 813, 814, 1143, 1162, 1163. **3**: 1539. **6**: 3106, 3130. **8**: 3712. **9**: 4262, 4352. **10**: 4464, 4827, 4828. **12**: 5335-5336, 5618.  
 BORCHARD (M.) **13**: 5842.  
 BORDEN (Robert) **5**: 2279.  
 BOREL (A.) **12**: 5484.  
 BOREL (E.) **2**: 1099. **4**: 1911, 1914, 1915. **5**: 2521. **6**: 2796, 2797. **12**: 5350, 5362, 5380. **14**: 6107, 6117 a.  
 BORNISCHER (H.) **3**: 1507.  
 BOSCH (J. F. M.) **5**: 2505.  
 BOSCO (G.) **9**: 4321.  
 BOSE (S.) **11**: 5121.  
 BOSTOCK (H.) **6**: 2704.  
 BOUGENOT (A.) **6**: 3007.  
 BOULTER (V. M.) **4**: 2187. **6**: 3021. **7**: 3476. **9**: 4341. **10**: 4788. **11**: 5120. **14**: 6268.

- BOURASSA **6**: 2705.  
 BOURGEOIS (L.) **2**: 98, 102, 113, 885, 1055. **3**: 1572.  
 BOURNE JR. (J.) **2**: 275, 322, 1231, 1232 **5**: 1551.  
 BOURQUIN (M.) **2**: 148. **7**: 3481. **8**: 3860.  
 BOUSCHARAIN (P.) **9**: 4336.  
 BOUTANT (C. A.) **12**: 5727.  
 BOVET (E.) **6**: 2961. **9**: 4147.  
 BOWER (G.) **4**: 2194.  
 BOWERMAN (G. F.) **3**: 1532.  
 BOWMAN (E. H.) **6**: 3076.  
 BOYDEN (R. W.) **6**: 2772.  
 BOYE (Th.) **9**: 4305.  
 BOZON (R.) **11**: 4979.  
 BRADLEY (Ph.) **12**: 5673.  
 BRAILSFORD (H. N.) **6**: 3114.  
 BRAMSNAES **2**: 261 a.  
 BRANDES **2**: 261 a.  
 BRATTON (S. G.) **4**: 2064. **8**: 3930.  
 BREGMAN (A.) **9**: 4275.  
 BRENDT (W.) **7**: 3450.  
 BRENT (Bishop) **3**: 1692, 1736.  
 BRENT (C. H.) **3**: 1725.  
 BREUKELMANN (J. B.) **2**: 221.  
 BREWER (J. W.) **8**: 3889.  
 BRIAND (A.) **2**: 347. **4**: 1983. **7**: 3304, 3305.  
 BRIANT **4**: 1889.  
 BRIDGMAN (R. L.) **4**: 1849.  
 BRIE (S.) **13**: 6029.  
 BRIÈRE (Y. de la) **4**: 2175, 2246. **10**: 4464.  
 BRIERLY (J. L.) **2**: 982. **3**: 1648. **4**: 1984, 2139, 2223, 2246. **7**: 3459. **8**: 3713, 3714. **10**: 4464. **12**: 5635. **14**: 6110.  
 BRIGGS (H. W.) **4**: 1977. **14**: 6237.  
 BRIGHT (C. J.) **5**: 2502.  
 BRILLARD (A.) **3**: 1621.  
 BRODE (H.) **4**: 2148. **5**: 2509.  
 BRØGGER (A. W.) **10**: 4628, 4629. **12**: 5443.  
 BROOKHART (S. W.) **2**: 321.  
 BROUSSARD **8**: 3970. **9**: 4380.  
 BROWN **10**: 4810.  
 BROWN (A. L.) **3**: 1504. **4**: 2196. **5**: 2379.  
 BROWN (Ph. M.) **2**: 983, 997, 998, 999, 1033, 1233. **3**: 1768. **4**: 2181. **5**: 2578. **8**: 3715.  
 BRUCOLERI (A.) **7**: 3383. **12**: 5586.  
 BRUCE **2**: 314, 315, 321. **4**: 1886.  
 BRUCE (H.) **4**: 1848.  
 BRUCE (S. M.) **3**: 1330, 1331, 1822.  
 BRÜCK (O.) **10**: 4748. **12**: 5644.  
 BRÜGGER **2**: 398, 399.  
 BRÜEL (E.) **13**: 5764, 5881.  
 BRUM (B.) **4**: 1893.  
 BRUNET (R.) **2**: 904.  
 BRUNS (C.) **9**: 4303.  
 BRUNS (C. G.) **9**: 4395.  
 BRUNS (G.) **4**: 2025. **6**: 2841, 2842, 2969, 2970, 2979.  
 BRUNS (V.) **7**: 3308. **8**: 3594, 3714. **10**: 4675, 4749. **11**: 4889, 4960, 5079. **12**: 5326, 5349.  
 BRYAN (W. J.) **2**: 10, 11.  
 BRYCE (J.) **2**: 66, 1031.  
 BRYN—JONES (D.) **14**: 6076.  
 BUCKMASTER **5**: 2296.  
 BUDAY DE CSIKMO (K.) **7**: 3379.  
 BUELL (R. L.) **2**: 637, 1034. **3**: 1405. **6**: 3015. **8**: 3940. **11**: 5141. **12**: 5666.  
 BÜLOW (B. W. von) **2**: 886.  
 BUIGAS (M.) **6**: 2940.  
 BULKLEY **11**: 4855.  
 BULLARD (A.) **2**: 1164.  
 BULLOCK **6**: 2724.  
 BUNN (C.) **6**: 2912.  
 BURCKHARDT (C. J.) **11**: 4898.  
 BURCKHARDT (W.) **6**: 2867, 2868.  
 BURDICK (Ch. K.) **8**: 3556.  
 BURKE (Th.) **2**: 1101.  
 BURLINGHAM (Ch. C.) **13**: 5769.  
 BURNHAM **6**: 2956.  
 BURTON **2**: 299, 305.  
 BURTON (H. R.) **7**: 3395, 3464.  
 BURTON (Th. E.) **4**: 1852.  
 BURY (P.) **13**: 6031.  
 BUSSMANN (O.) **3**: 1649.  
 BUSTAMANTE Y SIRVEN (A. S. de) **2**: 444, 445, 764, 765, 773, 774, 775, 776, 892. **5**: 2609. **6**: 2823. **7**: 3225-3229, 3419. **8**: 3634. **9**: 4313. **10**: 4440, 4504. **11**: 5080-5081, 5093. **12**: 5636. **13**: 5967. **14**: 6085, 6252.  
 BUTLER (G.) **2**: 905. **4**: 2164. **5**: 2474.  
 BUTLER (N. M.) **2**: 731, 1089, 1102. **3**: 1354, 1822. **4**: 1860, 2201. **8**: 3975. **9**: 4417. **10**: 4700. **14**: 6265.  
 BUTTER **7**: 3192.  
 BUXTON **5**: 2296.  
 BUZA (L.) **12**: 5614.  
**C** **14**: 6047.  
 C. (S. D.) **3**: 1762.  
 CABALLERO DE BEDOYA (R. V.) **9**: 4042, 4043. **10**: 4778.  
 CACHIN (M.) **6**: 2721.  
 CACLAMANOS **2**: 594, 595.  
 CAHAN (C. H.) **6**: 2705.  
 CAHILL **3**: 1334.  
 CALHOUN (H.) **11**: 5123.  
 CALL (A. D.) **3**: 1679.

- CALOYANNI (M. A.) **2**: 1284. **3**: 1825, 1826, 1827. **4**: 2224, 2228. **5**: 2649-2652, 2655. **6**: 2676, 2826, 3125. **7**: 3148. **8**: 3806. **9**: 4236. **12**: 5711, 5712. **14**: 6090, 6254.  
 CANNON (L.) **2**: 256. **3**: 1336.  
 CANONNE (G.) **6**: 2852.  
 CANSACCHI (G. P.) **6**: 3126.  
 CANTÉ (F.) **14**: 6085, 6238.  
 CAPDEQUI (J. M. O.) **5**: 2321.  
 CAPITANT (H.) **4**: 2233, 2246.  
 CAPPER **2**: 1214. **7**: 3480, 3487. **8**: 3928, 3964. **9**: 4379. **11**: 4847.  
 CARAWAY **9**: 4381.  
 CARENA (A.) **6**: 2944.  
 CAREY (Ch. H.) **2**: 1103.  
 CARNEGIE (D.) **4**: 2215.  
 CARNIER (H.) **8**: 3545.  
 CARNOVALE (L.) **3**: 1726.  
 CARR (E. H.) **13**: 5996.  
 CARROLL (M. J.) **8**: 3539.  
 CARSON (Lord) **7**: 3195.  
 CARTER (B. B.) **5**: 2510.  
 CARTER (W. HORSFALL) **13**: 5983.  
 CARTON DE WIART **2**: 240, 245.  
 CASGRAIN **6**: 2704.  
 CASSIDY (L. C.) **8**: 3716.  
 CASSIN (R.) **4**: 2246. **5**: 2285, 2544. **6**: 2677, 2678, 2679.  
 CASTBERG (F.) **2**: 447. **3**: 1581, 1592, 1651. **8**: 3602, 3603. **9**: 4094. **10**: 4466, 4467. **11**: 5082. **14**: 6240.  
 CASTLE JR. (W. R.) **2**: 1197.  
 CASULLI (A.) **9**: 4276.  
 CATCHINGS (B.) **3**: 1737.  
 CATELLANI (E.) **6**: 2945, 3134. **10**: 4740.  
 CATT (C. Ch.) **2**: 1220. **3**: 1727. **6**: 3035.  
 CAVAGLIERI (A.) **4**: 2246. **11**: 5083.  
 CAVARÉ (L.) **8**: 3680. **9**: 4149. **10**: 4630. **12**: 5444, 5610. **14**: 6241.  
 CAVE **2**: 145. **3**: 1364.  
 CAVENDISH-BENTINCK (H.) **5**: 2296.  
 CECIL OF CHELWOOD (R.) **2**: 566, 567, 622, 905. **3**: 1364. **4**: 1860, 1889, 2092, 2156. **5**: 2279, 2296, 2474, 2522. **6**: 2740, 2741, 2956, 3106. **8**: 3662, 3663, 3664, 3665. **10**: 4724.  
 CEGLA (W. W.) **12**: 5367.  
 CEMIL BEY (D.) **10**: 4575, 4580, 4707, 4731, 4732.  
 CERETTI (C.) **6**: 2991.  
 CHALANDAR (A. de) **6**: 2956.  
 CHAMBERLAIN (A.) **2**: 356 *b*, 607, 608, 619, 620, 623, 1275. **3**: 1363. **4**: 1889, 2232, 2243. **5**: 2296, 2425-2428, 2523. **6**: 2733, 2738, 2738 *bis*, 2900, 2901. **7**: 3181, 3191. **12**: 5233.  
 CHANG (CHÜN-CH'Ū) **10**: 4722.  
 CHANG (YI-TING) **10**: 4750.  
 CHARLES (Garfield) **2**: 9.  
 CHARLESTON (S. J.) **14**: 6244.  
 CHARLTON (M.) **5**: 2291.  
 CHARRÈRE **2**: 616.  
 CHARTERIS (A. H.) **2**: 1104. **3**: 1301, 1518.  
 CHATEAU (J.) **2**: 627.  
 CHATERJÉE (A.) **6**: 2956.  
 CHEN (C. C.) **12**: 5603.  
 CHEN (H. T.) **12**: 5683.  
 CHENG (YU-LIOU) **10**: 4712.  
 CHENG TIEN-HSI **13**: 5806, 5808, 5809.  
 CHEYNEY (A. S.) **9**: 4297.  
 CHIANG (KĒN-YUAN) **10**: 4713.  
 CHILD (R. W.) **3**: 1769. **6**: 2913.  
 CHKLAVER (G.) **4**: 1874. **10**: 4764.  
 CHOU (Wei) **9**: 4266.  
 CHOW (K.-S.) **9**: 4237. **10**: 4424, 4451, 4708, 4733. **12**: 5537.  
 CHOW (S. R.) **3**: 1508. **4**: 2061, 2176. **10**: 4424, 4451, 4708, 4733.  
 CHOW TUNG-LIH **13**: 5939.  
 CIMMERMANN (M. A.) **3**: 1552; see also ZIMMERMANN.  
 CLAD (C.) **5**: 2524.  
 CLARK (E.) **9**: 4417.  
 CLARK (J. R.) **2**: 977.  
 CLARKE (J. H.) **2**: 1086, 1158, 1208, 1220, 1223. **3**: 1734, 1738. **8**: 3807. **11**: 5122.  
 CLUNET (É.) **6**: 2833, 2858. **7**: 3247.  
 CLYNES **2**: 356 *a*.  
 CLYNES (J. R.) **11**: 5183.  
 COAN (PH.) **13**: 6002.  
 COATES (J. G.) **6**: 2754.  
 COBBETT (P.) **2**: 944. **7**: 3315.  
 COCKS **7**: 3181.  
 COCKSHUTT **3**: 1336.  
 COHALAN (D. F.) **3**: 1704.  
 COHN (G.) **2**: 906. **3**: 1302. **10**: 4631. **14**: 6048-6049.  
 COLBY (E.) **3**: 1734. **6**: 3036. **8**: 3958.  
 COLBY (F. M.) **2**: 1059, 1060.  
 COLEGROVE (K.) **3**: 1771.  
 COLLETTE (Jean) **8**: 3666.  
 CONDLIFFE (J. B.) **4**: 2168.  
 CONNALLY **8**: 3987. **11**: 4854, 4855, 4863, 4864.  
 CONSTANTINOFF (J.) **5**: 2506.  
 CONTZESCO **10**: 4513.  
 CONWELL-EVANS (T. P.) **6**: 2946.  
 COOK (J.) **3**: 1329.  
 COOKE (W. H.) **8**: 3897.  
 COOLIDGE **2**: 1073, 1074, 1189. **3**: 1696, 1732, 1740. **5**: 2561, 2593.  
 COOPER (R. M.) **11**: 5124.  
 COPELAND (R. S.) **4**: 1881, 1886. **6**: 2934. **8**: 3915, 3929.  
 CORBETT (P. E.) **5**: 2547. **8**: 3933.  
 CORRADO (U.) **9**: 4244.  
 CORWIN (E. S.) **2**: 151.  
 CORY (H. M.) **9**: 4325.

- COSENTINI (F.) **2**: 97. **12**: 5617. **14**: 6242.  
 COSTIGAN **9**: 4354. **11**: 4865.  
 COT (P.) **6**: 3098. **9**: 4059.  
 COUDENHOVEN-KALERGI (R. N.) **11**:  
   5142.  
 COUDERT (F. R.) **4**: 2130. **6**: 3131. **8**:  
   3556. **9**: 4353. **10**: 4790.  
 COUGHLIN **11**: 5143.  
 COUGHLIN (C. E.) **13**: 6007.  
 COULON (L.) **2**: 639.  
 COURTIN (R.) **2**: 928.  
 COVA (N. de la) **3**: 1398.  
 COYAJEE (J. C.) **11**: 5056.  
 CRABITÉS (P.) **7**: 3388, 3399.  
 CRANBORNE **12**: 5231, 5234.  
 CRAWFORD (W. H.) **3**: 1708.  
 CRECRAFT (E. W.) **12**: 5618.  
 CROCKER (C.) **2**: 1108.  
 CROFT (H.) **6**: 2735.  
 CROOKSHANK **6**: 2735.  
 CROSBY (O. T.) **2**: 4. **4**: 1854. **8**: 3809.  
   **9**: 4418.  
 CROSS **12**: 5700.  
 CROSS (S. T.) **10**: 4426, 4444.  
 CROWDY (R.) **6**: 2956.  
 CRUCHAGA (M.) **2**: 951.  
 CRUDU (V.) **10**: 4734.  
 CRUSEN (G.) **4**: 1974. **8**: 3767. **12**:  
   5467.  
 CRUSTIANSKY (L.) **4**: 1978.  
 CSIKY (J.) **11**: 4918. **12**: 5356.  
 CUMMINGS (H.) **11**: 5127.  
 CURTIS (W. J.) **2**: 787.  
 CUSHENDUN **4**: 1889. **5**: 2296, 2429.  
 CYBICHOWSKI (Z.) **4**: 2112.  
  
**D.** (D. E.) **3**: 1308.  
**D.** (E. D.) **3**: 1533.  
 DÄNIKER (A.) **3**: 1519.  
 DAHL (F.) **8**: 3590.  
 DAHLSTRÖM (J. I.) **12**: 5674.  
 DALIÉTOS (A.) **2**: 688.  
 DALTON (H.) **3**: 1435. **4**: 2169. **6**: 2722,  
   2724-2726, 2730, 2731, 2738 *bis*, 2739.  
   **7**: 3183, 3184, 3193. **8**: 3579, 3580.  
 DANDURAND (R.) **4**: 1880. **6**: 2703.  
 DANGERFIELD (R. J.) **7**: 3482.  
 DARBY (W. E.) **2**: 1 (note).  
 DARRAS (A.) **6**: 2846, 2932, 3001.  
 DASCOVICI (N.) **10**: 4734.  
 DAUVERGNE (C.) **2**: 446.  
 DAVIES (A.) **11**: 5144.  
 DAVIES (D.) **7**: 3470.  
 DAVIES (Lord) **10**: 4430. **11**: 4876. **12**:  
   5229.  
 DAVIES (Rhys) **9**: 4030.  
 DAVIES (W. W.) **5**: 2550.  
  
 DAVIS **11**: 4863, 4865.  
 DAVIS (J.) **2**: 1178.  
 DAVIS (J. W.) **2**: 788, 1109. **5**: 2279.  
   **7**: 3389. **8**: 3717, 3718, 3719, 3941.  
   **9**: 4354.  
 DAVIS (K. W.) **11**: 5198.  
 DAVISON (W.) **6**: 2727.  
 DAVY (G.) **2**: 984.  
 DAWSON (W. H.) **6**: 3017. **9**: 4184.  
 DAY (E. C.) **4**: 2113.  
 DAY (G. M.) **4**: 1885.  
 DEÁK (F.) **4**: 1920, 2234. **5**: 2341. **7**:  
   3435.  
 DEAN (V. M.) **6**: 2920. **7**: 3149.  
 DÉCENCIÈRE-FERRANDIÈRE (A.) **6**:  
   2992. **10**: 4701.  
 DEHOUSSE (F.) **12**: 5408. **13**: 5915.  
 DELAHAYE (D.) **2**: 540.  
 DELANO (F. A.) **5**: 2525.  
 DELHORBE (F.) **2**: 167.  
 DEMBINSKI **2**: 389.  
 DEMERS **3**: 1336.  
 DEMEUR (P.) **8**: 3682.  
 DEMEY (J.) **5**: 2381.  
 DEMIASHKEVICH (M.) **11**: 5113.  
 DENCKER (K.) **10**: 4468.  
 DENEEN (Ch. S.) **6**: 2921. **7**: 3390.  
 DENNIS (W. C.) **9**: 4355.  
 DEREVITZKY (P.) **9**: 4122.  
 DERYNG (A.) **7**: 3254. **14**: 6145.  
 DESCAMPS (E. E. F.) **4**: 1865, 2246.  
   **5**: 2545. **6**: 3008. **8**: 3858.  
 DESRIOUX (J.) **13**: 5824.  
 DETH (A. van) **4**: 1967.  
 DEVAUX (J.) **11**: 5084.  
 DEVEDJI (A. E.) **6**: 2850.  
 DEVOGEL (L.) **8**: 3614. **9**: 4045. **10**:  
   4729. **14**: 6149.  
 DE VOGUÉ **2**: 533.  
 DEWEY (J.) **4**: 2179.  
 DIAMANDESCO (J.) **12**: 5637.  
 DICKERSON (O. N.) **5**: 2562.  
 DICKINSON (E. D.) **2**: 1090. **3**: 1534.  
   **8**: 3556.  
 DICKINSON (W.) **8**: 3903.  
 DIENA (G.) **2**: 168, 169, 985. **4**: 2246.  
   **7**: 3436. **10**: 4735. **12**: 5380.  
 DILL **2**: 319. **6**: 3077. **7**: 3480, 3503.  
   **8**: 3763.  
 DILL (C. C.) **8**: 3930, 3976. **9**: 4369.  
 DJOUROVITCH (D.) **4**: 2166.  
 DJUVARA (M.) **2**: 1043.  
 DOBIE (A. M.) **8**: 3556.  
 DOHERTY (C. J.) **2**: 256. **3**: 1334-1338.  
 DOLENC (M.) **14**: 6171.  
 DOLESCHALL (A.) **10**: 4817.  
 DONAHEY (V.) **11**: 5145.  
 DONATI (D.) **8**: 3610. **14**: 6222.  
 DONKER CURTIUS (F.) **11**: 5094.

- DONNEDIEU DE VABRES (H.) **2**: 1282.  
**3**: 1828. **4**: 1988, 1989, 2227, 2246.  
**14**: 6283-6284.  
 DONNELL (F. C.) **7**: 3391. **11**: 5125.  
 DOR (L.) **4**: 1990.  
 DOTREMONT (S.) **6**: 2999.  
 DOUGLAS (J. J.) **2**: 309.  
 DOUMA (J.) **5**: 2271-2276. **6**: 2667-2668.  
**7**: 3137-3138. **8**: 3542-3543. **9**: 4008-  
 4009. **10**: 4422-4423. **11**: 4839-4840.  
**12**: 5203-5204. **13**: 5733-5734. **14**:  
 6035-6036, 6065.  
 DOVE **7**: 3392.  
 DRAEGER **8**: 3677.  
 DRECHSEL (M.) **3**: 1616.  
 DRESSELHUYS (H. C.) **2**: 100.  
 DREYFUS **8**: 3634. **10**: 4504.  
 DREZGA (T.) **7**: 3380.  
 DRIELSMAN (A. J. HANKES) **12**: 5296.  
 DROST (H.) **12**: 5368.  
 DRUCKER (G.) **10**: 4695.  
 DRUMMOND (E.) **6**: 2956, 3066. **7**: 3416,  
 3423. **9**: 4267. **10**: 4722.  
 DUCHOSAL (E.) **8**: 3840. **9**: 4268.  
 DUCMANS (K.) **8**: 3847.  
 DUFF-COOPER (A.) **2**: 623.  
 DUFFUS (R. L.) **5**: 2581-2583, 2611.  
 DUGDALE (E.) **4**: 2235.  
 DUGGANN (E.) **2**: 875.  
 DUGUIT (L.) **4**: 2246.  
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 OSZVALD (G.) **12**: 5725.  
 OTAVSKÝ: see HERMANN-OTAVSKÝ.  
 OTTLIK (G.) **4**: 2091. **5**: 2473. **6**: 2943  
**7**: 3411. **8**: 3844. **13**: 5954. **14**: 6221.  
 OTTOLENGHI (G.) **14**: 6250.  
 OUDINOT (M.) **4**: 2258.  
 OVERMAN **2**: 318, 319, 326.  
  
 « PACIFICUS » **2**: 880.  
 PAGE (K.) **2**: 1047, 1087. **3**: 1680.  
 PAGE (W. H.) **12**: 5699.  
 PAINE (P. M.) **6**: 3087.  
 PALENCIA **10**: 4540, 4541.  
 PALLIERI (G. BALLADORE) **5**: 2335. **6**:  
 2998. **8**: 3601. **14**: 6235.  
 PALLIS (A.) **9**: 4144.  
 PALMER (G. E. H.) **11**: 5184.  
 PAN (Y. K.) **12**: 5694.  
 PANNUZZO (S.) **2**: 873.  
 PARK (M. W.) **3**: 1560.  
 PARKER (E. B.) **2**: 1187.  
 PARMOOR **2**: 570, 571, 574, 575, 622  
**3**: 1364. **4**: 1889. **5**: 2296, 2648. **6**:  
 2741, 2742. **7**: 3195.  
 PASCHING (W.) **12**: 5375.  
 PASQUAZI (I.) **12**: 5627.  
 PAUL-BONCOUR (J.) **8**: 3824.  
 PAULSEN (P. I.) **14**: 6080.  
 PEASLEE (A. J.) **3**: 1514. **8**: 3825.  
 PELLA (V. V.) **2**: 1285, 1286, 1287. **3**:  
 1831. **5**: 2654-2656. **8**: 3996.  
 PELTZER **2**: 241, 246.  
 PENFIELD (W. S.) **4**: 2201.  
 PENG (S.) **12**: 5606.  
 PEPPER (G. W.) **2**: 274, 284, 306, 313,  
 322, 325, 329, 832, 1105, 1137, 1143,  
 1214. **3**: 1525. **6**: 2933, 3056, 3088.  
**7**: 3495.  
 PERASSI (T.) **2**: 1259. **3**: 1618. **5**: 2493.  
**8**: 3611. **13**: 5736.  
 PERCY (E.) **4**: 1860. **5**: 2279. **11**: 5119.  
 PEREZ-GUERRERO (M.) **12**: 5597.  
 PERGIER (Ch.) **4**: 2181.  
 PÉRIGORD (P.) **3**: 1617.  
 PERKINS (D.) **6**: 3019.  
 PERRY **6**: 2738 bis.  
 PERRY Jr. (J. de Wolf) **2**: 1260.  
 PEŠKA (Z.) **10**: 4457.  
  
 PESSÔA (E.) **2**: 423, 424, 855. **3**: 1843.  
**6**: 2823. **8**: 3634.  
 PETERS (H.) **13**: 5982.  
 PETERSEN (N.) **3**: 1657.  
 PETROFF (Th.) **12**: 5726.  
 PEURSEM (J. H. van) **7**: 3421, 3428.  
 PHELAN (E. J.) **9**: 4393. **11**: 5152.  
 PHELPS (E. M.) **2**: 835.  
 PHILIPSE (A. H.) **5**: 2434, 2480. **6**:  
 2771. **9**: 4171, 4317. **10**: 4799.  
 PHILLIMORE **2**: 73. **4**: 1860.  
 PHILLIMORE (Cap.) **2**: 562, 563, 564, 565.  
 PHILLIMORE (Lord) **2**: 185. **4**: 1889,  
 2220. **5**: 2296.  
 PHILLIMORE (R.) **2**: 803, 1280.  
 PHILLIMORE (W. G. F.) **2**: 125, 126.  
 PIC (P.) **3**: 1614. **4**: 2246.  
 PICARD (M.) **2**: 648. **4**: 2243, 2246.  
 PICOT (A.) **12**: 5480. **13**: 5917.  
 PICTET (P.) **7**: 3341. **8**: 3701. **9**: 4172.  
**10**: 4611. **13**: 5980.  
 PIGGOTT (F.) **4**: 2221.  
 PILLET (A.) **6**: 2781, 3003, 3133.  
 PILOTTI **3**: 1690.  
 PINEGGER (P.) **11**: 5023.  
 PINHEIRO (N.) **2**: 833.  
 PINKHAM (H. W.) **3**: 1817.  
 PINON (R.) **8**: 3745.  
 PIQUENARD **10**: 4540, 4541.  
 PITTMANN **11**: 4864.  
 PITTMAN (KEY) **8**: 3983, 3984. **10**: 4811.  
 PLÀ (José) **3**: 1598.  
 PLATTEN **2**: 396, 397.  
 PLESCH (A.) **12**: 5427. **14**: 6127.  
 PLESSNER (W.) **10**: 4428.  
 POHL (H.) **2**: 938. **7**: 3531. **10**: 4820.  
 POINCARÉ (R.) **2**: 537 a.  
 POITOU-DUPLESSY **2**: 537 a.  
 POLÁK (M.) **7**: 3352.  
 POLGÁR (I.) **4**: 2052. **6**: 2803. **10**: 4458,  
 4686, 4705. **11**: 5007, 5009, 5051, 5196.  
**12**: 5249.  
 POLITIS (N.) **2**: 770, 867, 1013. **3**: 1404,  
 1561, 1638, 1639, 1832. **4**: 1911, 1912,  
 1914, 1915, 1950, 2162, 2244, 2246.  
**5**: 2499, 2503, 2534, 2535, 2591. **6**:  
 2674, 2675, 2684, 2686, 2687, 2782,  
 2831, 2984, 3026, 3027, 3057. **7**: 3262,  
 3292, 3294, 3304, 3305. **8**: 3796, 3797,  
 3826. **9**: 4117, 4118. **12**: 5264, 5350,  
 5609. **13**: 5845.  
 POLLAK (W.) **3**: 1385.  
 POLLOCK (E.) **2**: 186.  
 POLLOCK (F.) **2**: 101, 874, 881. **3**: 1562.  
 POLNOR (O.) **4**: 2082.  
 PONS (L.) **14**: 6113.  
 PONSONBY **2**: 356 a. **4**: 1889. **6**: 2732.  
 POPE **11**: 4855, 4866.  
 POPOVIČ (D.) **12**: 5568, 5649.  
 POPOVICI (J. J.) **10**: 4734.

- POPOVITCH (G.) **5**: 2449. **7**: 3409, 3429.  
**14**: 6159.  
 PORTAIL (R.) **5**: 2382, 2383.  
 POSADA (A.) **2**: 914.  
 POSEGA (K.) **7**: 3271.  
 POTTER (P. B.) **2**: 1032. **4**: 2171, 2172.  
**8**: 3817. **11**: 5063, 5116.  
 POULLET (P.) **10**: 4778. **12**: 5380.  
 POWER **3**: 1336. **6**: 2729.  
 POWNALL **2**: 356 a.  
 PRAAG (L. G. van) **3**: 1666.  
 PRATT (H. M.) **11**: 5097.  
 PREUSS (L.) **8**: 3622.  
 PRICE (B.) **5**: 2580. **8**: 3950.  
 PRICE (C.) **3**: 1799. **9**: 4252, 4366.  
 PRICE (H.) **2**: 357.  
 PROCOPÉ (E.) **2**: 334, 550, 551.  
 PRUDHOMME (André) **4**: 2231, 2246.  
**6**: 2857, 2858.  
 PRŽIĆ (I. A.) **8**: 3685, 3690. **10**: 4824,  
**12**: 5216, 5338, 5364, 5422, 5432,  
 5433-5434, 5437, 5440, 5447, 5450,  
 5453, 5610, 5628. **14**: 6161, 6170, 6174.  
 PUCCIO (G.) **5**: 2624.  
 PUECH (J. L.) **12**: 5650.  
 PUENTE (J. I.) **4**: 2145.  
 PUGH (R. C.) **8**: 3746.
- QUABBE (G.) 5**: 2462.  
 QÜERO I MOLARES (J.) **12**: 5549.  
 QUIDDE (L.) **3**: 1818. **12**: 5265.  
 QUIGLEY (H. S.) **3**: 1676.  
 QUIÑONES DE LEÓN **2**: 582, 583, 584,  
 585, 586, 587, 592, 593, 597, 598, 601,  
 602.
- RAAFAT (W.) 7**: 3473.  
 RAALTE (E. van) **2**: 1211. **3**: 1487.  
**4**: 2078. **6**: 2683, 2776, 2805. **7**: 3239,  
 3240. **8**: 3747, 3748, 3836. **9**: 4255-  
**14**: 6067.  
 RABEL **6**: 2826 bis. **10**: 4472. **12**: 5300,  
 5587.  
 RABOURS (de) **2**: 396, 397.  
 RADA (E.) **3**: 1440.  
 RADLER **12**: 5463.  
 RADOŬKOVITCH (M. M.) **6**: 2962.  
 RADOVANOVITCH (V. M.) **9**: 4139.  
 RADULESCO (P.) **2**: 973.  
 RÆSTAD (A.) **4**: 2162. **6**: 2684, 2751,  
 3057. **9**: 4054, 4211. **10**: 4473, 4474,  
 4643. **11**: 4927. **12**: 5378.  
 RALLI (G.) **10**: 4459.  
 RALSTON (J. H.) **2**: 804. **3**: 1395, 1619,  
 1620, 1658. **5**: 2527 a. **8**: 3879. **13**:  
 5822.  
 RAMSTRÖM (E.) **13**: 5962.  
 RANJITSINHJI **2**: 887.  
 RANKIN (E. R.) **5**: 2435.
- RAPPARD (W. E.) **2**: 1035, 1044. **5**: 2488  
**6**: 3020. **8**: 3848.  
 RASMUSSEN (G.) **3**: 1686.  
 RASMUSSEN (H.) **2**: 262.  
 RASMUSSEN (L.) **2**: 260.  
 RAUBAL (S.) **4**: 1969.  
 RAUCHHAUPT (F. W. von) **13**: 5978.  
 RAULIN (G. de) **5**: 2384.  
 RAUSCHNING **10**: 4520, 4521.  
 RAVARD (R.) **5**: 2396.  
 RAY (J.) **6**: 2963. **8**: 3849. **9**: 4174.  
**10**: 4725, 4832. **11**: 4970, 5163. **12**:  
 5475, 5588.  
 RAY (M.) **2**: 730.  
 RAYNALDY **2**: 537 a.  
 READ (E. F.) **2**: 776, 957. **4**: 2131. **12**:  
 5611.  
 READ (H. E.) **2**: 856.  
 REBBE (W.) **9**: 4136.  
 REDLICH (J.) **13**: 5768-5770.  
 REDLICH (M. D.) **4**: 2147. **5**: 2500.  
 REDLICH (M. D. A. R. von) **14**: 6252.  
 REDSLOB (R.) **2**: 649. **3**: 1412. **4**: 2095,  
 2246. **10**: 4644, 4645, 4757. **13**: 5980.  
 REED **2**: 292, 319, 323-329. **3**: 1350,  
 1755. **4**: 1883, 1886. **8**: 3980, 3990.  
 REED (J. A.) **3**: 1345. **6**: 2934, 2935.  
 REEVES (J. S.) **2**: 844.  
 REID (H. D.) **9**: 4309.  
 REID (J. D.) **3**: 1338.  
 REIFF (H.) **3**: 1683.  
 REINER (J.) **2**: 1294.  
 REINHARDT (W.) **2**: 1142.  
 REISLER (S.) **6**: 2806.  
 REISS (J.) **12**: 5428.  
 RELIQUET (J.) **8**: 3997.  
 REMER **6**: 2734.  
 REMLINGER (E.) **14**: 6150.  
 RÉMOND (P.) **3**: 1607.  
 RENAULT (M.) **7**: 3468.  
 RESIT Bey (A.) **10**: 4741, 4742.  
 REUTERSKJÖLD (C. A. de) **3**: 1372.  
**5**: 2337, 2501. **6**: 2835. **12**: 5266, 5612.  
 REVEL (G.) **8**: 3612. **10**: 4564.  
 REY (F.) **4**: 1923. **5**: 2343. **12**: 5380.  
 REYNALD **2**: 347.  
 REYNIER (Col. de) **7**: 3304, 3305.  
 REYNOLDS **11**: 4860, 4863, 4867, 5168.  
 RHEINSTROM (H.) **14**: 6157.  
 RHOADS Jr. (G. E.) **12**: 5599.  
 RHODE (H.) **7**: 3431.  
 RICE Jr. (W. G.) **2**: 836.  
 RICHARDS (H. E.) **2**: 443.  
 RICHES (C. A.) **10**: 4577.  
 RIEDINGER **3**: 1668.  
 RILEY (F. K.) **8**: 3800.  
 RIPERT (G.) **4**: 2247. **5**: 2385. **10**: 4475.  
 RIPS (S. J.) **4**: 2071.  
 RITCHIE (H.) **8**: 3900.  
 RITZMANN (F.) **3**: 1615.

- RIVERA (P.) **3**: 1622.  
 RIVERO GARCIA (Carlos) **3**: 1608.  
 ROBB (J. D.) **2**: 773.  
 ROBERTS (O. J.) **6**: 3040.  
 ROBINSON (H. M.) **3**: 1617.  
 ROBINSON (J.) **9**: 4055. **10**: 4623. **13**: 5907.  
 ROBINSON (J. T.) **2**: 308, 319, 325, 327, 328. **3**: 1353. **4**: 1882, 1888, 2192. **8**: 3962. **9**: 4368. **11**: 4844, 4849, 4851, 4853, 4854-4856, 4860, 4861, 4863, 4864-4866, 5164.  
 ROBINSON (N. T. N.) **11**: 5165.  
 ROBINZONAS (J.): see ROBINSON (J.).  
 ROCCO DI TORREPADULA (F.) **14**: 6114.  
 ROCHAT **12**: 5479.  
 ROCHEBROCHARD (G. de La): see LA ROCHEBROCHARD (G. de).  
 ROCHER (M. L.) **10**: 4779.  
 ROCHOLL (E.) **2**: 671.  
 RODD (R.) **6**: 2739. **7**: 3193.  
 RODDES (J.) **6**: 2848.  
 RODEN (A. A.) **8**: 3613.  
 RODHE (A. E.) **12**: 5550.  
 RODRIGUEZ Y VON SOBOTKER (H.) **3**: 1470. **6**: 2838. **7**: 3140.  
 RÖMER'IS (M.) **12**: 5441. **13**: 5894.  
 RÖPKE (W.) **12**: 5267.  
 ROGER (N.) **9**: 4175.  
 ROGERS (J. G.) **8**: 3952. **12**: 5551.  
 ROGERS (L.) **2**: 1263. **8**: 3749. **11**: 5166.  
 ROGERS (W.) **11**: 4858.  
 ROHAN (Karl Anton Prinz von —) **8**: 3750.  
 ROLIN (A.) **4**: 2246.  
 ROLIN (H. A.) **4**: 2163. **5**: 2541. **6**: 2796. **7**: 3451. **11**: 5339. **13**: 6028.  
 ROLIN-JAEQUEMYS (E.) **9**: 4090. **10**: 4504. **11**: 4941. **12**: 5292. **13**: 5764-5767, 5780, 5781, 5800-5803. **14**: 6047, 6072, 6217.  
 ROLLAND (H.) **7**: 3458. **9**: 4329.  
 ROMANO (S.) **10**: 4752.  
 ROMMKE (P.) **9**: 4153.  
 ROOSEVELT (F. D.) **11**: 4845, 5160. **12**: 5696. **13**: 6009.  
 ROOSEVELT (Mrs.) **11**: 5168.  
 ROOT (E.) **2**: 118, 120, 189, 190, 191, 822, 969, 1038, 1105, 1149, 1152, 1158. **3**: 1314, 1354, 1526, 1543, 1563. **4**: 2065, 2202. **5**: 2279, 2611, 2615, 2616, 2627-2635, 2646. **6**: 3038, 3041, 3045, 3047, 3056, 3061, 3066, 3067, 3069, 3095. **7**: 3514. **8**: 3557, 3921, 3954. **9**: 4365. **10**: 4793.  
 ROSENBERG (J. N.) **2**: 1212, 1213, 1264. **3**: 1745.  
 ROSENRETER **6**: 2863.  
 ROSTWOROWSKI **6**: 2824, 2825, 3134. **9**: 4090. **10**: 4504. **13**: 5823, 5860.  
 ROTH (A.) **12**: 5718.  
 ROTH (Heinz) **7**: 3531.  
 ROTHHOLZ (W.) **13**: 5876, 5877.  
 ROUCEK (J. S.) **6**: 2786.  
 ROUGIER (A.) **2**: 192, 193.  
 ROUSCHDY BEY **2**: 607, 608, 626.  
 ROUSSEAU (Ch.) **3**: 1609. **5**: 2481. **7**: 3264. **8**: 3874. **12**: 5457, 5660.  
 ROUX (J. A.) **4**: 2225.  
 ROWAN-ROBINSON (H.) **12**: 5600.  
 ROWELL **3**: 1336.  
 ROWELL (C. H.) **3**: 1544.  
 ROWELL (N. W.) **2**: 194, 256. **10**: 4698.  
 ROXBURGH (R. F.) **2**: 934.  
 ROYEN (J. H. van) **5**: 2322.  
 ROYEN (R. D. van) **11**: 5071.  
 ROZEMOND (S.) **7**: 3422.  
 RUDINSKY (J.) **9**: 4413.  
 RUEGGER (P.) **2**: 805, 806. **5**: 2290, 2514. **14**: 6068.  
 RÜHLAND (C.) **2**: 703. **3**: 1597. **9**: 4286. **11**: 4941. **13**: 5859.  
 RÜHLMAN (P.) **6**: 2847.  
 RUFFIN (H.) **2**: 807.  
 RUIZ MORENO (I.) **11**: 5089.  
 RUKSER (U.) **2**: 581.  
 RUNCIMAN (W.) **2**: 622. **6**: 2738 *bis*.  
 RUNDSTEIN (S.) **6**: 3132. **10**: 4460. **11**: 5106.  
 RUSHDI Bey: see ROUSCHDY Bey.  
 RUSSELL **6**: 2742. **11**: 4851, 4854, 4855, 4863, 4865, 4866, 4867.  
 RUSSELL (F. M.) **12**: 5671.  
 RÜSTÜ ARAS **12**: 5486, 5487, 5498, 5499.  
 RUTENBERG (G.) **9**: 4197. **11**: 4976. **14**: 6163-6164.  
 RUTGERS (V. H.) **12**: 5268.  
 RUYSSSEN (Th.) **2**: 1265.  
 RUZÉ (R.) **2**: 650. **4**: 2002.  
 RYNNE (M.) **6**: 3127.  
 S. (S.) **14**: 6069-6070.  
 SA (MENG-WU) **9**: 4271.  
 SABA (J. S.) **8**: 3671.  
 SABANIN (A.) **4**: 2003.  
 SACHET **2**: 329.  
 SAGONE (G.) **5**: 2658.  
 SAINT-BRICE **2**: 716.  
 SAINT-HUGON (P. de) **2**: 990.  
 SAINT-SEINE (A. de) **7**: 3452.  
 SAITO (T.) **13**: 5833.  
 SAKAMOTO (M.) **3**: 1401.  
 SALABAN (K.) **3**: 1666.  
 SALANDER (G. A.) **8**: 3751.  
 SALANDRA (A.) **2**: 542, 543, 544, 545. **4**: 2246. **6**: 2784. **12**: 5586.  
 SALDAÑA (Q.) **2**: 1281. **3**: 1833, 1834. **4**: 2246. **8**: 3996.  
 SALIS (L. R. von) **6**: 2867.

- SALISBURY **5**: 2296. **6**: 2740, 2741, 2742.  
**7**: 3195.  
 SALMONSEN **3**: 1686.  
 SALVIOLI (G.) **2**: 737, 837, 838. **4**: 1963,  
 2004, 2246. **5**: 2336, 2436. **8**: 3614.  
**10**: 4464. **11**: 5075. **14**: 6192.  
 SANDIFORD (R.) **2**: 868. **4**: 2005, 2017.  
 SANGER (S.) **2**: 210.  
 SANSARICQ (A. C.) **2**: 357.  
 SARTORIUS (C.) **2**: 938. **8**: 3669.  
 SASTRY (K. R. R.) **12**: 5589. **14**: 6212.  
 SATOW (E.) **8**: 3900.  
 SAUSER-HALL (G.) **14**: 6160.  
 SAVAGE (M. J.) **6**: 2754.  
 SAVEEDRA LAMAS (C.) **5**: 2528.  
 SAWADA (KEN) **2**: 893. **4**: 2083, 2084,  
 2173.  
 SCAVENIUS (H.) **2**: 260, 261, 261 a, 264.  
 SCELLE (G.) **2**: 102, 195. **6**: 2955, 2965.  
**8**: 3919. **9**: 4310. **10**: 4624, 4726.  
**11**: 5076. **12**: 5269. **13**: 5846. **14**: 6262.  
 SCERNI (M.) **9**: 4056. **14**: 6095.  
 SCHAEFFER (C.) **4**: 2148. **5**: 2509.  
 SCHÄTZEL (W.) **5**: 2339, 2529.  
 SCHALL **10**: 4808. **11**: 4854, 4866.  
 SCHANZER (C.) **2**: 915. **9**: 4318.  
 SCHELLBERG (W.) **7**: 3430.  
 SCHELTEMA (E.) **9**: 4212.  
 SCHENK Graf von STAUFFENBERG (B.):  
 see STAUFFENBERG (B. Schenk Graf  
 von —).  
 SCHIFFER **2**: 839. **3**: 1527, 1584.  
 SCHINDLER (D.) **3**: 1409, 1640. **6**: 3004.  
**9**: 4137. **10**: 4775. **14**: 6260.  
 SCHLEUTER (W.) **3**: 1840.  
 SCHLOCHAUER (H. J.) **10**: 4476.  
 SCHMID **2**: 396, 397.  
 SCHMID (J. J. von) **3**: 1443.  
 SCHMID (K.) **6**: 2969. **8**: 3669. **14**: 6261.  
 SCHMIDT (A.) **9**: 4138.  
 SCHMIDT (Fr.) **7**: 3272.  
 SCHMIDT (Fr. A.) **9**: 4319.  
 SCHMIDT (R.) **8**: 3697.  
 SCHMIDT (W.) **5**: 2403.  
 SCHMITZ (E.) **7**: 3308. **11**: 4960, 5053.  
 SCHNABEL (F. G.) **8**: 3915.  
 SCHNEIDER (Chr.) **3**: 1578.  
 SCHOENBORN (W.) **13**: 5859.  
 SCHÖPFER **2**: 398, 399.  
 SCHOETENSACK (A.) **8**: 3669.  
 SCHOLZ (W.) **14**: 6158.  
 SCHOOMAKER (N. M.) **3**: 1733.  
 SCHOTTHÖFER **6**: 2936.  
 SCHOU (P.) **3**: 1579, 1600. **11**: 5064.  
 SCHREIBER (O.) **6**: 2855.  
 SCHRIEKE (B. J. O.) **11**: 5197.  
 SCHROEDER (K. L.) **4**: 1975.  
 SCHÜCKING (W.) **2**: 62, 902, 974, 1014.  
**4**: 2246, 2248. **6**: 2821, 2822, 2826 bis,  
 2855. **7**: 3241. **8**: 3616, 3634, 3850.  
**9**: 4090, 4286. **10**: 4469, 4504. **11**:  
 4900, 4928, 4941. **12**: 5250-5294, 5318-  
 5321, 5545, 5558. **13**: 5761-5763, 5790-  
 5793, 5859. **14**: 6046.  
 SCHÜRCH **10**: 4542, 4543.  
 SCHULÉ (D.) **11**: 5193.  
 SCHUMACHER **6**: 2694.  
 SCHUMAN (F. L.) **10**: 4780. **13**: 5997.  
 SCHUURMAN (W. H. A. Elink) **2**: 1293.  
**3**: 1846. **10**: 4834.  
 SCHUYLER **9**: 4384.  
 SCHWARZ (W.) **9**: 4280.  
 SCHWARZENBERGER (G.) **11**: 5052.  
 SCHWEINITZ (H. U. von) **9**: 4402.  
 SCIALOJA (V.) **3**: 1438, 1439. **4**: 1919.  
**9**: 4287. **12**: 5586.  
 SCOTT (J. B.) **2**: 2, 3, II, 12, 13, 15,  
 21, 31, 40, 47, 50, 61, 104, 108, 119,  
 127, 196-200, 414, 808, 844, 935, 1003,  
 1004, 1038, 1144. **3**: 1315, 1569, 1685,  
 1756. **4**: 1862, 1863, 2132, 2133, 2149.  
**5**: 2530. **9**: 4309. **10**: 4771. **11**: 4943.  
**12**: 5270. **13**: 5763. **14**: 6239.  
 SCROGGS (W. O.) **12**: 5698.  
 SEARS (L. M.) **4**: 2203. **12**: 5697, 5707.  
 SEASONGOOD (M.) **8**: 3556.  
 SEAVEY (W. A.) **8**: 3556. **13**: 5968.  
 SEBILLEAU (P.) **13**: 6031.  
 SECRETAN (J.) **5**: 2344. **12**: 5382.  
 SÉFÉRIADÈS (S. P.) **6**: 2851, 3131. **12**:  
 5376, 5719. **13**: 5859. **14**: 6286.  
 SEGAL (S.) **9**: 4408.  
 SEIPEL (I.) **6**: 2956.  
 SELDEN (Ch. A.) **3**: 1528, 1529.  
 SELIGMAN (E. R. A.) **10**: 4702.  
 SEMPER (M.) **14**: 6231.  
 SERBESCO (S.) **4**: 2018. **5**: 2396 a.  
 SERENI (A. P.) **10**: 4573.  
 SEVENSMA (T. P.) **8**: 3539.  
 SEYMOUR (Charles) **5**: 2280.  
 SFORZA (C.) **10**: 4459.  
 SHAFROTH (J. F.) **4**: 1854.  
 SHAW (A.) **12**: 5699.  
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 SHOTWELL (J. T.) **2**: 1208. **5**: 2546.  
**7**: 3497. **11**: 5073, 5152, 5172. **12**:  
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- THOMAS (H. C.) **2**: 917. **4**: 2097.  
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 TINKHAM (G. H.) **4**: 1884. **9**: 4372.  
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 TREVELYAN **4**: 1889.  
 TRIAS DE BES (J. M.) **3**: 1637. **6**: 3134.  
**10**: 4735.  
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(The numbers refer to titles of publications and not to pages.)

ABBREVIATIONS :

Doc.	Documents.
I. L. O.	International Labour Organization.
L. N.	League of Nations.
Legisl. Offic.	Legislative. Official.
Parliam. Publ.	Parliamentary. Publications.

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*Workers' delegate*, see *Nomination of— for the Netherlands at the Third Session of the International Labour Conference*.

*Works of various kinds containing chapters on the Court* **2**: 870-1063. **3**: 1572-1687. **4**: 2079-2188. **5**: 2466-2554. **6**: 2940-3025. **7**: 3409-3477. **8**: 3837-3921. **9**: 4265-4341. **10**: 4706-4788. **11**: 5056-5120. **12**: 5563-5681. **13**: 5953-6002. **14**: 6220-6272.

*Works on the Court in general* **2**: 763-780. **3**: 1502-1506. **4**: 2045-2078. **5**: 2432-2436. **6**: 2907-2909. **7**: 3377-3381. **8**: 3790-3795. **9**: 4233-4235. **10**: 4675-4679. **11**: 5041. **12**: 5533-5535. **13**: 5939-5941. **14**: 6206.

*World Court*, see *Permanent Court*.

*World War*, *Draft plans published during the—* **2**: 35-71. **4**: 1853-1859. **6**: 2669.

*Year books* **2**: 1055-1063. **3**: 1686-1687. **4**: 2184-2188. **5**: 2551-2554. **6**: 3021-3025. **7**: 3475-3477. **8**: 3919-3921. **9**: 4339, 4341. **10**: 4787-4788. **11**: 5120. **12**: 5678, 5681. **13**: 6001-6002. **14**: 6271-6272.

*Zones of Upper Savoy and the District of Gex*, see *Free zones*.

## CHAPTER X.

SEVENTH 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*<sup>1</sup>, 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, second, third, fourth, fifth and sixth addenda to this edition, which were contained in the Eighth Annual Report (pp. 437-488), in the Ninth Annual Report (pp. 287-375), in the Tenth Annual Report (pp. 257-368), in the Eleventh Annual Report (pp. 253-348), in the Twelfth Annual Report (pp. 333-424) and in the Thirteenth Annual Report (pp. 271-377), give all the information on the subject which had reached the Registry up to June 15th, 1937.

Below is given, in the form of a "seventh addendum", additional information obtained between June 15th, 1937, and June 15th, 1938.

The present Chapter is therefore intended to bring up to date the fourth edition of the *Collection*, supplemented by the tenth chapter of the Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Annual Reports. Like the latter, it is divided into two sections: the first comprises modifications and additions affecting texts given in the fourth edition of the *Collection*

<sup>1</sup> Publications of the Court, Series D., No. 6.

or in its addenda and arising amongst other things from new signatures, ratifications, etc.; the serial numbers refer either to the *Collection*, or to the addenda. The second section contains new international instruments which have come to the knowledge of the Registry since the Thirteenth Annual Report was published. They are arranged according to the system followed in the *Collection*. As concerns the language in which the acts are reproduced, it seemed best to follow the system applied in the fourth edition of the *Collection* (see Preface to that publication, p. II).

The *Collection*, with its addenda, does not 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 ratification. This information is of two different kinds: official publications either by the League of Nations or its organizations, or by the various governments; direct communications from the same sources<sup>1</sup>.

*As was done in the previous years, the present Chapter has been reprinted separately in pamphlet form, so that the addendum may be easily added to the Collection. Copies of these reprints can be supplied to persons who possess the fourth edition of the Collection.*

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<sup>1</sup> See pp. 52-62 and 76-77.

## SECTION I.

*MODIFICATIONS AND ADDITIONS AFFECTING THE TEXTS  
GIVEN IN THE FOURTH EDITION OF THE COLLECTION OF  
TEXTS AND IN THE FIRST, SECOND, THIRD, FOURTH,  
FIFTH AND SIXTH ADDENDA TO THIS EDITION*<sup>1</sup>.

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. (D 6 means: *Collection of Texts governing the jurisdiction of the Court*, 4th ed., 1932; E 8, E 9, E 10, E 11, E 12, E 13 and E 14 mean: *Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth and Fourteenth Annual Reports*):

	Volume.	Page.		Volume.	Page.
Union of South Africa	D 6	46	Costa Rica	D 6	35
Albania	"	52	Czechoslovakia	"	47
" <sup>2</sup>	E 12	335	Denmark	"	34
Argentina	"	335	" <sup>2</sup>	"	39
Australia	D 6	49	" <sup>2</sup>	E 12	337
Austria	"	38	Dominican Republic	D 6	38
" <sup>2</sup>	"	41	Estonia	"	38
" <sup>2</sup>	E 13	278	" <sup>2</sup>	"	42
Belgium	D 6	39	" <sup>2</sup>	E 14	275
Bolivia	E 13	276	Ethiopia	D 6	40
Brazil	D 6	37	" <sup>2</sup>	E 8	440
" <sup>2</sup>	E 13	277	" <sup>2</sup>	E 11	256
Bulgaria	D 6	36	Finland	D 6	35
Canada	"	50	" <sup>2</sup>	"	41
China	"	38	" <sup>2</sup>	E 13	278
Colombia	"	54	France	D 6	45
" <sup>3</sup>	E 13	276	" <sup>2</sup>	E 12	336
" <sup>4</sup>	E 14	275	Germany	D 6	42

<sup>1</sup> 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.

<sup>2</sup> Renewal.

<sup>3</sup> Rectification.

<sup>4</sup> New declaration.

## OPTIONAL CLAUSE

	Volume.	Page.		Volume.	Page.
Germany <sup>1</sup>	E 9	290	Norway	D 6	36
Great Britain	D 6	45	„ <sup>1</sup>	„	41
Greece	„	44	„ <sup>1</sup>	E 12	336
„ <sup>1</sup>	E 11	255	Panama	D 6	37
Guatemala	D 6	41	Paraguay	E 9	290
Haiti	„	37	Peru	D 6	49
Hungary	„	42	Poland	„	54
„ <sup>1</sup>	E 10	269	Portugal	„	33
India	D 6	48	Roumania	„	53
Iran	„	53	„ <sup>1</sup>	E 12	337
Ireland	„	44	„ <sup>2</sup>	E 13	277
Italy	„	43	Salvador	D 6	34
Latvia	„	43	„ <sup>1</sup>	„	51
„ <sup>1</sup>	E 11	256	Siam	„	49
Liberia	D 6	36	Spain	„	43
Lithuania	„	37	Sweden	„	36
„ <sup>1</sup>	„	51	„ <sup>1</sup>	„	40
„ <sup>1</sup>	E 11	257	„ <sup>1</sup>	E 12	336
Luxemburg	D 6	52	Switzerland	D 6	34
Monaco	E 13	273	„ <sup>1</sup>	„	39
Netherlands	D 6	35	„ <sup>1</sup>	E 13	277
„ <sup>1</sup>	„	40	Turkey	E 12	335
„ <sup>1</sup>	E 13	276	Uruguay	D 6	35
New Zealand	D 6	47	Yugoslavia	„	51
Nicaragua	„	51			

<sup>1</sup> Renewal.<sup>2</sup> Rectification.

**Declarations of acceptance of the Optional Clause since June 15th, 1937 :****Colombia.**

*(Date of deposit of ratification : October 30th, 1937.)*

The Republic of Colombia accepts as compulsory *ipso facto* and without special convention, on condition of reciprocity, in relation to any other State accepting the same obligation, the jurisdiction of the Court in conformity with Article 36 of the Statute.

This declaration only applies to disputes arising out of facts subsequent to January 6th, 1932.

Geneva, October 30th, 1937.

*(Signed)* J. M. YEPES,  
Legal Adviser to the Permanent  
Colombian Delegation to the  
League of Nations.

**Estonia (renewal).**

*On May 6th, 1938, the assistant Minister for Foreign Affairs of the Republic of Estonia addressed a letter containing the following to the Secretary-General of the League of Nations :*

"I have the honour to inform you that the declaration contained in the instruments deposited with the Secretariat on May 2nd, 1923, regarding the acceptance by the Republic of Estonia of the Optional Clause recognizing as compulsory the jurisdiction of the Permanent Court of International Justice, in conformity with Article 36 of the Statute of the Court, which was renewed for a further period of ten years by a formal declaration of the Estonian Government registered with the Secretariat on June 28th, 1928, has been renewed by a decision of the President of the Republic of April 30th, 1938, for a further period of ten years as from May 2nd, 1938.

I would ask you to be good enough to regard this note as constituting the formal declaration required by the Statute of the Court and to have it registered by the Secretariat of the League of Nations."

List of States having signed the Optional Clause<sup>1</sup>.

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any <sup>2</sup> ).
Union of South Africa	19 IX 29	Ratification. Reciprocity. 10 years, and thereafter until notice of termination is given. For all disputes arising after ratification with regard to situations or facts subsequent to ratification, except: —disputes in regard to which the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement; —disputes between Members of the League of Nations who are also Members of the British Commonwealth of Nations; —disputes with regard to questions which by international law fall exclusively within the jurisdiction of South Africa. The right is reserved in respect of any disputes considered by the Council to suspend judicial proceedings under certain conditions.	7 IV 30
Albania	17 IX 30	Ratification. Reciprocity. 5 years (as from the date of the deposit of the instrument of ratification). For all disputes arising after ratification with regard to situations or facts subsequent to ratification. 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.	17 IX 30

<sup>1</sup> 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.

<sup>2</sup> Ratification is not in fact required under the terms of the Optional Clause.

OPTIONAL CLAUSE

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States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Albania (cont.)	<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	20 IX 29	( <i>See, mutatis mutandis, the conditions stipulated by the Union of South Africa.</i> )	18 VIII 30
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	I XI 21 <sup>1</sup>	Reciprocity. 5 years.	

<sup>1</sup> 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 (if any).
Brazil (cont.)		On condition that compulsory jurisdiction is accepted by at least two of the Powers permanently represented on the Council of the League of Nations.	
	Renewed on 26 I 37	Reciprocity. 10 years. 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.	26 I 37
Bulgaria	(1921) <sup>1</sup>	Reciprocity.	12 VIII 21
Canada	20 IX 29	(See, mutatis mutandis, the conditions stipulated by the Union of South Africa.)	28 VII 30
China	13 V 22	Reciprocity. 5 years.	
Colombia <sup>2</sup>	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) <sup>3</sup>	Reciprocity.	
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.	

<sup>1</sup> Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

<sup>2</sup> 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).

<sup>3</sup> Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

Costa Rica, on December 24th, 1924, informed the Secretary-General of her decision to withdraw from the League of Nations, this decision to take effect as from January 1st, 1927. Before that date, Costa Rica had not ratified the Protocol of Signature of the Statute; moreover, Costa Rica is not mentioned in the Annex to the Covenant of the League of Nations. This would seem to point to the conclusion that Costa Rica's obligations resulting from her signature of the Protocol of December 16th, 1920, and of the Optional Clause have lapsed.

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Czechoslovakia ( <i>cont.</i> )		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) <sup>1</sup>	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
Estonia	2 V 23 <sup>2</sup>	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 <sup>3</sup>	For a period of 10 years as from May 2nd, 1928.	
	<i>Renewed on</i> 6 V 38 <sup>3</sup>	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.	

<sup>1</sup> Declaration reproduced in the document of the League of Nations No. 21/31/6, A, dated January 28th, 1921.

<sup>2</sup> Estonia's declaration is contained in the deed of ratification of the Protocol of Signature of the Statute (deposited on May 2nd, 1923).

<sup>3</sup> 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.

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Finland	(1921) <sup>1</sup>	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 <sup>2</sup>	Ratification. Reciprocity. 5 years. For all disputes arising after ratification with regard to situations or facts subsequent to ratification ; And which cannot be settled by a procedure of conciliation or by the Council according to the terms of Article 15, paragraph 6, of the Covenant. Except cases in which the Parties have agreed or shall agree to have recourse to some other method of arbitral settlement.	25 IV 31
	<i>Renewed on</i> 11 III 36 <sup>3</sup>	5 years, from April 25th, 1936.	
Germany	23 IX 27	Ratification. Reciprocity. 5 years. For any future dispute arising after ratification regarding situations or facts subsequent to ratification. Except in cases where the Parties may have agreed or may agree to have recourse to another method of pacific settlement.	29 II 28
	<i>Renewed on</i> 9 II 33	Ratification. Prolongation for 5 years as from March 1st, 1933.	
Great Britain	19 IX 29	( <i>See, mutatis mutandis, the conditions stipulated by the Union of South Africa.</i> )	5 II 30

<sup>1</sup> Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

<sup>2</sup> 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.

<sup>3</sup> 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.

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
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.	19 VII 35
	<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.	
Guatemala	17 XII 26	Ratification. Reciprocity.	
Haiti	7 IX 21	(Without conditions.)	
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
India	19 IX 29	(See, mutatis mutandis, the conditions stipulated by the Union of South Africa.)	5 II 30
Iran	2 X 30	Ratification. Reciprocity. 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.	19 IX 32

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Iran (cont.)		<p>With the exception of:</p> <p>(a) disputes relating to the territorial status of Iran, including those concerning the rights of sovereignty of Iran over its islands and ports;</p> <p>(b) disputes in regard to which the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement;</p> <p>(c) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of Iran.</p> <p>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.</p>	
Ireland <sup>1</sup>	14 IX 29	<p>Ratification. Reciprocity. 20 years.</p>	II VII 30
Italy	9 IX 29	<p>Ratification. Reciprocity. 5 years.</p> <p>Subject to any other method of settlement provided by a special convention.</p> <p>In cases where a solution by means of diplomacy or by the action of the Council of the League of Nations is not attained.</p>	7 IX 31
Latvia	10 IX 29 <sup>2</sup>	<p>Ratification. Reciprocity. 5 years.</p> <p>For all disputes arising after ratification of this declaration in regard to</p>	26 II 30

<sup>1</sup> In his circular letter No. 105, the Secretary-General of the League of Nations notified the governments of Members of the League that the Minister for Foreign Affairs of Ireland had informed him in a letter dated August 21st, 1926, that Ireland should be included amongst the Members of the League which had ratified the Protocol of Signature.

On October 12th, 1926, the Secretary-General informed the Registrar of the Court that the letter of August 21st above mentioned had been handed to him on August 26th by the representative of Ireland accredited to the League of Nations, and that, since that date, Ireland has been included on the Secretariat's list as bound by the Protocol of the Court.

<sup>2</sup> 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 (if any).
Latvia (cont.)		<p>situations or facts subsequent to ratification.</p> <p>Except in cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement.</p>	
	<i>Renewed on</i> 31 I 35	<p>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.</p> <p>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.</p> <p>Except in cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement.</p>	26 II 35
Liberia	(1921) <sup>1</sup>	<p>Ratification. Reciprocity.</p>	
Lithuania	5 X 21 <i>Renewed on</i> 14 I 30 <i>Renewed on</i> 12 III 35 <sup>2</sup>	<p>5 years. 5 years (as from January 14th, 1930). Reciprocity. 5 years (with effect from January 14th, 1935).</p>	16 V 22
Luxemburg	15 IX 30 <sup>3</sup>	<p>Reciprocity. 5 years (renewable by tacit reconduction).</p> <p>For all disputes arising after the signature in regard to situations or facts subsequent to the signature.</p> <p>Except the cases where the Parties have agreed or shall agree to have recourse to another procedure or to another method of peaceful settlement.</p>	

<sup>1</sup> Declaration reproduced in the *Treaty Series* of the League of Nations, Vol. VI (1921), No. 170.

<sup>2</sup> This date is that on which a letter, dated March 8th, 1935, and containing the declaration of Lithuania, was received in Geneva.

<sup>3</sup> In 1921, the Government of Luxemburg had already signed the Optional Clause, subject to ratification; but ratification had not taken place.

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Monaco <sup>1</sup>	22 IV 37	5 years. For all disputes arising after the declaration with regard to situations or facts subsequent to this declaration. Except in cases where the Parties have agreed or shall agree to have recourse to another method of pacific settlement.	22 IV 37
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	19 IX 29	( <i>See, mutatis mutandis, the conditions stipulated by the Union of South Africa.</i> )	29 III 30
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 <sup>2</sup>	Reciprocity. 10 years (from Oct. 3rd, 1936).	

<sup>1</sup> 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.

<sup>2</sup> 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.

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Panama	25 X 21	Reciprocity.	14 VI 29
Paraguay	11 V 33 <sup>1</sup>	(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. Except the cases where the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement. Except the disputes : (1) with regard to matters which, by international law, are solely within the domestic jurisdiction of States ; (2) arising between Poland and States which refuse to establish or maintain normal diplomatic relations with Poland ; (3) connected directly or indirectly with the World War or with the Polono-Sovietic War ; (4) resulting directly or indirectly from the provisions of the Treaty of Peace signed at Riga on March 18th, 1921 ; (5) relating to provisions of internal law connected with points (3) and (4).	
Portugal	(Before 28 I 21) <sup>2</sup>	Reciprocity.	8 X 21

<sup>1</sup> The declaration of Paraguay was made when the instrument of ratification of the Protocol of Signature of the Statute was deposited.

<sup>2</sup> 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 (if any).
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
	<i>Renewed on</i> 4 VI 36	For 5 years (from June 9th, 1936).	
Salvador	29 VIII 30 <sup>1</sup>	<p>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.</p> <p>Except the disputes which arose before the signature, and pecuniary claims made against the nation.</p> <p>Reciprocity only in regard to States which accept the arbitration in that form.</p>	29 VIII 30
Siam	20 IX 29	<p>Ratification.</p> <p>Reciprocity.</p> <p>10 years.</p> <p>For all disputes as to which no other means of pacific settlement is agreed upon between the Parties.</p>	7 V 30
Spain	21 IX 28	<p>Reciprocity.</p> <p>10 years.</p>	

<sup>1</sup> The declaration of Salvador is contained in the deed of ratification of the Protocol of Signature of the Statute (deposited on August 29th, 1930).

States.	Date of signature.	Conditions.	Date of deposit of ratification (if any).
Spain ( <i>cont.</i> )		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).	
Switzerland	(Before 28 I 21) <sup>1</sup>	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) <sup>1</sup>	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.	24 XI 30

<sup>1</sup> 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 (if any).
Yugoslavia ( <i>cont.</i> )		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.	



**173.**—CONVENTION CONCERNING UNEMPLOYMENT INDEMNITY  
IN CASE OF LOSS OR FOUNDERING OF THE SHIP

*adopted by the Labour Conference.*

Genoa, July 9th, 1920.

<i>Ratif.</i> (cont.): Denmark	February 15th, 1938
Mexico	May 20th, 1937
Netherlands	December 15th, 1937

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**174.**—CONVENTION FOR ESTABLISHING FACILITIES  
FOR FINDING EMPLOYMENT FOR SEAMEN

*adopted by the Labour Conference.*

Genoa, July 10th, 1920.

<i>Ratif.</i> (cont.): New Zealand	March 29th, 1938
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**177.**—CONVENTION CONCERNING THE COMPULSORY MEDICAL  
EXAMINATION OF CHILDREN AND YOUNG PERSONS  
EMPLOYED AT SEA

*adopted by the Labour Conference.*

Geneva, November 11th, 1921.

<i>Ratif.</i> (cont.): Denmark (excl. Greenland)	April 23rd, 1938
Mexico	March 9th, 1938

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**179.**—CONVENTION CONCERNING WORKMEN'S  
COMPENSATION IN AGRICULTURE

*adopted by the Labour Conference.*

Geneva, November 12th, 1921.

<i>Ratif.</i> (cont.): Mexico	November 1st, 1937
New Zealand	March 29th, 1938

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**180.**—CONVENTION CONCERNING THE RIGHTS OF ASSOCIATION  
AND COMBINATION OF AGRICULTURAL WORKERS

*adopted by the Labour Conference.*

Geneva, November 12th, 1921.

<i>Ratif.</i> (cont.): Mexico	May 20th, 1937
New Zealand	March 29th, 1938

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**182.**—CONVENTION CONCERNING THE APPLICATION  
OF WEEKLY REST IN INDUSTRIAL UNDERTAKINGS  
*adopted by the Labour Conference.*

Geneva, November 17th, 1921.

<i>Ratif.</i> (cont.): Mexico	January 7th, 1938
New Zealand	March 29th, 1938
Norway	July 7th, 1937

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**183.**—CONVENTION CONCERNING THE USE  
OF WHITE LEAD IN PAINTING  
*adopted by the Labour Conference.*

Geneva, November 19th, 1921.

<i>Ratif.</i> (cont.): Mexico	January 7th, 1938
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**184.**—CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION OF  
AND TRAFFIC IN OBSCENE PUBLICATIONS.

Geneva, September 12th, 1923.

<i>Ratif.</i> (cont.): Salvador	July 2nd, 1937
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**193.**—CONVENTION CONCERNING WORKMEN'S COMPENSATION  
FOR ACCIDENTS  
*adopted by the Labour Conference.*

Geneva, June 10th, 1925.

<i>Ratif.</i> (cont.): New Zealand	March 29th, 1938
Poland	November 3rd, 1937

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**194.**—CONVENTION CONCERNING WORKMEN'S COMPENSATION  
FOR OCCUPATIONAL DISEASES  
*adopted by the Labour Conference.*

Geneva, June 10th, 1925.

<i>Ratif.</i> (cont.): Poland	November 3rd, 1937
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**196.**—CONVENTION CONCERNING THE SIMPLIFICATION  
OF THE INSPECTION OF EMIGRANTS ON BOARD SHIP  
*adopted by the Labour Conference.*

Geneva, June 5th, 1926.

<i>Ratif.</i> (cont.): Mexico	March 9th, 1938
New Zealand	March 29th, 1938

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**198.**—CONVENTION CONCERNING SEAMEN'S ARTICLES  
OF AGREEMENT  
*adopted by the Labour Conference.*

Geneva, June 24th, 1926.

<i>Ratif.</i> (cont.): Netherlands	December 15th, 1937
New Zealand	March 29th, 1938

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**204.**—CONVENTION CONCERNING THE CREATION OF MINIMUM  
WAGE-FIXING MACHINERY  
*adopted by the Labour Conference.*

Geneva, June 16th, 1928.

<i>Ratif.</i> (cont.): Belgium	August 11th, 1937
New Zealand	March 29th, 1938

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**207.**—INTERNATIONAL CONVENTION FOR THE SUPPRESSION  
OF COUNTERFEITING CURRENCY.

Geneva, April 20th, 1929.

<i>Adh.</i> (cont.): Ecuador	September 25th, 1937
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**208.**—CONVENTION CONCERNING THE MARKING OF THE WEIGHT  
ON HEAVY PACKAGES TRANSPORTED BY VESSELS  
*adopted by the Labour Conference.*

Geneva, June 21st, 1929.

<i>Ratif.</i> (cont.): Hungary	December 6th, 1937
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**210.**—CONVENTION ON CERTAIN QUESTIONS  
RELATING TO THE CONFLICT OF NATIONALITY LAWS.

The Hague, April 12th, 1930.

*Ratif.* : Australia November 10th, 1937

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**214.**—CONVENTION CONCERNING THE REGULATION  
OF HOURS OF WORK IN COMMERCE AND OFFICES  
*adopted by the Labour Conference.*

Geneva, June 28th, 1930.

*Ratif.* (cont.): New Zealand March 29th, 1938

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**215.**—CONVENTION CONCERNING FORCED OR COMPULSORY LABOUR  
*adopted by the Labour Conference.*

Geneva, June 28th, 1930.

*Ratif.* (cont.): France June 24th, 1937  
New Zealand March 29th, 1938

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**216.**—PROTOCOL CONFERRING ON THE PERMANENT COURT  
OF INTERNATIONAL JUSTICE JURISDICTION TO INTERPRET  
THE HAGUE CONVENTIONS OF PRIVATE INTERNATIONAL LAW.

The Hague, March 27th, 1931.

*Ratif.* (cont.): Denmark July 22nd, 1937  
Finland June 19th, 1938  
Sweden July 30th, 1937

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**219.**—CONVENTION FOR LIMITING THE MANUFACTURE  
AND REGULATING THE DISTRIBUTION OF NARCOTIC DRUGS.

Geneva, July 13th, 1931.

*Adh.* (cont.): Union of South Africa January 4th, 1938  
Albania October 9th, 1937  
H.M. the King of Great Bri-  
tain and Northern Ireland  
for :  
Southern Rhodesia July 14th, 1937  
Newfoundland June 28th, 1937  
Latvia August 3rd, 1937

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**481.**—CONVENTION FOR THE REGULATION OF HOURS OF WORK  
IN AUTOMATIC SHEET-GLASS WORKS

*adopted by the Labour Conference.*

Geneva, June 21st, 1934.

<i>Ratif.</i> (cont.): Belgium	August 4th, 1937
France	February 5th, 1938
Mexico	March 9th, 1938

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**482.**—(REVISED) CONVENTION CONCERNING WORKMEN'S COMPENSATION  
FOR OCCUPATIONAL DISEASES (1934)

*adopted by the Labour Conference.*

Geneva, June 21st, 1934.

<i>Ratif.</i> (cont.): Mexico	May 20th, 1937
New Zealand	March 29th, 1938

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**483.**—CONVENTION ENSURING BENEFIT OR ALLOWANCES  
TO THE INVOLUNTARILY UNEMPLOYED

*adopted by the Labour Conference.*

Geneva, June 23rd, 1934.

<i>Ratif.</i> (cont.): Ireland	June 10th, 1937
New Zealand	March 29th, 1938

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**484.**—INTERNATIONAL CONVENTION FOR THE CAMPAIGN AGAINST  
CONTAGIOUS DISEASES OF ANIMALS.

Geneva, February 20th, 1935.

*Entry into force:* March 23rd, 1938<sup>1</sup>.

<i>Ratif.</i> (cont.): Belgium	July 21st, 1937
Latvia	May 4th, 1937
Roumania	December 23rd, 1937
U. S. S. R.	September 20th, 1937
<i>Adh.</i> (cont.): Chile	October 10th, 1936
Irak	December 24th, 1937

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**485.**—INTERNATIONAL CONVENTION CONCERNING THE TRANSIT  
OF ANIMALS, MEAT AND OTHER PRODUCTS OF ANIMAL ORIGIN.

Geneva, February 20th, 1935.

<i>Ratif.</i> (cont.): Belgium	July 21st, 1937
Latvia	May 4th, 1937
Roumania	December 23rd, 1937
U. S. S. R.	September 20th, 1937

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<sup>1</sup> I.e., under Article 14, paragraph 1, of the Convention, ninety days after the deposit of the fifth ratification, which was effected on December 23rd, 1937 (Roumania).

**486.**—INTERNATIONAL CONVENTION CONCERNING THE EXPORT AND IMPORT OF ANIMAL PRODUCTS (OTHER THAN MEAT, MEAT PREPARATIONS, FRESH ANIMAL PRODUCTS, MILK AND MILK PRODUCTS).

Geneva, February 20th, 1935.

<i>Ratif.</i> (cont.): Belgium	July 21st, 1937
Latvia	May 4th, 1937
Roumania	December 23rd, 1937
U. S. S. R.	September 20th, 1937

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**498.**—CONVENTION CONCERNING THE EMPLOYMENT OF WOMEN ON UNDERGROUND WORK IN MINES OF ALL KINDS  
*adopted by the Labour Conference.*

Geneva, June 21st, 1935.

<i>Ratif.</i> (cont.): Austria	July 3rd, 1937
Belgium	August 4th, 1937
Estonia	June 4th, 1937
Finland	March 3rd, 1938
France	January 25th, 1938
India	March 25th, 1938
Irak	March 28th, 1938
Mexico	February 21st, 1938
New Zealand	March 29th, 1938
Portugal	October 18th, 1937
Turkey	April 21st, 1938

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**500.**—CONVENTION CONCERNING THE REDUCTION OF HOURS OF WORK TO FORTY A WEEK  
*adopted by the Labour Conference.*

Geneva, June 22nd, 1935.

<i>Ratif.</i> (cont.): New Zealand	March 29th, 1938
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**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.

<i>Ratif.</i> (cont.): Hungary	August 10th, 1937
Poland	March 21st, 1938
Spain	July 8th, 1937

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**502.**—CONVENTION CONCERNING THE REDUCTION  
OF HOURS OF WORK IN GLASS-BOTTLE WORKS

*adopted by the Labour Conference.*

Geneva, June 25th, 1935.

<i>Ratif.</i> (cont.):	France	January 25th, 1938
	Ireland	June 10th, 1937
	Mexico	February 21st, 1938
	New Zealand	March 29th, 1938

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**513.**—CONVENTION CONCERNING THE REGULATION  
OF CERTAIN SPECIAL SYSTEMS OF RECRUITING WORKERS

*adopted by the Labour Conference.*

Geneva, June 20th, 1936.

<i>Ratif.</i> :	Norway	July 7th, 1937
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**514.**—CONVENTION CONCERNING THE REDUCTION OF HOURS  
OF WORK ON PUBLIC WORKS

*adopted by the Labour Conference.*

Geneva, June 23rd, 1936.

<i>Ratif.</i> :	New Zealand	March 29th, 1938
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**515.**—CONVENTION CONCERNING ANNUAL HOLIDAYS WITH PAY  
*adopted by the Labour Conference.*

Geneva, June 24th, 1936.

<i>Ratif.</i> (cont.):	Mexico	March 9th, 1938
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**516.**—CONVENTION FOR THE SUPPRESSION OF THE ILLICIT TRAFFIC  
IN DANGEROUS DRUGS.

Geneva, June 26th, 1936.

<i>Signat.</i> (cont.):	Colombia	November 30th, 1937
	Latvia	December 13th, 1937
<i>Ratif.</i> :	Belgium	November 27th, 1937
	China	October 21st, 1937
	Greece	February 16th, 1938
	India	August 4th, 1937

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**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.

<i>Ratif. :</i>	Belgium	April 11th, 1938
	New Zealand	March 29th, 1938
	Norway	July 7th, 1937

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**518.**—CONVENTION CONCERNING ANNUAL HOLIDAYS  
WITH PAY FOR SEAMEN

*adopted by the Labour Conference.*

Geneva, October 24th, 1936.

<i>Ratif. :</i>	Belgium	April 11th, 1938
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**519.**—CONVENTION CONCERNING THE LIABILITY  
OF THE SHIP-OWNER IN CASE OF SICKNESS, INJURY  
OR DEATH OF SEAMEN

*adopted by the Labour Conference.*

Geneva, October 24th, 1936.

<i>Ratif. :</i>	Belgium	April 11th, 1938
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**521.**—CONVENTION CONCERNING HOURS OF WORK  
ON BOARD SHIP AND MANNING

*adopted by the Labour Conference.*

Geneva, October 24th, 1936.

<i>Ratif. :</i>	Belgium	April 11th, 1938
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**522.**—CONVENTION FIXING THE MINIMUM AGE FOR THE ADMISSION  
OF CHILDREN TO EMPLOYMENT AT SEA (REVISED 1936)

*adopted by the Labour Conference.*

Geneva, October 24th, 1936.

<i>Ratif. :</i>	Belgium	April 11th, 1938
	Norway	July 7th, 1937

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**SECTION II.**

*INSTRUMENTS GOVERNING THE JURISDICTION  
OF THE COURT WHICH HAVE COME  
TO THE KNOWLEDGE OF THE REGISTRY SINCE  
JUNE 15th, 1937.*

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**FIRST PART.**

CONSTITUTIONAL TEXTS  
DETERMINING THE JURISDICTION OF THE COURT.

*(No new instruments.)*

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**SECOND PART.**

INSTRUMENTS FOR THE PACIFIC SETTLEMENT  
OF DISPUTES AND CONCERNING THE JURISDICTION  
OF THE COURT.

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**SUMMARY.**

**SECTION A : COLLECTIVE INSTRUMENTS.**

*(No new instruments.)*

**SECTION B : OTHER INSTRUMENTS.**

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530 and 531 . . . . .	300

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530.—TREATY OF CONCILIATION, ARBITRATION  
AND JUDICIAL SETTLEMENT BETWEEN BULGARIA  
AND DENMARK.

SOFIA, DECEMBER 7th, 1935<sup>1</sup>.

(Ratifications exchanged at Sofia, October 21st, 1937.)

CHAPITRE PREMIER. — *Du règlement pacifique en général.*

*Article premier.* — Les différends de toute nature qui viendraient à s'élever entre le Danemark et la Bulgarie, et qui n'auraient pu être résolus par la voie diplomatique seront soumis, dans les conditions fixées par le présent Traité, à un règlement judiciaire ou arbitral, précédé, selon les cas, obligatoirement ou facultativement, d'un recours à la procédure de conciliation.

*Article 2.* — Les différends pour la solution desquels une procédure spéciale serait prévue par d'autres conventions en vigueur entre les Hautes Parties contractantes, seront réglés conformément aux dispositions de ces conventions. Toutefois, si une solution du différend n'intervenait pas par application de cette procédure, les dispositions du présent Traité relatives à la procédure arbitrale ou au règlement judiciaire recevraient application.

*Article 3.* — 1. S'il s'agit d'un différend dont l'objet, d'après la législation intérieure de l'une des Hautes Parties contractantes, relève de la compétence des autorités judiciaires ou administratives, cette Partie pourra s'opposer à ce que ce différend soit soumis aux diverses procédures prévues par le présent Traité avant qu'une décision définitive ait été rendue dans des délais raisonnables par l'autorité compétente.

2. La Partie qui, dans ce cas, voudra recourir aux procédures prévues par le présent Traité, devra notifier à l'autre Partie son intention dans un délai d'un an, à partir de la décision susvisée.

CHAPITRE II. — *Du règlement judiciaire.*

*Article 4.* — Tous différends au sujet desquels les Parties se contesteraient réciproquement un droit seront soumis pour jugement à la Cour permanente de Justice internationale, à moins que les Parties ne tombent d'accord, dans les termes prévus ci-après, pour recourir à un tribunal arbitral.

Il est entendu que les différends ci-dessus visés comprennent notamment ceux que mentionne l'article 36 du Statut de la Cour permanente de Justice internationale.

*Article 5.* — Si les Parties sont d'accord pour soumettre les différends visés à l'article précédent à un tribunal arbitral, elles rédi-

<sup>1</sup> Communicated by the Danish Government.

geront un compromis dans lequel elles fixeront l'objet du litige, le choix des arbitres et la procédure à suivre. A défaut d'indications ou de précisions suffisantes dans le compromis, il sera fait application, dans la mesure nécessaire, des dispositions de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux. Dans le silence du compromis quant aux règles de fond à appliquer par les arbitres, le tribunal appliquera les règles de fond énumérées dans l'article 38 du Statut de la Cour permanente de Justice internationale.

*Article 6.* — A défaut d'accord entre les Parties sur le compromis visé à l'article précédent ou à défaut de désignation d'arbitres et après un préavis de trois mois, l'une ou l'autre d'entre elles aura la faculté de porter directement, par voie de requête, le différend devant la Cour permanente de Justice internationale.

*Article 7.* — 1. Pour les différends prévus à l'article 4, avant toute procédure devant la Cour permanente de Justice internationale ou avant toute procédure arbitrale, les Parties pourront, d'un commun accord, recourir à la procédure de conciliation prévue par le présent Traité.

2. En cas de recours à la conciliation et d'échec de cette procédure, aucune des Parties ne pourra porter le différend devant la Cour permanente de Justice internationale ou demander la constitution du tribunal arbitral visé à l'article 5, avant l'expiration du délai d'un mois à compter de la clôture des travaux de la commission de conciliation.

#### CHAPITRE III. — *De la conciliation.*

*Article 8.* — Tous différends entre les Parties, autres que ceux prévus à l'article 4, seront soumis obligatoirement à une procédure de conciliation avant de pouvoir faire l'objet d'un règlement arbitral.

*Article 9.* — Les différends visés à l'article précédent seront portés devant une commission de conciliation permanente ou spéciale constituée par les Parties.

*Article 10.* — Sur la demande, adressée par l'une des Hautes Parties contractantes à l'autre Partie, il devra être constitué, dans les six mois, une commission permanente de conciliation.

*Article 11.* — Sauf accord contraire des Parties, la commission de conciliation sera constituée comme suit :

1. La commission comprendra trois membres. Les Hautes Parties contractantes en nommeront chacune un qui pourra être choisi parmi leurs nationaux respectifs. Le troisième commissaire sera choisi d'un commun accord parmi les ressortissants d'une tierce Puissance. Ce dernier ne pourra avoir sa résidence habituelle sur le territoire des Parties, ni se trouver à leur service. Il assumera la présidence de la commission.

2. Les commissaires seront nommés pour trois ans. Ils seront rééligibles. Le commissaire nommé en commun pourra être remplacé au cours de son mandat, de l'accord des Parties. Chacune des Hautes Parties contractantes pourra toujours, d'autre part, procéder au remplacement du commissaire nommé par elle. Nonobstant leur

remplacement, les commissaires resteront en fonctions pour l'achèvement de leurs travaux en cours.

3. Il sera pourvu, dans le plus bref délai, aux vacances qui viendraient à se produire par suite de décès, ou de démission ou de quelque autre empêchement, en suivant le mode fixé pour les nominations.

*Article 12.* — Si, lorsqu'il s'élève un différend, il n'existe pas une commission permanente de conciliation nommée par les Parties, une commission spéciale sera constituée pour l'examen du différend dans un délai de trois mois à compter de la demande adressée par l'une des Parties à l'autre. Les nominations se feront conformément aux dispositions de l'article précédent, à moins que les Parties n'en décident autrement.

*Article 13.* — Si la nomination du commissaire à désigner en commun n'intervient pas dans les délais prévus aux articles 10 et 12, le soin de procéder à sa nomination sera confié au président en exercice du Conseil de la Société des Nations.

*Article 14.* — 1. La commission de conciliation sera saisie par voie de requête adressée au président par les deux Parties agissant d'un commun accord ou, à défaut, par l'une ou l'autre des Parties.

2. La requête, après avoir exposé sommairement l'objet du litige, contiendra l'invitation à la commission de procéder à toutes mesures propres à conduire à une conciliation.

3. Si la requête émane d'une seule des Parties, elle sera notifiée par celle-ci sans délai à l'autre Partie.

*Article 15.* — 1. Dans un délai de quinze jours à partir de la date où l'une des Parties aura porté un différend devant une commission permanente de conciliation, chacune des Parties pourra, pour l'examen de ce différend, remplacer son commissaire par une personne possédant une compétence spéciale dans la matière.

2. La Partie qui usera de ce droit en fera immédiatement la notification à l'autre Partie ; celle-ci aura, dans ce cas, la faculté d'agir de même dans un délai de quinze jours, à compter de la date où la notification lui sera parvenue.

*Article 16.* — 1. La commission de conciliation se réunira, sauf accord contraire des Parties, au siège de la Société des Nations ou en tout autre lieu désigné par son président.

2. La commission pourra, en toute circonstance, demander au Secrétaire général de la Société des Nations de prêter son assistance à ses travaux.

*Article 17.* — Les travaux de la commission de conciliation ne seront publics qu'en vertu d'une décision prise par la commission avec l'assentiment des Parties.

*Article 18.* — 1. Sauf accord contraire des Parties, la commission de conciliation réglera elle-même sa procédure qui, dans tous les cas, devra être contradictoire. En matière d'enquête, la commission, si elle n'en décide autrement à l'unanimité, se conformera aux dispositions du titre III de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux.

2. Les Parties seront représentées auprès de la commission de conciliation par des agents ayant mission de servir d'intermédiaire

entre elles et la commission ; elles pourront, en outre, se faire assister par des conseils et experts nommés par elles à cet effet et demander l'audition de toutes personnes dont le témoignage leur paraîtrait utile.

3. La commission aura, de son côté, la faculté de demander des explications orales aux agents, conseils et experts des deux Parties, ainsi qu'à toutes personnes qu'elle jugerait utile de faire comparaître avec l'assentiment de leur gouvernement.

*Article 19.* — Sauf accord contraire des Parties, les décisions de la commission de conciliation seront prises à la majorité des voix, et la commission ne pourra se prononcer sur le fond du différend que si tous ses membres sont présents.

*Article 20.* — Les Parties s'engagent à faciliter les travaux de la commission de conciliation et en particulier à lui fournir dans la plus large mesure possible tous documents et informations utiles, ainsi qu'à user des moyens dont elles disposent pour lui permettre de procéder sur leur territoire et selon leur législation à la citation et à l'audition de témoins ou d'experts et à des transports sur les lieux.

*Article 21.* — 1. Pendant la durée de leurs travaux, chacun des commissaires recevra une indemnité dont le montant sera arrêté du commun accord des Parties, qui en supporteront chacune une part égale.

2. Les frais généraux occasionnés par le fonctionnement de la commission seront répartis de la même façon.

*Article 22.* — 1. La commission de conciliation aura pour tâche d'élucider les questions en litige, de recueillir à cette fin 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, exposer aux Parties les termes de l'arrangement qui lui paraîtrait convenable et leur impartir un délai pour se prononcer.

2. A la fin de ses travaux, la commission dressera un procès-verbal constatant, suivant le cas, soit que les Parties se sont arrangées et, s'il y a lieu, les conditions de l'arrangement, soit que les Parties n'ont pu être conciliées. Le procès-verbal ne mentionnera pas si les décisions de la commission ont été prises à l'unanimité ou à la majorité.

3. Les travaux de la commission devront, à moins que les Parties n'en conviennent autrement, être terminés dans un délai de six mois à compter du jour où la commission aura été saisie du différend.

*Article 23.* — Le procès-verbal de la commission sera porté sans délai à la connaissance des Parties. Il appartient aux Parties d'en décider la publication.

#### CHAPITRE IV. — *Du règlement arbitral.*

*Article 24.* — Si, dans le mois qui suivra la clôture des travaux de la commission de conciliation visée dans les articles précédents, les Parties ne se sont pas entendues, la question sera portée devant

un tribunal arbitral constitué, sauf accord contraire des Parties, de la manière indiquée ci-après.

*Article 25.* — Le tribunal arbitral comprendra trois membres. Les Parties en nommeront chacune un qui pourra être choisi parmi leurs nationaux respectifs. Le surarbitre sera choisi d'un commun accord parmi les ressortissants d'une tierce Puissance. Il ne pourra avoir sa résidence habituelle sur le territoire des Parties, ni se trouver à leur service.

*Article 26.* — Si, dans un délai de trois mois, les Parties n'ont pu tomber d'accord sur le choix du surarbitre, sa nomination sera faite par le Président de la Cour permanente de Justice internationale. Si celui-ci est empêché ou s'il est ressortissant de l'une des Parties, la nomination sera faite par le Vice-Président. Si celui-ci est empêché ou s'il est ressortissant de l'une des Parties, la nomination sera faite par le membre le plus âgé de la Cour qui n'est ressortissant d'aucune des Parties.

*Article 27.* — Il sera pourvu, dans le plus bref délai, aux vacances qui viendraient à se produire par suite de décès, ou de démission ou de quelque autre empêchement, en suivant le mode fixé pour les nominations.

*Article 28.* — Les Parties rédigeront un compromis déterminant l'objet du litige et la procédure à suivre.

*Article 29.* — A défaut d'indications ou de précisions suffisantes dans le compromis relativement aux points indiqués dans l'article précédent, il sera fait application, dans la mesure nécessaire, des dispositions de la Convention de La Haye du 18 octobre 1907 pour le règlement pacifique des conflits internationaux.

*Article 30.* — Faute de conclusion d'un compromis dans un délai de trois mois à partir de la constitution du tribunal, celui-ci sera saisi par requête de l'une ou de l'autre des Parties.

*Article 31.* — Dans le silence du compromis ou à défaut de compromis, le tribunal appliquera les règles de fond énumérées dans l'article 38 du Statut de la Cour permanente de Justice internationale. En tant qu'il n'existe pas de pareilles règles applicables au différend, le tribunal jugera *ex æquo et bono*.

#### CHAPITRE V. — *Dispositions générales.*

*Article 32.* — 1. Dans tous les cas où le différend fait l'objet d'une procédure arbitrale ou judiciaire, notamment si la question au sujet de laquelle les Parties sont divisées résulte d'actes déjà effectués ou sur le point de l'être, la Cour permanente de Justice internationale, statuant conformément à l'article 41 de son Statut, ou le tribunal arbitral indiquera dans le plus bref délai possible les mesures provisoires qui doivent être prises. Les Parties seront tenues de s'y conformer.

2. Si la commission de conciliation se trouve saisie du différend, elle pourra recommander aux Parties les mesures provisoires qu'elle estimera utiles.

3. Les Parties s'engagent à s'abstenir de toute mesure susceptible d'avoir une répercussion préjudiciable à l'exécution de la décision judiciaire ou arbitrale ou aux arrangements proposés par la commission de conciliation et, en général, à ne procéder à aucun acte, de quelque nature qu'il soit, susceptible d'aggraver ou d'étendre le différend.

*Article 33.* — Si la sentence judiciaire ou arbitrale déclarait qu'une décision prise ou une mesure ordonnée par une autorité judiciaire ou toute autre autorité de l'une des Parties en litige se trouve entièrement ou partiellement en opposition avec le droit international, et si le droit constitutionnel de ladite Partie ne permettait pas ou ne permettait qu'imparfaitement d'effacer les conséquences de cette décision ou de cette mesure, les Hautes Parties contractantes conviennent qu'il devra être accordé, par la sentence judiciaire ou arbitrale, à la Partie lésée une satisfaction équitable.

*Article 34.* — 1. Le présent Traité sera applicable entre les Hautes Parties contractantes encore qu'une tierce Puissance ait un intérêt dans le différend.

2. Dans la procédure de conciliation, les Parties pourront, d'un commun accord, inviter une tierce Puissance.

3. Dans la procédure judiciaire ou arbitrale, si une tierce Puissance estime que, dans un différend, un intérêt d'ordre juridique est pour elle en cause, elle peut adresser à la Cour permanente de Justice internationale ou au tribunal arbitral une requête à fin d'intervention.

La Cour ou le tribunal décide.

4. Lorsqu'il s'agit de l'interprétation d'une convention à laquelle auront participé d'autres États que les Parties en cause, le Greffe de la Cour permanente de Justice internationale ou le tribunal arbitral les avertit sans délai.

Chacun d'eux aura le droit d'intervenir et, s'il exerce cette faculté, l'interprétation contenue dans la sentence est obligatoire à son égard.

*Article 35.* — Les différends relatifs à l'interprétation ou à l'application du présent Traité, y compris ceux relatifs à la qualification des litiges, seront soumis à la Cour permanente de Justice internationale.

*Article 36.* — Le présent Traité, conforme au Pacte de la Société des Nations, ne sera pas interprété comme restreignant la mission de celle-ci de prendre à tout moment les mesures propres à sauvegarder efficacement la paix du monde.

*Article 37.* — 1. Le présent Traité sera ratifié et l'échange des ratifications aura lieu à Sofia.

Il sera enregistré au Secrétariat de la Société des Nations.

2. Le Traité est conclu pour une durée de cinq ans à compter de la date de l'échange des ratifications.

3. S'il n'est pas dénoncé six mois au moins avant l'expiration de ce temps, il demeurera en vigueur pour une nouvelle période de cinq ans et ainsi de suite.

Nonobstant la dénonciation par l'une des Parties contractantes, les procédures engagées au moment de l'expiration du terme du Traité continueront jusqu'à leur achèvement normal.

**531.—TREATY OF CONCILIATION, ARBITRATION  
AND JUDICIAL SETTLEMENT BETWEEN DENMARK  
AND YUGOSLAVIA.**

BELGRADE, DECEMBER 14th, 1935<sup>1</sup>.

*(Ratifications exchanged at Bucharest, December 10th, 1937.)*

*Article premier.* [Voir, mutatis mutandis, *art. premier du Traité entre la Bulgarie et le Danemark, 7 décembre 1935, p. 300.*]

*Article 2.* — Les différends pour la solution desquels une procédure spéciale serait prévue par d'autres conventions en vigueur entre les Hautes Parties contractantes, seront réglés conformément aux dispositions de ces conventions.

*Articles 3 à 10.* [Voir *art. 3 à 10 du traité précité, pp. 300-301.*]

*Article 11.* — Sauf accord contraire des Parties, la commission de conciliation sera constituée comme suit :

1. La commission comprendra cinq membres. Les Hautes Parties contractantes en nommeront chacune un qui pourra être choisi parmi leurs nationaux respectifs. Les trois autres commissaires seront choisis d'un commun accord parmi les ressortissants de tierces Puissances. Ces derniers devront être de nationalités différentes, ne pas avoir leur résidence habituelle sur le territoire des Parties, ni se trouver à leur service. Parmi eux, les Hautes Parties contractantes désigneront le président de la commission.

2. Les commissaires seront nommés pour trois ans. Ils seront rééligibles. Les commissaires nommés en commun pourront être remplacés au cours de leur mandat, de l'accord des Parties. Chacune des Hautes Parties contractantes pourra toujours, d'autre part, procéder au remplacement du commissaire nommé par elle. Nonobstant leur remplacement, les commissaires resteront en fonctions pour l'achèvement de leurs travaux en cours.

3. Il sera pourvu, dans le plus bref délai, aux vacances qui viendraient à se produire par suite de décès, ou de démission ou de quelque autre empêchement, en suivant le mode fixé pour les nominations.

*Article 12.* [Voir *art. 12 du traité précité, p. 302.*]

*Article 13.* — Si la nomination des commissaires à désigner en commun n'intervient pas dans les délais prévus aux articles 10 et 12, les nominations nécessaires seront faites par le président en exercice du Conseil de la Société des Nations.

*Articles 14 à 24.* [Voir *art. 14 à 24 du traité précité, pp. 302-304.*]

*Article 25.* — Le tribunal arbitral comprendra cinq membres. Les Parties en nommeront chacune un qui pourra être choisi parmi leurs

<sup>1</sup> Communicated by the Danish Government.

nationaux respectifs. Les deux autres arbitres et le surarbitre seront choisis d'un commun accord parmi les ressortissants de tierces Puissances. Ces derniers devront être de nationalités différentes, ne pas avoir leur résidence habituelle sur le territoire des Parties, ni se trouver à leur service.

*Article 26.* — Si, dans un délai de trois mois, les Parties n'ont pu tomber d'accord sur le choix des membres du tribunal arbitral à désigner en commun, les nominations nécessaires seront faites par le Président de la Cour permanente de Justice internationale. Si celui-ci est empêché ou s'il est ressortissant de l'une des Parties, les nominations seront faites par le Vice-Président. Si celui-ci est empêché ou s'il est ressortissant de l'une des Parties, les nominations seront faites par le membre le plus âgé de la Cour qui n'est ressortissant d'aucune des Parties.

*Articles 27 à 30.* [Voir art. 27 à 30 du traité précité, p. 304.]

*Article 31.* — Dans le silence du compromis ou à défaut de compromis, le tribunal appliquera les règles de fond énumérées dans l'article 38 du Statut de la Cour permanente de Justice internationale. En tant qu'il n'existe pas de pareilles règles applicables au différend, le tribunal jugera, si les deux Parties sont d'accord, *ex æquo et bono*.

*Articles 32 et 33.* [Voir art. 32 et 33 du traité précité, pp. 304-305.]

*Article 34.* — 1. Le présent Traité sera applicable entre les Hautes Parties contractantes encore qu'une tierce Puissance ait un intérêt dans le différend.

2. Dans la procédure de conciliation, les Parties pourront, d'un commun accord, inviter une tierce Puissance.

*Articles 35 à 37.* [Voir, mutatis mutandis, art. 35 à 37 du traité précité, p. 305.]

THIRD PART.  
VARIOUS INSTRUMENTS  
PROVIDING FOR THE JURISDICTION OF THE COURT.

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SUMMARY.

SECTION A : COLLECTIVE INSTRUMENTS.

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## SECTION A.

532.—INTERNATIONAL CONVENTION CONCERNING THE USE  
OF BROADCASTING IN THE CAUSE OF PEACE.GENEVA, SEPTEMBER 23rd, 1936<sup>1</sup>.*List of signatories (with, in cases where ratification has taken place, the date of deposit of the instrument of ratification) and adhesions:*

Union of South		India	Aug. 11th, 1937
Africa (adh.)	Feb. 1st, 1938	Ireland (adh.)	May 25th, 1938
Albania		Lithuania	
Argentina		Luxemburg	Feb. 8th, 1938
Australia (adh.)	June 25th, 1937	United States	
Austria		of Mexico	
Belgium		Netherlands	
Brazil	Feb. 11th, 1938	New Zealand	Jan. 27th, 1938
Great Britain		Norway	May 5th, 1938
and Northern		Roumania	
Ireland	Aug. 18th, 1937	Spain	
Colombia		Switzerland	
Czechoslovakia		Turkey	
Denmark	Oct. 11th, 1937	Union of Soviet	
Egypt		Socialist	
France		Republics	
Greece		Uruguay	
Guatemala			

*Entry into force:* April 2nd, 1938<sup>2</sup>.

*Article 7.*—Should a dispute arise between the High Contracting Parties regarding the interpretation or application of the present Convention for which it has been found impossible to arrive at a satisfactory settlement through the diplomatic channel, it shall be settled in conformity with the provisions in force between the Parties concerning the settlement of international disputes.

In the absence of any such provisions between the Parties to the dispute, the said Parties shall submit it to arbitration or to judicial settlement. Failing agreement concerning the choice of another tribunal, they shall submit the dispute, at the request of one of them, to the Permanent Court of International Justice, provided they are all parties to the Protocol of December 16th, 1920, regarding the Statute of the Court; or, if they are not all parties to the above

<sup>1</sup> *League of Nations, Official Journal*, XVIIth Year, No. 12, Dec. 1936.

<sup>2</sup> I.e., under Article 11 of the Convention, sixty days after the receipt by the Secretary-General of the sixth ratification or adhesion (Union of South Africa).

Protocol, they shall submit the dispute to an arbitral tribunal, constituted in conformity with the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

Before having recourse to the procedures specified in paragraphs 1 and 2 above, the High Contracting Parties may, by common consent, appeal to the good offices of the International Committee on Intellectual Co-operation, which would be in a position to constitute a special committee for this purpose.

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**533.—CONVENTION FIXING THE MINIMUM AGE  
FOR ADMISSION OF CHILDREN TO INDUSTRIAL  
EMPLOYMENT (REVISED 1937)**

ADOPTED BY THE LABOUR CONFERENCE <sup>1</sup>.

GENEVA, JUNE 22nd, 1937.

*Entry into force*: The Convention shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

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**534.—CONVENTION CONCERNING THE AGE  
FOR ADMISSION OF CHILDREN TO NON-INDUSTRIAL  
EMPLOYMENT (REVISED 1937)**

ADOPTED BY THE LABOUR CONFERENCE <sup>2</sup>.

GENEVA, JUNE 22nd, 1937.

*Entry into force*: The Convention shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

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**535.—CONVENTION CONCERNING THE REDUCTION  
OF HOURS OF WORK IN THE TEXTILE INDUSTRY**

ADOPTED BY THE LABOUR CONFERENCE <sup>3</sup>.

GENEVA, JUNE 22nd, 1937.

*Ratified*: New Zealand

March 29th, 1938

*Entry into force*: The Convention shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

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<sup>1</sup> *International Labour Conference*, 23rd Session, Geneva, 1937, p. 811.

<sup>2</sup> *Op. cit.*, p. 817.

<sup>3</sup> *Op. cit.*, p. 824.

536.—CONVENTION CONCERNING SAFETY PROVISIONS  
IN THE BUILDING INDUSTRY

ADOPTED BY THE LABOUR CONFERENCE <sup>1</sup>.

GENEVA, JUNE 23rd, 1937.

*Entry into force:* The Convention shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Secretary-General.

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<sup>1</sup> *International Labour Conference*, 23rd Session, Geneva, 1937, p. 833.

## SECTION B.

537.—CONVENTION BETWEEN ESTONIA AND FINLAND  
REGARDING AIR NAVIGATION.HELSINKI, SEPTEMBER 12th, 1936<sup>1</sup>.*(Ratifications exchanged at Tallinn, November 7th, 1936.)*

*Article 20.*—The details of the application of the present Convention (especially as regards customs formalities) shall as far as possible be settled by direct agreement between the various competent authorities of the two Contracting Parties.

The aircraft of each of the Contracting Parties shall be subject to the system of penalties in force in the country in which they may happen to be.

Any dispute regarding the application of the present Convention which cannot be settled amicably through the usual diplomatic channels shall, in the first place, be submitted for consideration to a Conciliation Commission consisting of one member for Estonia, one member for Finland and a president appointed jointly. The members and the president shall be appointed whenever a fresh case renders this necessary. Should the Contracting Parties fail to agree upon the choice of the president, or to accept the solution proposed by the said Commission, the dispute shall be referred to the Permanent Court of International Justice at The Hague.

538.—TREATY OF FRIENDSHIP, COMMERCE AND NAVIGATION  
BETWEEN SIAM AND SWEDEN.STOCKHOLM, NOVEMBER 5th, 1937<sup>2</sup>.*(Ratifications exchanged at Stockholm, March 1st, 1938.)*

*Article XVIII.*—The High Contracting Parties agree that any dispute which may arise between them with respect to the interpretation or application of any provision of the present Treaty, which cannot be settled by diplomatic means, shall at the request of either Party be submitted, in the absence of contrary agreement, to the Permanent Court of International Justice at The Hague. Both Parties hereby undertake to accept as binding the decision of the said Court.

<sup>1</sup> *League of Nations, Treaty Series*, Vol. CLXXII, p. 346.<sup>2</sup> Communicated by the Swedish Government.

## 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.

*(No new instruments.)*

SECTION B: APPOINTMENT BY THE PRESIDENT (VICE-PRESIDENT OR  
OLDEST JUDGE)<sup>1</sup>.

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<sup>1</sup> See also in the present volume Article 26 of the Treaties of conciliation, arbitration and judicial settlement between Bulgaria and Denmark, and between Denmark and Yugoslavia (pp. 304 and 307).

539.—CONVENTION OF ESTABLISHMENT, COMMERCE  
AND NAVIGATION BETWEEN HUNGARY AND ROUMANIA.

SINAIA, AUGUST 12th, 1931<sup>1</sup>.

(*Ratifications exchanged at Budapest, December 17th, 1937.*)

*Article 34.* — Toute contestation au sujet de l'interprétation ou de l'application des dispositions de la présente Convention, sera soumise à un tribunal arbitral, qui sera spécialement constitué pour chaque litige pouvant surgir entre les deux Hautes Parties contractantes et sera composé de trois membres, dont un nommé par chaque Haute Partie contractante et le troisième désigné de commun accord par les deux Parties contractantes ou à défaut d'accord par le Président de la haute Cour permanente de Justice de La Haye.

Le tribunal arbitral devra être constitué dans un délai maximum d'un mois à compter de la notification du litige.

Le tribunal ainsi constitué prononcera sa décision, qui aura force obligatoire dans le plus bref délai possible.

540.—TREATY OF CONCILIATION BETWEEN  
CHILE AND NORWAY.

OSLO, JANUARY 27th, 1936<sup>2</sup>.

(*Ratifications exchanged at Oslo, February 17th, 1937.*)

(*Entry into force : March 19th, 1937.*)

*Article 6.* — Si la nomination des commissaires à désigner en commun n'intervient pas dans les délais prévus aux articles précédents, le Président de la Cour permanente de Justice internationale sera prié par les deux Parties conjointement, ou par l'une d'elles, de procéder aux nominations requises. Si le Président est empêché, ou s'il est ressortissant de l'une des Parties, le Vice-Président sera prié de procéder à ces nominations. Si celui-ci se trouve dans le même cas, le premier des autres juges selon l'ordre du tableau de la Cour qui n'est ressortissant d'aucune des Parties, sera prié de procéder à ces nominations.

<sup>1</sup> Communicated by the Hungarian Government.

<sup>2</sup> Communicated by the Norwegian Government.

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

1919.	Place of signature.	Title of the act.	Contracting Parties.	Nos.	Pages.
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

<sup>1</sup> This table contains instruments which had come to the knowledge of the Registry on June 15th, 1938. 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.).

<sup>2</sup> The complete text of instruments for the pacific settlement of disputes and the relevant provisions of other instruments affecting the jurisdiction of the Court which had come to the knowledge of the Registry before June 15th, 1938, are reproduced either in the *Collection of Texts governing the jurisdiction of the Court*, fourth edition, the Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth Annual Reports (pp. 461-485, 313-345, 337-368, 282-299, 351-389, 342-377), or in Chapter X of the present volume (seventh addendum to the fourth edition of the *Collection*). 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 edition).

E 8: *Eighth Annual Report*; E 9: *Ninth Annual Report*; E 10: *Tenth Annual Report*; E 11: *Eleventh Annual Report*; E 12: *Twelfth Annual Report*; E 13: *Thirteenth Annual Report*; E 14: *Fourteenth Annual Report* (June 15th, 1937—June 15th, 1938), i.e. the present volume.

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<b>1919</b> ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Page .</i>
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
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 un-employment	(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 child-birth	(Collective Treaty)	171 489
Dec. 9	Paris	Treaty (so-called "Minorities")	Princ. Allied and Assoc. Powers and Roumania	226 545
<b>1920.</b>				
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 319

1920 ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
July 9	Genoa	Conv. concerning un-employment 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
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 Assembly 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	233 551
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
<b>1921.</b>				
April 20	Barcelona	Conv. and Statute on freedom of transit	(Collective Treaty)	175 491

## 320 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

<b>1921</b> <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
April 20	Barcelona	Conv. and Statute on the régime of navigable waterways of international concern	(Collective Treaty)	176 493
June 24	Geneva	Agreement in regard to the Aaland Islands	Finland and Sweden	236 552
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 321

1921 ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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
<b>1922.</b>				
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

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<b>1922</b> ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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
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
<b>1923.</b>				
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 323

<b>1923</b> <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Sept. 17	Geneva	Resolution of the Council of the L. N. relating to the protection of minorities in Estonia	—	264 571
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
<b>1924.</b>				
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 Finland and Petsamo	Finland and Norway	270 573

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1924 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos.	Pages.
May 8	Paris	Conv. relating to the Memel Territory	British Empire, France, Italy, Japan, Lithuania	271	574
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 con- stituting a provisional arrangement with regard to commerce and navi- gation	Lithuania and The Netherlands	273	576
June 18	Budapest	Treaty of conciliation and arbitration	Hungary and Switzerland	16	86
June 23	Rio de Ja- neiro	Treaty concerning the judicial settlement of disputes	Brazil and Switzerland	17	90
June 27	Stockholm	Conv. concerning the establishment of a con- ciliation 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 East- ern 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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 325

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 relating to the Arrangement of Aug. 9th. 1924, between the German Govt. and the Reparation Commission	Allied Govts. and German Govt.	378 645
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
<b>1925.</b>				
Jan. 17	Helsingfors	Conciliation and Arbitration Conv.	Estonia, 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

## 326 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

<b>1925</b> ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Feb. 14	Oslo	Conv. concerning the floating of timber on the Pasvik (Patsjoki)	Finland and Norway	285 584
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 327

1925 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
June 17	Geneva	Conv. concerning the supervision of the international trade in arms and ammunition and implements of war	(Collective Treaty)	195 513
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 Arbitration 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 navigation	Siam and Spain	290 588
Aug. 14	Paris	Frontier Delimitation Treaty	France and Germany	291 588
Aug. 14	Lisbon	Treaty of friendship, commerce and navigation	Portugal and Siam	292 589
Aug. 21	Oslo	Treaty of conciliation	Norway and Switzerland	29 121
Sept. 1	Copenhagen	Treaty of friendship, commerce and navigation	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

## 328 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

<b>1925</b> ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
Nov. 26	Berlin	Protocol attached to Customs and Credit Treaty	Germany and The Netherlands	385 651
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
<b>1926.</b>				
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 329

1926 (cont.).	<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
				<b>E 9</b>
May 29	Paris	Conv. concerning air navigation	Belgium and Germany	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

## 330 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1926 ( <i>cont.</i> ).	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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 331

<b>1926</b> ( <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
<b>1927.</b>				
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

## 332 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1927 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
June 16	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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 333

<b>1927</b> ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				<b>E 8</b>
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
<b>1928.</b>				
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

## 334 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

<b>1928</b> ( <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	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

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INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 335

1928 (cont.).	<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

## 336 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1928 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
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
<b>1929.</b>				
Jan. 5	Budapest	Treaty of neutrality, conciliation and arbitration	Hungary and Turkey	107 339
Feb. 17	Teheran	Treaty of friendship	Germany and Iran <sup>1</sup>	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 23	Prague	Conv. of conciliation, arbitration and judicial settlement	Belgium and Czechoslovakia	110 354

<sup>1</sup> By a decision of the Teheran Government, dated March 21st, 1935, the name "Persia" and the adjective "Persian" are abolished and replaced by "Iran" and "Iranian". This change was notified to the Registry by a communication from the Secretary-General of the League of Nations dated March 20th, 1935.

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 337

1929 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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	<b>E</b> 12 507 388
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 conciliation, 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 conditions 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 provisions of the Conv. relating to the regulation of aerial navigation of Oct. 13th, 1919	(Collective Treaty)	<b>E</b> 10 450 320
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
June 21	Geneva	Conv. concerning the protection against accidents of workers employed in loading or unloading ships	(Collective Treaty)	209 524

## 338 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>
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	<b>E 11</b> 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
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 339

1929 (cont.),	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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	<b>E 10</b> 473 334
Nov. 2	Hamburg	Decision respecting the execution of Art. 363-364 of the Treaty of Versailles, and annexes	Czechoslovakia and Germany	332 612
Nov. 6	Paris	Commercial Conv.	Cuba and France	<b>E 8</b> 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 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
<b>1930.</b>				<b>E 9</b>
Jan. 13	Moscow	Treaty of friendship	Iran and Lithuania	442 344
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

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<b>1930</b> <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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
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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 341

1930 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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
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

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1930 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
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, Rou- mania, 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	E 9 443 345
May 23	Brussels	Conv. for the establish- ment and working of an aerial line of com- munication Belgium- France-Congo	Belgium and France	E 9 437 339
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 ope- ration of regular air lines of communication	Czechoslovakia and Rou- mania	E 12 503 380
June 21	Kovno	Treaty of commerce and navigation	Denmark and Lithuania	347 623
June 23	Warsaw	Conv. of commerce and navigation	Poland and Roumania	E 10 461 325
June 23	Warsaw	Veterinary Conv. an- nexed to the Conv. of commerce and naviga- tion	Poland and Roumania	E 10 462 326
June 26	Vienna	Treaty of friendship, conciliation, arbitration and judicial settlement	Austria and Greece	145 442

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1930 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
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
Aug. 27	Paris	Conv. of establishment	France and Roumania	E 13 523 333
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

## 344 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>
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
<b>1931.</b>					
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
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	<b>E 9</b> 438 340
June	18	Geneva	Conv. limiting the hours of work in coal mines	(Collective Treaty)	218 531

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1931 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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 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
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	E 8 428 484
Oct. 7	Bucharest	Conv. concerning conditions of residence, commerce and navigation	Roumania and Sweden	E 9 439 340
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

## 346 INSTRUMENTS GOVERNING THE COURT'S JURISDICTION

1931 (cont.).	Place of signature.	Title of the act.	Contracting Parties.	Nos. Pages.
				E 8
Nov. 26	Sofia	Treaty of conciliation, arbitration and judicial settlement	Bulgaria and Norway	422 466
				E 10
Dec. 12	Moscow	Treaty of friendship	Finland and Iran	474 334
				E 9
1932.				E 9
Jan. 4	Warsaw	Treaty of friendship, conciliation and arbi- tration	Greece and Poland	431 322
				E 8
Feb. 12	Geneva	Treaty of conciliation, arbitration and settle- ment	Luxemburg and Norway	423 473
				E 10
Feb. 27	Madrid	General Conv. on air navigation	Belgium and Spain	463 326
				E 10
Feb. 27	Madrid	Agreement regarding the establishment and operation of air lines passing over their respective territories	Belgium and Spain	464 327
				E 10
March 8	Geneva	Treaty of conciliation, judicial settlement and arbitration	Denmark and Turkey	445 298
				E 10
April 8	Madrid	Conv. regarding air navi- gation	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 set- tlement, arbitration and conciliation	The Netherlands and Turkey	446 302
				E 9
April 27	Geneva	Conv. concerning the protection against acci- dents of workers em- ployed 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-indus- trial 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

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 347

1932 ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				<b>E 11</b>
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
				<b>E 9</b>
July 2	Washington	Treaty of commerce and navigation	The Netherlands and Panama	441 341
				<b>E 11</b>
July 5	Rome	Conv. regarding air navigation	Hungary and Italy	488 305
				<b>E 10</b>
July 16	Vienna	Conv. regarding air navigation	Austria and Great Britain	466 328
				<b>E 10</b>
Dec. 6	Lisbon	Conv. of conciliation, judicial settlement and arbitration	Portugal and Sweden	447 307
				<b>E 11</b>
<b>1933.</b>				
Jan. 3	Rome	Conv. regarding the recognition and enforcement of judicial decisions	Italy and Switzerland	489 306
				<b>E 9</b>
Jan. 16	Ankara	Treaty of conciliation, judicial settlement and arbitration	Norway and Turkey	432 328
				<b>E 13</b>
Feb. 20	Geneva	Conv. regarding establishment and labour	Belgium and The Netherlands	524 333
				<b>E 9</b>
March 23	The Hague	Treaty of judicial settlement, arbitration and conciliation	The Netherlands and Norway	433 333
				<b>E 10</b>
April 5	The Hague	Treaty of arbitration, judicial settlement and conciliation	The Netherlands and Venezuela	448 310
				<b>E 11</b>
April 13	Athens	Conv. of conciliation, arbitration and judicial settlement	Denmark and Greece	478 290
				<b>E 10</b>
April 19	The Hague	Treaty of judicial settlement, arbitration and conciliation	Japan and The Netherlands	449 314
				<b>E 10</b>
April 24	London	Commercial Agreement	Denmark and Great Britain	467 329
				<b>E 11</b>
April 27	Berlin	Treaty amending the Treaty of Nov. 26th, 1925, concerning customs and credit	Germany and The Netherlands	496 314
				<b>E 10</b>
May 1	London	Commercial Conv.	Argentine and Great Britain	468 329

## 348 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>
May 15	London	Commercial Agreement	Great Britain and Norway	<b>E 10</b> 469 330
May 15	London	Commercial Agreement	Great Britain and Sweden	<b>E 10</b> 470 330
May 19	London	Commercial Agreement	Great Britain and Iceland	<b>E 10</b> 471 331
June 29	Geneva	Conv. concerning fee- charging employment agencies	(Collective Treaty)	<b>E 10</b> 453 322
June 29	Geneva	Conv. concerning com- pulsory old age insur- ance for persons em- ployed in industrial or commercial undertak- ings, in the liberal pro- fessions, and for out- workers and domestic servants	(Collective Treaty)	<b>E 10</b> 454 323
June 29	Geneva	Conv. concerning com- pulsory old age insur- ance for persons em- ployed in agricultural undertakings	(Collective Treaty)	<b>E 10</b> 455 323
June 29	Geneva	Conv. concerning com- pulsory invalidity in- surance for persons em- ployed in industrial or commercial undertak- ings, in the liberal pro- fessions, and for out- workers and domestic servants	(Collective Treaty)	<b>E 10</b> 456 323
June 29	Geneva	Conv. concerning com- pulsory invalidity in- surance for persons em- ployed in agricultural undertakings	(Collective Treaty)	<b>E 10</b> 457 324
June 29	Geneva	Conv. concerning com- pulsory widows' and orphans' insurance for persons employed in industrial or commercial undertakings, in the liberal professions, and for outworkers and domestic servants	(Collective Treaty)	<b>E 10</b> 458 324

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 349

1933 (cont.).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				<b>E 10</b>
June 29	Geneva	Conv. concerning compulsory widows' and orphans' insurance for persons employed in agricultural undertakings	(Collective Treaty)	459 324
				<b>E 12</b>
July 19	Bucharest	Conv. regarding conditions of residence and business	Roumania and Switzerland	504 380
				<b>E 10</b>
Sept. 29	Helsingfors	Commercial Agreement	Finland and Great Britain	472 331
				<b>E 10</b>
Oct. 5-11	Geneva	Conv. for facilitating the international circulation of films of an educational character	(Collective Treaty)	452 322
				<b>E 10</b>
Oct. 11	Geneva	International Conv. for the suppression of the traffic in women of full age	(Collective Treaty)	451 321
				<b>E 11</b>
Oct. 11	Geneva	Conv. of conciliation, judicial settlement and arbitration	Czechoslovakia and Latvia	479 296
				<b>E 10</b>
Oct. 13	London	Conv. regarding the suppression of illicit importation of alcoholic liquors into Finland	Finland and Great Britain	475 336
				<b>E 13</b>
Oct. 17	Ankara	Treaty of friendship, non-aggression, arbitration and conciliation	Roumania and Turkey	509 311
				<b>E 13</b>
Nov. 27	Belgrade	Treaty of friendship, non-aggression, judicial settlement, arbitration and conciliation	Turkey and Yugoslavia	510 314
				<b>E 13</b>
Dec. 19	The Hague	Treaty of arbitration, judicial settlement and conciliation	Denmark and Venezuela	511 320
				<b>E 13</b>
<b>1934.</b>				<b>E 13</b>
Feb. 20	Teheran	Treaty of friendship, establishment and commerce	Denmark and Iran	525 333
				<b>E 13</b>
April 25	Berne	Treaty of friendship	Iran and Switzerland	526 335
				<b>E 13</b>
April 26	Rome	International Conv. for the unification of methods of sampling and analyzing cheeses	(Collective Treaty)	512 328

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<b>1934</b> ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
May 24	Rio de Janeiro	Protocol of peace, friendship and co-operation	Colombia and Peru	<b>E 11</b> 490 306
June 19	Geneva	(Revised) Conv. concerning employment of women during the night (1934)	(Collective Treaty)	<b>E 11</b> 480 302
June 21	Geneva	Conv. for the regulation of hours of work in automatic sheet-glass works	(Collective Treaty)	<b>E 11</b> 481 302
June 21	Geneva	(Revised) Conv. concerning workmen's compensation for occupational diseases (1934)	(Collective Treaty)	<b>E 11</b> 482 302
June 23	Geneva	Conv. ensuring benefit or allowances to the involuntarily unemployed	(Collective Treaty)	<b>E 11</b> 483 303
July 6	London	Agreement relating to trade and commerce	Great Britain and Lithuania	<b>E 11</b> 491 308
July 11	London	Agreement supplementary to the Treaty of commerce and navigation of Jan. 18th, 1926	Estonia and Great Britain	<b>E 11</b> 492 308
July 17	London	Commercial Agreement	Great Britain and Latvia	<b>E 11</b> 493 309
Nov. 24	Geneva	(Resolution of the Assembly of the L. N.: the Chaco case)		<b>E 11</b> 494 309
<b>1935.</b>				<b>E 11</b>
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)	<b>E 11</b> 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)	<b>E 11</b> 486 304

INSTRUMENTS GOVERNING THE COURT'S JURISDICTION 351

1935 ( <i>cont.</i> ).	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
				<b>E 12</b>
Feb. 27	London	Agreement in regard to trade and commerce	United Kingdom and Poland	505 380
				<b>E 12</b>
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<b>1936.</b> <i>(cont.)</i>	<i>Place of signature.</i>	<i>Title of the act.</i>	<i>Contracting Parties.</i>	<i>Nos. Pages.</i>
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