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THE LEAGUE

HANDS OVER

Series of League of Nations Publications
GENERAL
1946. 1.

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INTRODUCTION

The last Assembly of the League of Nations has met and has been dissolved. One of the most important and fascinating chapters in the history of international endeavour has come to an end, but only a chapter. The romance goes on. What happened on April 18th, 1946, was not a final act. To quote Mr. Churchill: "It was not the beginning of the end, but rather the end of the beginning."

This little book is meant to illustrate why and how the work goes on. It is called: *The League hands over*. For that is what was decided on April 18th, and what is happening now. The League is handing over to the new body which has sprung from its loins and is to take over the work and the traditions, made richer by the great adventure, made bolder by League timidity, wiser by League failures and stronger by League frailty.

More than ever it is of need that ordinary men and women should be interested in international affairs and, being interested, should be given every facility to inform themselves of the features and facts of international co-operation. From this booklet they can learn what is to become of the assets and activities of the League and of all its accumulated and varied experience.

For future guidance, nothing could be of greater help than the lessons to be drawn from the League's history. And those lessons have never been presented with greater candour than at the last Assembly of the League, never with a more open recognition of the sins of omission and commission of the Governments of States Members of the League.

It has been strongly felt that here was a rare opportunity for the student of current international affairs; for usually the lessons drawn from history are second-hand—the outcome of philosophical reflection, the erudite results of industrious research and laborious studies. But, in the proceedings of the last League Assembly, we find the critical commentaries of those who were active in shaping

history and not mere disinterested observers of human nature. We find the official representatives of Governments honestly and outspokenly trying to analyse some of their national shortcomings in years gone by and pointing not only to the things that were done but also to some of the things that might and should have been done.

The proceedings of the last Assembly set forth in a summarised form the achievements and aspirations of the League and the hopes for the United Nations Organisation. They should not be allowed to rest undisturbed in the sanctums of official archives and libraries but should be utilised to quicken the imagination of a wide-awake public.

C. J. HAMBRO,
*President of the Twenty-first Session
of the Assembly,*

THE LEAGUE DURING THE WAR

I. THE TWENTIETH ASSEMBLY (DECEMBER 1939)

When the Council and the Assembly met in Geneva in December 1939, it was over three months since hostilities had broken out in Europe. Article 11 of the Covenant declared that " any war or threat of war, whether immediately affecting any of the Members of the League or not " was " a matter of concern to the whole League ", and that the League should " take any action that may be deemed wise and effectual to safeguard the peace of nations ". Yet, in spite of this, not a single country called for a meeting of the League Council or Assembly, either before or after the invasion of Poland by the German armies. The ordinary sessions of the Council and the Assembly were due to open on September 8th and nth, but, at the suggestion of the United Kingdom Government and with the approval of the other Governments, they were postponed. The only official communications relating to the opening of hostilities which were received in Geneva were notifications that a state of war existed and notifications of neutrality.

Since the failure of economic sanctions against Italy and the speeding up of German rearmament, the Members of the League had come to feel, generally speaking, that it would be impossible or dangerous to meet the growing threat of European war by the methods of collective security. But the " realistic " policies of neutrality or appeasement adopted in their stead merely encouraged the aggressors in enterprises of ever-increasing daring and frequency, until, divided by ideological propaganda, distrust and fear, numbers of peace-loving nations were successively engulfed in a war which it was no longer possible to avert.

In Western Europe, the belligerents had entered on the strange phase known as the " phoney war " when the Finnish-Soviet conflict broke out in the north.

In December 1939, the Council and Assembly were called together at the request of the Finnish Government, and while, in the political field, the Finnish-Soviet conflict was the only question they discussed, they took a number of decisions concerning technical activities which safeguarded the League's continued existence as a centre of international co-operation, even though the scale of such co-operation was reduced.

The Assembly declared that the outbreak of war made it all the more necessary that the League's economic and social work, as defined in the report of the Bruce Committee, " should continue on as broad a basis as possible", and it was in accordance with this guiding principle that work was carried on throughout the war. After the spring of 1940, of course, the march of events made it impossible to set up the Central Committee which the report recommended and which was to have unified the League's economic and social activities. These were, nevertheless, carried on without one moment's interruption and it is for that reason that they can now be taken over in happier circumstances by the United Nations. The new Organisation has, moreover, acted in accordance with the Bruce Committee's main proposal by setting up an Economic and Social Council side by side with the Security Council.

The League Council also played its part, in December 1939, in maintaining the League's non-political activities by prolonging the terms office of the members of technical committees until further notice.

On December 14th, 1939, the Assembly adjourned, but did not close, its twentieth ordinary session.¹ More than six years were to elapse before it met again.

II. EMERGENCY MEASURES

No activities of any importance could be carried on without sound finance.

While still much the most important centre of international

¹ The twentieth session was formally resumed on April 8th, 1946. The Assembly immediately resolved itself, however, into a new session — the twenty-first and last.

co-operation, the League had come to be regarded as incapable of preserving peace and, in the years preceding the war, had been abandoned not only by its enemies but by several other States as well. Even its most loyal supporters felt that expenses must be cut down to the utmost. In December 1939, the Assembly approved the proposals of the special Committee on Budgetary Economies set up in September 1938 and of the Supervisory Commission (the League's permanent finance organ) and adopted, for 1940, a budget whereby expenditure was heavily reduced (to a total of 21 million Swiss francs as against 32 millions in the previous year).

It was not long, moreover, before further and even bigger cuts in expenditure were to be found necessary.

Another resolution adopted in December 1939 made it possible to adapt the League's financial administration to the circumstances of the times. In September 1938, the Assembly had empowered the Secretary-General and, as regards the International Labour Organisation, the Director of the International Labour Office, acting with the approval of the Supervisory Commission, to take any exceptional administrative or financial measures or decisions which might be necessary and had provided that such measures and decisions were to have the same force and effect as if they had been taken by the Assembly itself. In December 1939, these special powers were extended " until the next ordinary session of the Assembly " and, as the " next ordinary session " could not be held in 1940 or during any of the five following years, the budgets for the years 1941 to 1946, after being drawn up by the responsible heads of the two administrations in consultation with the Supervisory Commission, were adopted by the latter in place of the Assembly.

The Report of the Second Committee (Finance Committee) as approved by the Assembly in April 1946 sums up the activities of the Supervisory Commission during the war in these words:

" In accordance with the emergency powers conferred upon it, it voted six annual Budgets, approved the audited accounts for six financial years, ensured the continuance of the Staff Pensions and Staff Provident Funds, watched over the collection of contributions both current and in arrears, supervised the carrying-out of the necessary measures of retrenchment, and, finally, within

the limits of its competence, made possible the continuance of essential technical work and the study and the preparation of work in connection with post-war reconstruction."

The work of the Supervisory Commission and of the responsible officials of the administrations was particularly difficult during the "black years" of the war. Military developments in Western Europe in 1940 and the extension of German occupation in that part of the Continent increased the danger to Switzerland and almost completely cut off the seat of the League from the outside world. Communication with the States Members otherwise than by telegraph became impossible, or at the best precarious, and meetings of League committees in Geneva were out of the question.

It was at once realised in various quarters, particularly in America, that the League's technical activities were in grave danger and that steps to safeguard them must be taken without delay. Thanks to the generous assistance of the Canadian Government, the International Labour Office was transferred from Geneva to Montreal, while Princeton University, the Institute for Advanced Study, and the Rockefeller Institute for Medical Research offered hospitality to the technical services of the League. The offer was gratefully accepted on behalf of the Director and most of the staff of the Economic, Financial and Transit Department and, in the academic environment of Princeton, the Secretariat mission which they made up enjoyed every facility for carrying on its research work and publications.

In America and England, it was also found possible to hold meetings of certain of the League's technical committees for which the mission provided the secretariat. Joint sessions were held in this way of the Economic Committee and Financial Committee; there were meetings of the Delegation for the Study of Economic Depressions and the Committee of Statistical Experts, and two Tax Conferences were held in Mexico City. The reports of these bodies and the studies which the Economic, Financial and Transit Department initiated or pursued on lines laid down by them constitute a specially valuable contribution towards the investigation of post-war problems of national and international reconstruction.

The Government of the United States has always taken an active interest in the narcotic drugs problem, and it was thus possible,

with its approval, to transfer the greater part of the secretariats of the Permanent Central Opium Board and the Supervisory Body to Washington. These two bodies—set up under the 1925 and 1931 International Conventions relating to narcotic drugs—were able to meet regularly throughout the war and to carry on their work of control with the indispensable assistance of their secretariats. In this way a most valuable activity—which the United Nations has decided to continue—was kept in being.

The official in charge of the Health Service was sent on mission to London in 1942 and to the United States in 1943, and was thus able to place at the disposal of the inter-allied services, the Office of Foreign Relief and Rehabilitation and U.N.R.R.A. the extensive experience acquired by the Health Organisation of the League over a period of twenty years. In 1944, moreover, the Health Section set up a " research unit " at Washington which furnished the Health Division of U.N.R.R.A. with a critical survey of the health situation in Europe and in certain parts of Africa and Asia. On the initiative of the Health Section, steps were also taken to call an International Conference on the Standardisation of Penicillin. This met in London in October 1944.

These arrangements for decentralising some of its activities helped to keep the League alive. While the Secretary-General remained in Geneva, with a nucleus of officials working in conjunction with the missions overseas, the Treasurer established an office in London. The British capital seemed indeed to be the most convenient centre for conducting Treasury operations to finance the Secretariat and its missions together with the International Labour Office, which was working at Montreal, the Permanent Court of International Justice, which had had to leave The Hague after the invasion of the Netherlands, and the Office of the High Commissioner for Refugees, which continued to function in London.

The financing of these organisations soon became a matter of great difficulty, but, thanks to the unremitting efforts of the Supervisory Commission assisted by the responsible officials of the administrations, the problem was successfully solved.

The occupation of France made it impossible for the Supervisory Commission to meet in Geneva. In September 1940 it met in Lisbon. The Acting Secretary-General, who had just taken office on the

resignation of M. J. Avenol, and the Treasurer, who was then still in Geneva, made every effort to reach the place of meeting, but after crossing France were refused permission to enter Spain. The Commission was thus obliged to examine the League's position in those anxious days without them. It has described the situation with which it was faced in the following words :

" At the time of the meeting at Lisbon, the Commission and the competent officials had to face a serious financial position, as it was clear that, unless States Members continued to pay their due contributions, the League Organisations could remain in active operation only for a limited period. In fact, the collections in the year 1940 represented less than 50% of the expenditure voted. Moreover, serious developments affecting the capacity of certain Members to pay had occurred and, at that stage (in 1940), nine States had to be relieved of the obligation for making any payment towards the 1941 expenditure and for subsequent years were assessed to pay only token contributions. The unit of contribution of four others had to be reduced by one-half. It was therefore decided that, as far as possible consistently with commitments, the competent officials should ensure that expenditure should not exceed income and, in consequence, further heavy retrenchments of staff were considered necessary."

Reductions of staff, which were necessarily heavier in the Secretariat than in the International Labour Office, whose activities were less seriously affected by the war, had begun as early as 1939. On January 1st of that year, 688 posts were provided for in the Secretariat's budget, but by the following September abolition of posts and resignations had reduced the number of officials to 586. Other officials left the League after the outbreak of hostilities in Europe and, by January 1st, 1940, the Secretariat's strength had fallen to 511. With the advance of the German armies in Western Europe during the spring of 1940 still further officials left or were dismissed and this process continued until, by the end of the year, the additional measures of retrenchment recommended by the Supervisory Commission brought the number of officials in the Secretariat down to a total of about 100.

" Only those", the Secretary-General wrote in 1944, "who have had a similar experience could realise the quality of the task of reducing a great organisation to 20% of its effectives and at the same time reorganising what remained to carry on its work."

By staff reductions and cuts in all other League expenditure, the Supervisory Commission was able to compress the League's general budget for 1941 to less than half the budget for 1940, and less than one-third of that for 1939. But the chief difficulty in 1941 and subsequent years was not to keep expenditure within the limits of the heavily reduced credits provided in the budgets but rather to see that it did not exceed the funds actually received by way of contributions from States. As the Supervisory Commission has pointed out, " the average percentage of collections of contributions during the years 1940-194 5 inclusive was 66%, and of this the Members of the British Commonwealth contributed 74% ".

On April 8th, 1946, M. Hambro, speaking as Chairman of the Supervisory Commission, told the Second Committee of the Assembly:

" If we have met once more in a League Assembly and can discuss the future in full dignity and the knowledge that our organisation is financially sound and solvent and that our activities have continued to be of great service to mankind, it is not due to our efforts but to the courage and the wisdom of those Governments which throughout these years have given to the League ideas their unswerving support—and most particularly to that group of States which, under the pressure of their own hardships, sacrifices and sufferings and in spite of their financial difficulties, have promptly paid their contributions to the League they had created."

III. THE LEAGUE'S WORK DURING THE WAR AND WHAT THE LEAGUE IS HANDING OVER

In its reports on the meeting held at Lisbon in September 1940 and on the meetings held in the following years in America, the

Supervisory Commission informed the Governments of the programme which it was endeavouring to carry out.

At a session held in Montreal in 1943, it summed up this programme in the following words :

" The Commission has never had any doubt that the machinery for international co-operation set up by the League and the special and technical organisations constituted by Governments under the aegis of the League would become invaluable in any post-war collaboration among States.

" The Commission has endeavoured, with the close collaboration of the competent officials:

" 1. To preserve intact the structure of the League of Nations and provide for the continued existence of each of its different institutions, even if financial exigencies compel a contraction in the scale of operations.

" 2. To provide the necessary credits; to promote the collection of contributions; to enforce economies in administration; and generally to watch developments affecting the League.

" 3. To ensure the continuance of essential technical work—the social, economic and health work of the League, the control of opium and other narcotic drugs and the refugee organisation—as well as to maintain the various offices of the League concerned with these technical duties; to ensure the regular functioning of the International Labour Organisation; and the maintenance in being of the Permanent Court of International Justice.

" 4. To ensure the continued and regular collection of information, records and reports, so that the latest material should be available to Member States in the several offices of the League.

" 5. To provide for study and the preparation of work in connection with post-war reconstruction.

" 6. To ensure that the League faithfully meets each and every one of its financial obligations.

" The Commission is satisfied that, despite the inevitable contraction of activities consequent on war conditions and restricted expenditure, the framework of the different organisations has been preserved for whatever development or change the future tasks of international collaboration may require."

It is clear from the speeches of delegates to the last Assembly in April 1946—a number of which will be found in the following chapter—that the States greatly appreciated the efforts made by the Commission, in collaboration with the responsible officials of the administrations, to give this programme full effect.

During the war, not only the Governments but also the new international institutions which were set up were able to obtain publications, information and advice which the League of Nations alone was in a position to supply.

To-day the United Nations is taking over not only buildings, a library and archives of very great value, but also all the non-political activities that were maintained during the war. The Governments have made it clear that they intend to continue these activities with such changes as they may consider necessary.

The legacy which the League will hand on includes methods, tested and perfected over a period of twenty years, of co-operation between Governments and between national administrations. It also includes the lessons to be drawn from its long experience, as set out in various recent publications issued by the League and the International Labour Office, with the object of assisting collaboration between the nations in economic and social matters.

Acceptance of what the League has to hand on will facilitate the performance of one of the main tasks assigned to the international Organisation after the first world war and which Article 1 of the Charter of the United Nations defines in these terms:

"3. To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion;

Under the Charter of the United Nations as under the Covenant of the League of Nations, moreover, this work is to go forward side by side with the maintenance of international peace and security.

To develop co-operation between the nations and to guarantee them peace and security are interdependent functions of the international Organisation. Neither can be satisfactorily fulfilled if the other is neglected.

That is one general conclusion to be drawn from the experience of the League of Nations.

Other conclusions were also drawn by the delegates to the last Assembly and an attempt has been made in the following pages to summarise them. Full reports are of course available in the official records of the session.¹

¹ See *Official Journal*, Special Supplement No. 194-

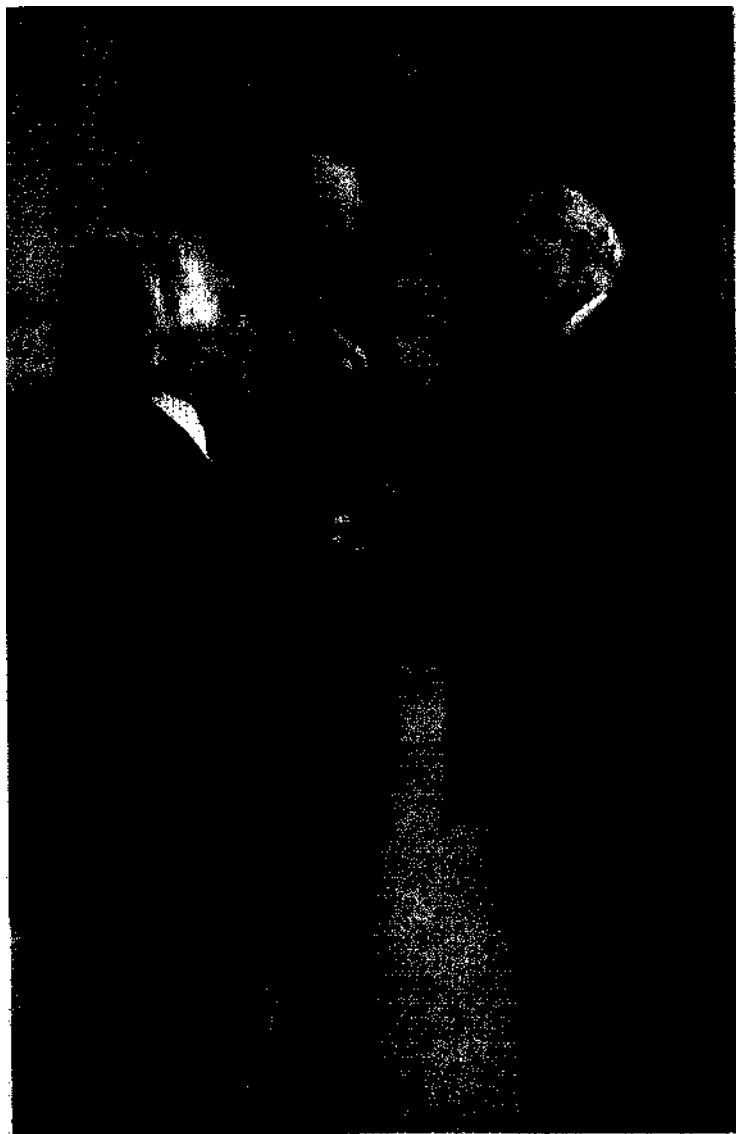


Photo Kettel, Geneva.

The Last Assembly: M.C.J. Hambro (Norway), President,
with Viscount Cecil of Chelwood (United Kingdom) and M. j. Paul-Boncour (France).

TWENTY-FIRST SESSION OF THE ASSEMBLY

Geneva,

April 8th-18th, 1946

COLOMBIA

Observer:

M. Daniel HENAO HENAO.

CUBA

M. Guillermo DE BLANCK.

Substitutes:

Dr. Jose DE LA LUZ-LEON.

M. Luis VALDES-ROIG.

Adviser:

M. Emiliano DUSSAQ.

CZECHOSLOVAKIA

Dr. Jaromir KOPECKY.

Adviser:

Dr. Julius MICKO.

DENMARK

M. William BORBERG.

Substitute:

M. Finn T. B. FRIIS.

Expert:

M. Axel SERUP.

DOMINICAN REPUBLIC

M. Andres PASTORIZA.

ECUADOR

M. Alejandro GASTELU.

EGYPT

Mahmoud Mohamed EL DARWICHE
Bey.

Substitutes:

M. Moharram HAMDAD.

M. Aly GRITLY.

Secretary :

M. Sayed H. ISMAIL.

FINLAND

M. Johan HELO.

M. Tapio VOIONMAA.

FRANCE

M. J. PAUL-BONCOUR.

Assistant Delegates:

M. Emile CHARVERIAT.

M. Georges SCELLE.

Technical Advisers:

M. Gaston BOURGOIS.

M. Jean WATTEAU.

M. Henry HAUCK.

M. Georges PEISSEL.

Secretary-General:

M. Vincent BROUSTRA.

GREECE

M. Thanassis AGHNIDES.

M. Theodore A. GRIVAS.

Substitutes :

M. Georges AFENDOULIS.

M. Jean PAPAYANNIS.

Secretary- General:

M. Georges MICHALOPOULOS.

INDIA

Sir Atul CHATTER; EE.

Khwaja Sir NAZIMUDDIN.

Adviser:

Mr. R. S. MANI.

IRAN

M. Seyed Hassan TAQIZADEH.

M. Abol-Hassan HEKIMI.

Adviser:

M. Abbas KHALATBARI.

Secretary:

M. Ezzeddine KAZEMI.

IRELAND

Mr. F. T. CREMINS.

LUXEMBURG

M. Antoine FUNCK.
M. Jean STURM.
M. Jean-Pierre KREMER.

MEXICO

M. Luis PADILLA-NERVO.
M. Julio OCADIZ ARNAUD.

Adviser:

M. Jorge DAESSLE SEGURA.

NETHERLANDS

Jonkheer F. BEELAERTS VAN
BLOKLAND.
Professor J. P. A. FRANCOIS.
Mme. C. A. KLUYVER.

NEW ZEALAND

Mr. William Joseph JORDAN.

Substitutes:

Mr. C. A. KNOWLES.
Mr. G. R. LAKING.

NORWAY

M. Carl Joachim HAMBRO.
M. R. I. B. SKYLSTAD.

PANAMA

M. Alejandro DE ALBA.

Secretary:

M. Alejandro DE ALBA, Jr.

POLAND

M. Jerzy PUTRAMENT.

Substitutes:

M. DOROSZ.
M. Jan ROSNER.
M. S. E. NAHLIK.

PORTUGAL

Dr. Jose CAEIRO DA MATT A.
Dr. Antonio DE FARIA.
Dr. Joao de Deus BATTAGLIA RAMOS.

Secretary:

M. Ant6nio Alexandre DA ROCHA
FONTES.

SWEDEN

M. Axel Erik Mathias SJ6BORG.
M. Sven Hjalmarsson GRAFSTROM.

Secretary:

M. Osten LUNDBORG.

SWITZERLAND

M. Max PETITPIERRE.
M. Robert GRIMM.
M. Francois PERREARD.

Substitute :

M. Paul RUEGGER.

Expert:

M. Daniel SECRETAN.

Secretary:

M. Henri THEVENAZ.

TURKEY

M. Feridun Cemal ERKIN.
M. Nihad ERIM.
M. Yakup Kadri KARAOSMANOGLU.

Advisers:

M. Fethi DENLI.
M. Siret HALULU.

Secretary:

M. Kenan GOKART.

URUGUAY

M. Julian NOGUEIRA.

POPULAR FEDERATIVE
REPUBLIC OF YUGOSLAVIA

M. Mato JAKSIC.
M. Milan RISTIC.

REPRESENTATIVE OF THE
SECRETARY-GENERAL
OF THE UNITED NATIONS

M. Adrien PELT, Assistant Secretary-
General.

UNITED NATIONS NEGOTIATING
COMMITTEE ON
LEAGUE OF NATIONS ASSETS

M. W. MODEROW (Poland), *Chairman*.
M. Y. DAO (China).

Mr. Howard ELTING, Jr. (United
States of America).

Sir William MATTHEWS (United
Kingdom).

M. Alvaro MUNOZ (Chile).

M. G. PEISSEL (France).

Mr. D. B. SOLE (South Africa).

Mr. A. B. ELKIN (Acting Chief of
League of Nations Section).

AUSTRIA 1

Observers:

Dr. Johannes SCHWARZENBERG.
Dr. Erich BIELKA.

REPRESENTATIVE OF THE
GOVERNING BODY
OF THE INTERNATIONAL
LABOUR OFFICE

Mr. G. Myrddin EVANS, Chairman.

REPRESENTATIVES OF THE
ACTING DIRECTOR
OF THE INTERNATIONAL
LABOUR OFFICE

Mr. G. A. JOHNSTON.

Mr. C. Wilfred JENKS.

M. M. VIPLE.

HIGH COMMISSIONER
FOR REFUGEES

Sir Herbert EMERSON.

REPRESENTATIVE OF THE
DIRECTOR OF THE
INTERNATIONAL INSTITUTE OF
INTELLECTUAL CO-OPERATION

M. ESTABLIER.

¹ The Foreign Minister of Austria having addressed to the Secretary-General a communication regarding Austria's representation at the session, the Assembly, on April 12th, 1946, adopted the following resolution:

" The Assembly:

" Takes note of the communication addressed to the Secretary-General on April 1st, 1946, by the Foreign Minister of Austria;

" Recalls that Austria, which for many years gave its loyal co-operation to the League of Nations, was the first victim of Nazi aggression;

" Heartily welcomes the liberation of Austria, and notes with satisfaction the desire that country expresses to collaborate with the free peoples of the world;

" Invites the representatives of the Austrian Government to be present as observers at the present Assembly of the League."

OFFICERS OF THE ASSEMBLY AND ITS COMMITTEES

President of the Assembly :

M. C. J. HAMBRO (Norway).

Vice-Presidents of the Assembly :

Mr. Philip J. NOEL-BAKER
(United Kingdom).

M. Max PETITPIERRE
(Switzerland).

Mr. H. Hume WRONG (Canada).

M. Jerzy PUTRAMENT (Poland).

Dr. Lone LIANG (China).

M. Feridun Cemal ERKIN

M. J. PAUL-BONCOUR (France).

(Turkey).

M. Luis PADILLA-NERVO (Mexico).

Chairman of the Committee on Credentials :

M. A. COSTA DU RELS
(Bolivia).

Chairman of the Nominations Committee :

Jonkheer F. BEELAERTS VAN
BLOKLAND (Netherlands).

First Committee (General Questions):

Chairman: M. M. BOURQUIN (Belgium).

Vice-Chairman: Dr. J. CAEIRO DA MATTA (Portugal).

Rapporteur: Professor K. H. BAILEY (Australia).

Second Committee (Financial and Administrative Questions):

Chairman: Sir Atul CHATTERJEE (India).

Vice-Chairman: Dr. J. KOPECKY (Czechoslovakia).

Rapporteur: Mme. C. A. KLUYVER (Netherlands).

*President of the Council:*¹

M. A. COSTA DU RELS (Bolivia).

* * *

*Secretary-General:*²

Mr. Sean LESTER.

Under-Secretary-General :

Mr. Seymour JACKLIN.

¹ At its meeting on April 12th, the Assembly adopted the following resolution:

" The Assembly, with the concurrence of all the Members of the Council which are represented at the present session:

" Decides that, so far as required, it will, during the present session, assume the functions falling within the competence of the Council."

² At its morning meeting on April 18th, the Assembly adopted the following resolution:

" The Assembly, in accordance with paragraph 2 of Article 6 of the Covenant, appoints Mr. Sean Lester Secretary-General of the League of Nations as from September 1st, 1940.

" The Assembly also approves the appointment of Mr. Seymour Jacklin as Under-Secretary-General as from January 1st, 1944."

FROM THE LEAGUE TO THE UNITED NATIONS

EXTRACTS FROM SPEECHES DELIVERED DURING THE SESSION

"I am confident", said the President, M. C. J. Hambro, in his opening remarks, " that every delegate has come to this Assembly realising that we have a very practical task to perform and hoping that we may act in complete unity . . . Our only thought is of the prestige of the League of Nations, or rather the prestige of those ideas and principles, those ambitions and aspirations, which inspired the authors of the Covenant.

" This is a solemn occasion, for you will be invited to decide to dissolve the League of Nations as such and to dissolve the Permanent Court of International Justice, and to declare this twenty-first Assembly of the League of Nations to be its last Assembly."

The decisions taken for these various purposes are set out on pages 61 to 100 below, but before they could be considered it was necessary for the Assembly to review the work done by the League in the interval since its previous session. This was done in the course of the customary general discussion on the Secretary-General's Report.¹

As was almost always the case in previous years, the debate was used by delegates as an opportunity for pronouncements of a more general character. Inevitably the occasion prompted many speakers to review the whole history of the first concerted attempt to organise the world on a rational basis of peaceful co-operation: the League's achievement was assessed and the causes of its failure analysed while the hope was everywhere expressed that the new Organisation by which the League's efforts were to be continued would be attended by full success.

¹ Document A.6.1946.

In general, the speeches delivered both in plenary session and in committee showed remarkable unanimity both in their appraisal of the past and in their attitude to the future, and it has thus been a matter of no difficulty to select a series of representative extracts conveying the general feeling of the Assembly. These are set out below. It should, however, be remarked that certain of the passages have been somewhat compressed to suit the convenience of the general reader. For the authentic texts, reference may be made to the *Official Journal*, Special Supplement No. 194, which contains the full official report of the Assembly's proceedings and decisions.

THE VICTORY

M. C. J. Hambro President of the Assembly.

" Since the Assembly of the League of Nations adjourned its twentieth session, a world order has gone to pieces and a new, and we trust a better, one is slowly and painfully emerging from the debris and disaster. We are assembled here to assist—in the modest way allotted to us—in the great work of reconstructing and remoulding, and we cannot meet under this roof again without letting our thoughts dwell for one solemn second on the untold suffering and sacrifice of millions, on the furious fighting, on the resolute and resourceful resistance, on the determination of nations, great and small, to die rather than to see prostituted and destroyed every idea for which they had been striving, in human frailty and futility, and every principle that makes life worth living trampled underfoot. We cannot meet here without a word of admiring gratitude to the great and undaunted leaders of peoples during these years of terror. They are inscribed in our hearts, as they will be inscribed in the edifice of the future: Churchill, Roosevelt, Stalin. And with them we mention the names of Generals Chiang Kai-shek and de Gaulle, impersonating the heroism and the will to persevere and win of two great nations. Nothing that we can say or do can add to their glory; our task is, in all humility, to add some bricks and straw to the building of the wall

of security which rests on their vision and victory and which shall protect the life of peace-loving nations in years to come."

Mr. Leif Egeland, Union of South Africa.

" There is no denying that the outbreak of the Second World War did represent a grave defeat, or perhaps rather a Dunkirk, for the League idea. The League philosophy had lost a battle, but it had not lost a war. Nor was the war destined to be lost; and when at last victory was won, it was in effect a victory for the League philosophy, for the theory of collective self-defence, indivisible peace, or, to give it its newer name, the theory of the United Nations.

" Only when there had come into being a common front of united resistance to aggression such as the League had been intended to ensure, only when the few who had stood for indivisible peace in 1939 had been joined by the many who were to qualify for San Francisco in 1945, only then could the good cause triumph and mankind be given its present fresh chance to realise what remains of the League ideal."

THE LEAGUE'S WORK DURING THE WAR

Dr. f. Kopecky, Chechoslovakia.

" It is with deep satisfaction that I note that the present Secretary-General has left nothing undone in order to preserve at least those services which we can now hand over to the new Organisation—an organisation which starts in circumstances that are all the more favourable because it can base its labours on the experience, the disappointments and the mistakes of the League."

Dr. Lone Liang, China.

" When the base instincts of mankind were let loose by greed and wild ambition, blame could easily be put on the League for its impotence and, with war gripping the fate of millions in its fold, the League could be considered an anachronism. But it must be remembered that the continuity and re-orientation of the non-political and technical activities and functions of the League maintained during the past few dark years, in spite of the manifold difficulties involved,

have, in great measure, kept faith in international co-operation alive. This faith, in fact, survives in the Atlantic Charter and the Charter of the United Nations."

Mr. Leif Egeland, Union of South Africa.

" May I briefly add my own appreciation of the Secretary-General's interesting and informative survey of the League's work during the war ? To those hitherto unfamiliar with the extent, or sceptical as to the usefulness for the future, of the League's non-political activities in the economic, social and humanitarian fields, the Report may come as something of a revelation and as a vindication of the wisdom of the decision to carry on with those non-political services as best possible under the crippling exigencies of the war years. It is likewise a vindication of the faith and foresight of those Members of the League which continued to pay their full contributions, but for which the League might have foundered entirely."

WAS IT THE LEAGUE THAT FAILED ?

M. F. C. Erkin, Turkey.

" Of course, we might repeat the easy reasoning of those who declare that the League failed in its political mission, which was to prevent war. That, in my opinion, would be to reason too simply. If the League has failed, I consider—and here I am in agreement with many of my colleagues in this Assembly—that the responsibility rests less with the institution itself than with the States Members who failed to use the instrument in their hands for the purposes for which it had been created."

Mahmoud Mohamed El Darwiche Bey, Egypt.

" It has been the fashion lately to talk of the failure of the League and refer with scorn to the spirit of Geneva. I leave it to those more capable and who have participated more actively in the work of the League to refute such accusations. But, if I may be allowed a personal opinion, I think the fault was not with the League or with Geneva; indeed, I am sure that perfectly as we might draw up constitutions for

international behaviour, unless the peoples of the world, especially the stronger ones, are prepared to change their methods, we cannot expect the salvation of the world from the horrors of war."

M. J. Paul-Boncour, France.

" Mr. Lester's report is not merely a recital of events. In a short but significant introduction, he passes judgment on what has been done in the past by this League of Nations which we are to-day preparing to bury . . .

" It was not the League which failed. It was not its principles which were found wanting. It was the nations which neglected it. It was the Governments which abandoned it.

" I desire, in my turn, to develop the same theme. It is necessary to do so—both as an act of justice towards what is passing and as an expression of hope in what is being born. For, let us not mince our words or conceal from ourselves the redoubtable complex—I was going to say the inferiority complex—which weighs upon the new Organisation. Those of us who were at San Francisco and in London did not find there the enthusiasm and faith which animated our work in the great days of the League of Nations. The setback experienced by this organisation helps to undermine faith in the destinies of the other. And public opinion, especially in countries like my own which have been downtrodden and crushed during four years of brutal occupation, is indifferent or distrustful.

" That is not right. And it is not just."

Dr. Lone Liang, China.

" Perhaps critics of the League are often apt to confound the ideals of the League of Nations with its machinery and its component parts. There is no denying that the machinery of the League broke down, partly through its imperfections and partly through the failure of its Members to use it as fully as it was intended to be used, though the chief blow struck at it came from those States which resorted to force as an instrument of their national policy. I do not attempt here to analyse the imperfections of the League. I venture to think, however, that, despite its imperfections, had it fulfilled the provisions of its Covenant properly in 1931 during the Japanese aggression in North-

Eastern China (Manchuria), we might have been spared the tragedy of the last few years. ' Aggression and ambition on one side, timidity of Governments and short-sighted vision of the people themselves on the other, led straight to the catastrophe ', as the Secretary-General has so aptly put it."

Dr. J. Kopecky, Chechoslovakia.

" The fact that a second world war broke out in spite of the League's existence shows how difficult it is to surmount and defeat the aggressive tendencies which in the history of mankind have been the cause of so many wars and, at the same time, proves that the machinery through which we endeavoured to perform this task was not yet equal to all requirements. . .

" The delegate of China told us yesterday that the League of Nations had collapsed partly owing to its own imperfections but partly because its Members had not always used it as they should. I believe he was entirely right, and I should like to add that the instrument of international co-operation can be perfected only if it rests on a genuine belief of the peoples in the necessity of co-operation and if, moreover, the organs of that instrument respect the desires of those whom it is meant to serve. If, during the years I have referred to, the instrument did not fulfil the hopes placed in it, this was largely because, at that time, this necessary harmony did not always exist/'

THE NATIONS FAILED THE -LEAGUE

M. A. Costa du ReIs, Bolivia.

" Now when worn out by its victorious struggle with the lords of war, the world shrinks back in horror from the anarchy which reigns in mind and conscience, it is perhaps worth recalling that there did exist a gospel of peace, scoffed at like all gospels—the Covenant of the League of Nations. Everything is there—reinforcement of and respect for international law, conciliation, arbitration, collective security. True, it contains no exact provision for the use of force. But, on the other hand, collective security, to which nations that wish to survive must always return in some form or another, offers, if the terms are

loyally observed, an inestimable chance of peace. Why, then, it will be asked, did so perfect an instrument as the Covenant of the League of Nations fail to preserve peace? Because the Covenant has never been applied in its entirety. The failure, if failure there was, cannot be charged against the League of Nations, but—I borrow the phrase from the title of a book by our colleague M. Nogueira, the delegate of Uruguay—against the nations of the League. They either could not or would not carry out their obligations."

Dr. L. M. Moreno Quintana, Argentine Republic.

"The League system . . . rested on three main ideas which are to be found in the Preamble to the Covenant: pacifism, the essential basis of its existence; world interdependence, which is the essential condition of its activity; and international co-operation, which is the consequence of that activity. It upheld, even if only in theory, the essential principles of the political independence, territorial integrity and juridical equality of the various States . . . Has it in reality been itself to blame for the comparative inefficacy of its decisions, or was it the States composing it which failed to display the firmness required to ensure their application?"

Count Carton de Wiart, Belgium.

"The history of the League is the history of the twenty years between the two world wars. Between these two tragic periods it forms a sort of curve or trajectory of which the starting-point, peaks, hesitations and falls corresponded to the fervent desire for peace, constructive efforts, generous illusions, anxieties, disappointments and backslidings which the peoples and world opinion experienced between the two catastrophes."

THE CAUSES OF FAILURE

Viscount Cecil of Chelwood, United Kingdom.

"Why, then, did it fail? I concur most fully with the Report in saying that its failure was not due to any weakness in the terms of the Covenant. To my mind it is plain beyond the possibility of doubt

that it failed solely because the Member States did not genuinely accept the obligation to use and support its provisions. That was due to several causes. Speaking of my own country, I must admit that the general current of official opinion was either neutral or hostile. I suspect that was also true in other countries."

M. J. Nogueira, Uruguay.

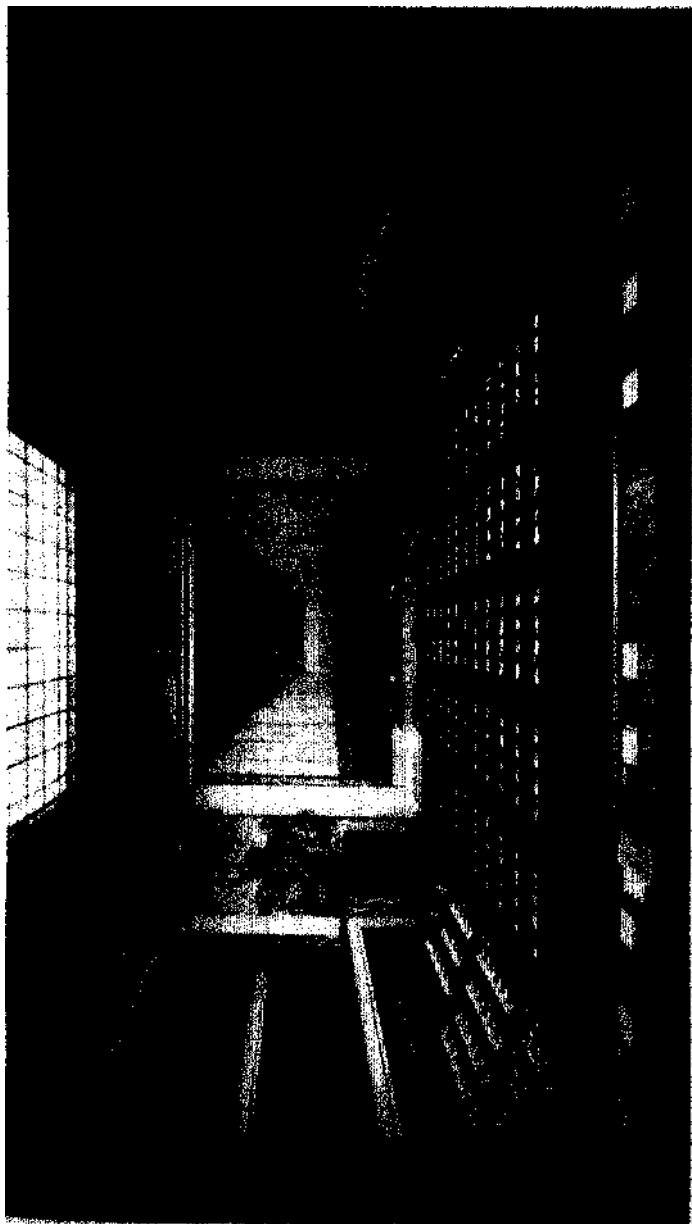
" The people and the Government which I have the honour to represent here know that the progress of humanity cannot be achieved without great suffering and inevitable reverses. In 1918, mankind, emerging from a war which appeared to have taxed its physical and moral resistance to the utmost, believed that the world was ready for the rule of right, justice and liberty and, in a spirit of generous ideology, created the Covenant of the League, founded on the principles of international democratic equality. But the negative forces which cannot live in an atmosphere of law, justice and liberty—aided and abetted by scepticism and fear of war—succeeded in upsetting that fair edifice."

Jonkbeer F. Beelaerts van Blokland, Netherlands.

" If we ask ourselves what were the causes of that failure, there are, in my opinion, three which should be regarded as fundamental.

" First of all, there was the lack of universality. The absence of one of the Great Powers, whose then President has rightly been described as the League's founder, hampered its activities from the very outset, handicapped its development and deprived it in its early days of the self-confidence which was so necessary for the solution of the grave problems with which it was confronted.

" Secondly, I would mention a defect in the League's organisation—the exaggerated equality between great and small Powers. In the maintenance of peace and international security, the great Powers were not given a position corresponding to their greater material strength and greater responsibilities. That defect, however, was not inherent in the Covenant. Its authors fully realised the dangers of an exaggerated equalisation, as is shown by the composition of **the** Council in its original form. But the Members themselves,



The Assembly Hall, looking from the central Press gallery towards the rear.

(Photo: British Press)

successive Assemblies, in short Governments, by repeatedly increasing the number of non-permanent Members of the Council distorted that body's character and prevented it from playing the political part assigned to it by the Covenant.

" Lastly, I consider that one of the League's outstanding weaknesses was the lack of solidarity among its Members. Any international organisation is bound to fail if it is not sustained by a common spirit, a common ideology and mutual confidence between the parties composing it. We all know that such a spirit did not prevail to the extent necessary to overcome the difficulties which stand in the way of pacific collaboration between peoples."

M. J. Paul-Boncour, France.

" I quite realise that it did not fulfil its essential purpose—the prevention of war . . .

" Was it, then, a chimera ? Was it out of touch with reality ? Did it, so to speak, outstrip reality in striving after unattainable objectives ?

" No, on the contrary ! The chimera was to imagine that a country could protect itself against war by withdrawing within itself and paying regard only to its own frontiers. The chimera was to imagine that limited alliances would suffice to prevent war, whereas they always lead to counter-alliances and to the creation of rival coalitions, from the clash of which inevitably springs the spark of war. The chimera was to imagine that national armaments sufficed to guarantee security, whereas predatory nations had only to impose sacrifices on their enslaved peoples for such a competition in armaments to develop that one day or another, ineluctably, the peace-loving, free nations, preoccupied only with the well-being and prosperity of their peoples, were bound to succumb."

Dr. Lone Liang, China.

" It was argued by some people that the League had no teeth, but I would recall that Article 16 of the Covenant did provide the teeth; failure was due to the fact that the nations did not wish to use the power they had under that article."

SUCCESSSES AND FAILURES IN KEEPING THE PEACE

M. J. Paul-Boncour, France,

" Our balance-sheet is not altogether unfavourable. I spoke to you just now about the positive achievements and successes of the League in matters of more or less incidental character; but even in the essential task of maintaining peace it succeeded during a number of years. It succeeded as long as Governments, and particularly the Governments of the Great Powers, put their faith in it and animated and fortified it by their own strength of purpose and as long as, in the background, there was the latent possibility that their force would be put at the service of its decisions.

" During a number of years, in the period following the peace treaties, the League of Nations settled various grave disputes—Memel, the Aaland Islands, Upper Silesia and the dispute between Greece and Bulgaria—all of them involving areas which might have become battlefields if the League had not settled the disputes in their initial stages. It is, indeed, the very success it achieved that caused the disputes to be minimised and that makes us forget what it accomplished.

" For years it prevented the dispute between Poland and Lithuania from degenerating into war; for years it prevented Germany from seizing Danzig, which she always coveted but whose independence was essential to the free access of Poland to the sea; for years it prevented Balkan rivalries from degenerating into war over Albania, the Dobrudja and all those problems constantly surging up in countries where successive waves of migration have sometimes made frontiers uncertain.

" No, no. Our balance-sheet is not altogether unfavourable. Deterioration set in on the day when, imperialism having again broken loose in the world, those precepts of the Covenant whose application would have afforded the only possible basis of a peace honourable for all were offered up as a first sacrifice to the myth of appeasement.

" There was the case of Manchuria. The League did nothing but utter verbal protests against Japan's action in attacking an ancient

country with a civilisation much older than any of ours which was groping its way towards democracy among the obstacles inherent in its geography and history. We forgot that, just as the revolver-shot of Sarajevo shook the whole world to its foundations, a gun-shot fired on the coast of the Pacific might have its repercussions in Europe, And the proof is that it was the resistance of China—China, which had been at war since 1931, almost abandoned by the League—that prevented Japan, the partner of the Axis, from interfering *in* the affairs of Europe and perhaps changing its face.

" Manchuria was far off. Ethiopia, and still more Italy, was nearer. In that case, sanctions—or at any rate economic sanctions—were decided on, but (if I may employ a popular expression) they were slow-motion sanctions, imposed by driblets. We recoiled before the only two sanctions which would have been effective—the cutting-off of oil supplies and the closing of the Suez Canal. We did enough to irritate Italy and to embarrass her, but not enough to prevent her from accomplishing her conquest.

"Then came the massive rearmament of Germany in 1935. Alas ! the nations concerned did no more than refer the dispute to the League of Nations under the most lenient article of the Covenant, Article 11, which gave the friendly right to call attention to situations likely to engender international difficulties.

" Then there was the reoccupation of the Rhineland. For weeks, I struggled, we struggled, at the Council meeting in London in favour of giving the one response appropriate to the case, the response provided for in the Treaty of Locarno—a treaty not imposed upon Germany but freely accepted, nay, proposed by her. Alas ! instead of this, negotiations were started to induce Hitler to agree to a re-patching of Locarno.

" Then there was Albania, seized by Fascist Italy one Easter morning, and then Austria, seized by Germany during a ministerial crisis in France. Not only did the League of Nations remain inert, but, in September 1938, its First Committee took the decision to strike Austria off the list of nations members of the League.

" The League's powerlessness to protect States victims of aggression became so evident that in the last two great acts of the drama—of which one, the abandonment of Czechoslovakia at Munich, paved the way for the catastrophe and the other, the invasion of

Poland by Germany, unleashed it—there was no appeal to the League even on the part of the victims themselves.

" If I draw this sombre picture, it is not to engage in vain recriminations over the past, still less to make my *mea culpa* at the cost of others. I do not forget that certain French Governments had their share in these backslidings. It is, on the contrary, to emphasise my hope that the realisation of these errors and the determination to repair them which finds expression in the Charter of the United Nations will preserve us from similar mistakes in the future."

M. Tb. Aghnides, Greece.

" It has been my Government's rule of conduct to reject solutions imposed by force and to submit all its international problems to the arbitration of the League and its organs. Greece has thus incurred a heavy debt to this organisation which, on a number of occasions, has helped her to settle questions—often of a delicate nature—such as the occupation of Corfu by the Fascists. Thanks to the intervention of the Council and the Assembly, the ' Pearl of the Adriatic ' was freed from Mussolini's grasp and restored to Greece, though only on the payment of an indemnity imposed on us to save the Roman dictator's face."

NON-POLITICAL ACHIEVEMENTS OF THE LEAGUE

Dr. L. M. Moreno Quintana, Argentine Republic.

" It is indeed with a certain emotion that we, the delegates of thirty-four nations, have come here to liquidate the League of Nations and to hand over its activities, functions and assets. We are putting an end to the existence of an institution which, in spite of serious structural defects, has rendered great services to mankind. For while its political activity may in general have lacked effectiveness, its achievements in the economic and social spheres cannot be gainsaid. It has been a remarkable instrument of progress and civilisation."

M. A. Pastoriza, Dominican Republic.

" To-day no one denies that the League of Nations rendered a useful service to humanity and largely contributed to the creation

of a spirit of active co-operation for the promotion of human rights, for a cultural exchange amongst the nations, for the satisfactory solution of international judicial disputes, for the advancement of the interests of labour, for the control of dangerous drugs, for the exchange of useful information in the field of health and in connection with certain economic and financial questions."

Professor K. H. Bailey, Australia.

" The valuable report of the Secretary-General shows how much of the League's important work in social, humanitarian and other non-political fields has survived even the tempest of world war. Australia does not for a moment regret the fact that, despite taxation for war purposes at levels which imposed hardship on all sections of her peoples, she has continued, right through the war, to maintain her contributions to the League in full. It is common ground both here and in the United Nations that much of the social, economic and humanitarian work of the League must, in one form or another, be maintained. It has become indispensable for the welfare of mankind."

Count Carton de Wiart, Belgium.

" The very disappointments which we may have encountered in the realm of collective security have served to associate us more closely with all the efforts undertaken here in legal, social, economic, financial and health matters. And certainly the League's many successes in these fields—less spectacular than the others, but in which international co-operation is no less necessary—and the reforms and the progress which have radiated from this magnificent and hospitable city of Geneva, constitute in the League's balance-sheet a singularly honourable list of assets which impartial posterity will have no right to forget."

THE NEED FOR CONTINUITY

Dr. Lone Liang, China.

" The League's technical collaboration with China was highly successful and rendered her great services during the years of Japanese

aggression. It is a pity that this collaboration had to be cut short on account of the League's financial difficulties and the other handicaps imposed by war. Now that the ' stormy season ' is over, I hope that the League's technical experience in this and other fields may soon again be available."

M. J. Paul-Boncour, France,

" No, the League of Nations was not a deceit. It lived vividly in the heart and spirit of countless multitudes. It laboured. It leaves behind it lasting works. Some fully succeeded and the new Organisation will merely have to carry them on. This applies to its efforts in intellectual co-operation, public health, transit, social questions and rural life. It was closely associated with Nansen's work for refugees. It played a leading part in the great migrations between Greece and Turkey and took a decisive share in the financial and monetary reconstruction of countries ravaged by the First World War. I earnestly hope that the new Organisation will resume this task, which has become heavier in consequence of the much greater destruction wrought by the last war.

" Other activities did not succeed. But the materials are there and the new Organisation will be able to use them for the constructive tasks which it will inevitably have to undertake. This is true of our work on disarmament."

M. M. Petitpierre, Switzerland.

" This last Assembly is important as an expression of the will to hand on to the United Nations the technical activities in which the League has engaged, often with success . . . The instrument forged in Geneva which we transmit to the Organisation of tomorrow in the spirit in which it has hitherto been used will constitute a pledge for the future.

" May I be permitted in this connection to express a twofold wish ? First, that these technical activities may be carried on without interruption within the framework of the United Nations and, secondly, that those States which, though not members of the United Nations, have constantly proved their attachment to the international judicial institutions created for the pacific settlement of disputes

between States, may be allowed to adhere at the earliest possible moment to the new International Court of Justice."

Dr. J. Caeiro da Matta, Portugal.

" I fully share the hope expressed by M. Petitpierre in connection with the League's technical activities, namely that they may continue to be carried on without interruption within the framework of the United Nations, and also the hope that those States which are not members of the United Nations but which have proved their attachment and loyalty to international judicial institutions may be allowed to adhere at the earliest possible moment to the new International Court of Justice."

THE SECRETARIAT

Mr. P. J. Noel-Baker, United Kingdom.

" The League leaves much behind it for the United Nations but above the rest I rank the existence, the traditions, the men of the first international civil service of the world. I remember how one night in the Hotel Crillon Hymans expressed his doubts and fears. * I understand the Assembly ', he said; . that is like the Conference at The Hague. I understand the Council; it is like the Concert of the Powers. But the Secretariat ! How can men and women of forty different nations work together beneath a single roof ? It will be not only a Tower of Babel, but a Bedlam too.'

" Well, the Secretariat did it; and I want, if the Assembly will allow me, to write a paragraph in the testament that the Secretariat leaves behind it. I worked in it as a humble member in its earliest days. I also worked in four Government departments in London between the wars. I am as proud of our British Civil Service as any man could be, but I can say with truth that in none of our departments did I find a higher standard of technical efficiency, a higher level of personal and official probity, a greater industry and devotion to their cause, than I found in the Secretariat as I knew it then.

" After some evil days, the members of that Secretariat have kept their qualities and their loyalty to the very end. Their work in this Assembly has shown us what efficiency and experience can mean."

Count Carton de Wiart, Belgium.

" To these pioneers, whose worthy colleagues and successors in all ranks of the service—and particularly Mr. Sean Lester, the Secretary-General—we are happy to greet to-day, belongs the merit of having, for the first time in human history, recruited and trained a great international civil service, actuated by a spirit of co-operation and genuinely attached to its duties, whose assistance and example will surely facilitate the work of to-morrow.

" In the process of blood-transfusion which we are about to carry out, the fund of tradition and experience it has accumulated should not be neglected."

Mr. H. Hume Wrong, Canada.

" I desire to mention one aspect which has been too frequently ignored, and that is the part played behind the scenes by the members of the Secretariat and by many who were until recently members of the Secretariat in assisting in the organisation of the United Nations. It was often in the most literal sense a thankless task that they undertook. They fulfilled the biblical injunction and concealed their good works. Their counsel was frequently passed on through devious channels;... yet they rendered the United Nations great service, and there is no reason why we here in this final Assembly should not recognise and applaud it."

The Secretary-General (Mr. Sean Lester).

" On May 25 th, 1937, before the Council of the League of Nations, I took the following oath:

"^c I solemnly undertake to exercise in all loyalty, discretion and conscience the functions that have been entrusted to me as an official of the Secretariat of the League of Nations, to discharge my functions and to regulate my conduct with the interests of the League alone in view and not to seek or receive instructions from any Government or other authority external to the Secretariat of the League of Nations.'

" I have tried to live up to this declaration during the past nine years. I shall try in the same spirit to serve you, and your representatives on the Board of Liquidation, during the coming months. I am grateful to the Assembly for the decision that has just been taken.¹ I want particularly to thank the delegations for the generous references that have been made to my Report and to myself during the general discussion at the beginning of our meeting. May I add, however, that if I have been able to fulfil my duties to the satisfaction of the Assembly, it is in the first place due to my colleagues of the Secretariat ? "

THE LEAGUE AND THE PERMANENT COURT OF INTERNATIONAL JUSTICE

*Dr. J. G. Guerrero, last President of the Permanent Court of International Justice and first President of the new International Court of Justice.**

" In the few brief sentences which make up Article 14, the Covenant instructed the Council of the League of Nations to formulate plans for the establishment of a Permanent Court of International Justice invested with competence to hear and determine any dispute of an international character and to give an opinion upon any dispute or question referred to it by the Council or by the Assembly.

" That, gentlemen, was the first stone in the foundations of the most splendid and delicate undertaking ever accomplished by man in the course of centuries in the domain of international justice. For, though it may be easy to regulate legal relationships between persons living on the same national soil and subject to the sovereign authority of the State, it is a different matter to regulate the same relationships within the framework of international society in which States are so reluctant to submit to the law and judgment of men.

" The Council entrusted the drawing up of the Statute of the Court to a committee of ten jurists enjoying high legal and moral authority.

¹ See page 24, footnote 2.

² Dr. Guerrero having been prevented from attending the Assembly by the inaugural session of the new Court, the address he was to have delivered was distributed as document A.30.1946.

" The learned debates which began at the Peace Palace at The Hague on June 16th, 1920, and were concluded on the following July 24th, resulted in the elaboration of a draft Statute concerning the organisation of a Permanent Court of International Justice. This draft was discussed later by the Council of the League of Nations and then by the Assembly, which approved it by a unanimous vote on December 13 th, 1920. As from the 16th of that month, a Protocol was open for signature by the various States . . .

" It is not for me to draw up a balance-sheet of the work of the men who have, since the establishment of the Court, assumed the grave responsibility of proclaiming the law and rendering justice. That work will be judged by the conscience of mankind and by the opinion of the world. Both, indeed, have already pronounced their judgment. For the authority of the decisions rendered by these judges has never been contested: the proof is to be found in the impressive number of States which, since 1922, have adhered to the clause of compulsory jurisdiction provided for in Article 36 of the Statute.

" Further, the best evidence in favour of the Court may be drawn from an examination of its decisions. It has delivered thirty-two judgments and given, at the request of the Council of the League of Nations, twenty-seven advisory opinions . . .

" The eighty-one volumes in which these judgments are published and which contain also the advisory opinions . . . constitute the most effective contribution which it has so far been possible to make to legal science and to the progress of international law. Thanks to the principles which emerge from the jurisprudence of the Court, the road is now open for the solution of the problem of the gradual codification of international law.

" But that is not all . . .

" Owing to the mere fact of its existence, controversies between States have been settled before reaching the stage when they would have had to be submitted to the international jurisdiction. The mere existence of a Court ready to pronounce judgment has incited some to be prudent and others to have confidence. In this manner, the law has been established automatically; the object was attained without recourse to the legal formulae of a judgment or an opinion and thus, even when it remained silent, the Court effectively served the cause of international justice.

" Gentlemen, life brings with it inevitable changes and institutions cannot escape from this inexorable law.

" The present conditions of the new international order created as a result of the terrible catastrophe which broke upon the world have made it necessary to replace the Permanent Court of International Justice by the International Court of Justice.

" But the Institution has merely changed its name. Its soul remains unaltered, its structure has not changed, its mission is similar and, finally, its Statute has only been slightly modified. We may even say that it is in order to emphasise the continuity of the work that the judges elected by the General Assembly and by the Security Council of the United Nations have appointed as President of the new Court the man who had the signal honour of being the last President of the old Court.

" Whatever transformations may be affected now or in the future, the glory of having given the world an institution such as the Court and the merit for all the progress which it represents in the realm of law belong exclusively and incontestably to the League of Nations.

" I beg leave to express to-day the fervent gratitude felt towards the League of Nations by all those who have devoted their energies to the work of the Permanent Court of International Justice and who have established its prestige."

THE LEAGUE AND THE INTERNATIONAL LABOUR ORGANISATION

Mr. G. Myrddin Evans, Chairman of the Governing Body of the International Labour Office.

" For over twenty-five years, the League of Nations and the International Labour Organisation, in their respective spheres, but in complete harmony and with the closest co-operation, have pursued their common ideals in the cause of peace, justice, humanity, progress, the liberty of the individual and the dignity of the human soul. Between them they have contributed much to the sum of human happiness. Now that this partnership is coming to an end, we in the International Labour Organisation would like to say that we feel that it is in no small measure due to the friendly co-operation of the League that the International Labour Organisation finds itself to-day

firmly established and able to face with confidence the immense tasks which lie before it in the aftermath of the war which has recently ended.

" We shall never forget the assistance given to us without stint and ungrudgingly during these twenty-five years, nor the consideration, and even generosity, with which our interests have been treated up to the end by all sections of the League of Nations, by the Assembly, by the Council and above all by those to whom our special gratitude is due: the President and members of the Supervisory Commission, the Secretary-General and the members of the Secretariat. May I add at this final Assembly of the League of Nations that we salute a noble ideal and a great experiment in human advancement? We are confident that this meeting marks the passing of a name, and probably not even that, for the name of the League of Nations will for ever be associated with this first great phase in the concerted international effort to maintain peace.

" The purpose for which the League of Nations was established and the ideals which it embodies will live on and must prevail, for if they do not, not only liberty but mankind itself will perish from this earth."

MANDATES¹

Dr. Lone Liang, China.

" I may be allowed to say a word on the sacred trust which the League holds on behalf of millions of people who aspire to attain political and economic advancement. Conscious of the magnitude of the task and of the aspirations of these peoples, the Charter of the United Nations has instituted the trusteeship system, modelled on the lines of the mandates system. Some of the mandatory States administering these territories have already taken the lead during the First Assembly of the United Nations in answering this call. It is to be hoped that the Trusteeship Council of the United Nations will be soon set up to receive the torch of freedom and humanity from the League."

¹ For the declarations in regard to various mandated territories by the delegates of the Union of South Africa, Australia, Belgium, the United Kingdom, France, New Zealand and Egypt, see pages 67 to 74.

Khwaja Sir Na'imuddin, India.

" India believes in the independence of all nations, irrespective of colour or creed, but until they are in a position to attain their independence, she believes in the trusteeship system of the United Nations, not only in the interests of the territories themselves, but in the larger interests of preserving world peace. The declared intention of several of the present mandatory Powers to transfer most of the territories to the trusteeship system is a good and healthy augury for the future. May I express the hope that the same vision and statesmanship will inspire all the Powers in respect of the mandated territories, and thus eliminate what may well become a potential cause of unrest in various parts of the world ? "

- 'WHAT REMAINS OF THE GREAT ADVENTURE?'

Viscount Cecil of Chelwood, United Kingdom.

" We may well ask: ' What, then, is left of the great adventure on which we then embarked ? ' It is common nowadays to speak of the failure of the League. Is it true that all our efforts for those twenty years have been thrown away ? I had a letter from our present Foreign Minister, Mr. Bevin, the other day in which he said he could not accept that view, and I am sure he is right. Some of the reasons for that opinion are well set out in the introduction to the Report and I need not repeat them. The work of the League is unmistakably printed on the social, economic and humanitarian life of the world. But above all that, a great advance was made in the international organisation of peace . . . By the Covenant, a definite scheme was set up. It was not, indeed, a full-fledged federation of the world—far from it—but it was more than the pious aspiration for peace embodied in the partial alliances which had closed many great struggles. For the first time an organisation was constructed, in essence universal, not to protect the national interests of this or that country—do let us remember that—but to abolish war. We saw a new world centre, imperfect materially, but enshrining great hopes. An Assembly representing some fifty peace-loving nations, a Council, an international civil service, a world Court of International Justice, so often

before planned but never created, an International Labour Office to promote better conditions for the workers. And very soon there followed that great apparatus of committees and conferences, striving for an improved civilisation, better international co-operation, a larger redress of grievances and the protection of the helpless and oppressed.

" Truly this was a splendid programme, the very conception of which was worth all the efforts which it cost. For ten years the League advanced, and I remember very well a French representative, M. Hanotaux, saying to me that in his opinion the League was *bien enracinee*, but, as we know, it failed in the essential condition of its existence—namely, the preservation of peace. And so, rightly or wrongly, it has been decided to bury it and start afresh. That does not mean that the work of twenty years goes for nothing; far from it. All the main ideas I have briefly sketched, and which are so well summarised in the report before us, remain. True, there is a new organisation founded on a Charter and not on a Covenant. The Charter in one respect is certainly an improvement. It recognises more clearly than did the Covenant that in the last resort peace must be enforced. That was no doubt implicit in the League, as anyone who reads the provisions of the Covenant will agree. However, in the condition of public opinion when the League was founded, this was necessarily kept in the background. It is only right to recognise that the French representatives from the earliest times never ceased to urge greater clearness and definiteness in this. And now their opinions have prevailed and the negotiators of San Francisco used much ingenuity to provide for greater force to resist and crush aggression. They have given to the Five Great Powers special rights and, more important, special responsibilities in this respect . . .

But I have no wish to discuss the detailed provisions of the Charter or the Covenant. It is enough for my purpose to insist that, but for the great experiment of the League, the United Nations could never have come into existence. The fundamental principles of the Charter and the Covenant are the same and it is gratifying to some of us that, after the violent controversies that have raged for the last quarter of a century, it is now generally accepted that peace can only be secured by international co-operation, broadly on the lines agreed to in 1920."

TEMPORAL AND MORAL PRIORITY OF THE LEAGUE

Mr. Leif Egeland, Union of South Africa.

" The cause for which the United Nations stand to-day is the same for which we of the League of Nations already stood in 1920. It is the good cause now, it was the good cause then. If it now has more defenders, and more powerful ones, this is no discredit to those who, less powerfully, sought to defend it then. We do not condemn the cause of freedom merely because for a while, after September 1939, it had too few defenders and could not all at once emerge triumphant. Let us equally not condemn the League for not having triumphed from the first. A new organisation has been created in defence of the same good cause—this time, we trust and believe, with better prospects of success. Let history recognise and applaud that success when it comes; nothing can deprive the League of Nations of its temporal and moral priority as having represented the original and not inglorious endeavour to give effect to a principle now reaffirmed in another institutional form."

M. F. C. Erkin, Turkey.

\ It was through the establishment of the League that the idea of a world organisation was first really tried out. Looked at from this angle, the League may justly claim to have merited the tributes of the nations. It succeeded in so far as it could succeed. All kinds of imperfections and omissions can undoubtedly be laid to its charge, but no one can deny the almost insuperable difficulties of the process whereby a League made up of nationalistic States strongly attached to the notion of absolute sovereignty was expected to develop without transition into an organised international society. If we are to pass a truly honest and realistic judgment on the work and achievements of the League of Nations, we must admit one elementary truth: without the experiment of the League, the United Nations Organisation could not have been created. The League of Nations was a necessary step in the evolution of international life. "

M. /. Nogueira, Uruguay.

" In any case the most perfect provisions will serve no purpose if the States which have undertaken to apply them fail to do so. I do not think the best way of applying them is to encourage rivalry between sovereign Powers each of which piles up its own armaments with a view to defending itself against possible aggression by another sovereign Power. The international police force must be a collective body if it is to be a real police force; otherwise it will simply consist of one national army alongside or opposite another national army. I know that the difficulties arising out of differences in mentality and culture between peoples are enormous, but the international police force which we so greatly desire can exist only under a common law to which all sovereign Powers are really amenable. The first codified effort in this direction was the Covenant of the League of Nations."

THE CHARTER IS A NEW VERSION OF THE COVENANT

M. G. de Blanck, Cuba.

" The balance-sheet of the work of the League has now been impartially drawn up and reveals, I think, a favourable result. Unfortunately this opinion is not shared by the majority of mankind. Time once again will have to make the necessary corrections.

" The Second World War made it essential to give satisfaction both to the judgment of the majority and to the aspirations of all, and so the title ' League of Nations ' was changed for another which is neither more accurate nor even more euphonious, and the Covenant was transformed into a Charter which has already been the subject of certain criticisms. The value of this instrument, as of all constitutions, will depend on the good faith of those who wish to maintain peace, and not on the conclusions arrived at after laborious discussions of its contents.

" What has been called the spirit of Geneva was something more powerful than the Covenant. When the spirit weakened, the Covenant lost its vigour. When the Charter was drawn up, we know that it was



done under the impulsion of this spirit of Geneva. The Charter is therefore a new version of the Covenant."

Mr. C. A. Knowles, New Zealand.

" There are those who have belittled the League and a few who have shown a disinclination to encourage a close connection between those who have served it and the new Organisation. I think that attitude is wrong. Why should we not profit from the experience gained as well as from the mistakes made here in Geneva ? Of this I feel certainii. that the spirit which guided those who framed our Covenant equally guided those who prepared the Charter of the United Nations."

Mr. H. Hume Wrong, Canada.

" Canada has been one of the small group of States Members of the League of Nations which, by paying their full contributions as they fell due, have persistently shown their belief that, the League must survive through the years of war. The alternative was to let the League die from lack of nourishment, so that it would have disappeared in fact before any steps had been taken to create a new international organisation to which the torch lighted here in Geneva could be passed. The decision of the Governments which maintained their support of the League during the war—and it was not always an easy decision, *in* the midst of the overwhelming pressures and demands of the war—has been amply justified by events.

" It was not, however, the technical activities of the Secretariat during the war, valuable though these were, that provided the real justification for keeping the League in being until to-day. If the League had been allowed to die from neglect, it would have been considerably more difficult from both the material and the moral point of view to establish the United Nations. The United Nations Organisation is not the legal heir of the League, but it is its moral successor; and the States Members of the League which have taken a share in the foundation of the United Nations have not only drawn on an ample heritage of experience from Geneva but have felt that they had themselves a debt to pay and a cause to redeem."

A CHANGE OF CONSTITUTION

Professor K. H. Bailey, Australia,

" Out of the upheavals caused by two world wars has emerged one of the distinctive achievements of the twentieth century—the organisation of an international community under a written constitution. In such disturbed and strenuous times, it could scarcely be expected that the task would be accomplished once and for all at the first attempt, but there is no occasion here for dirges, for humiliation, or for repudiation. Looking back, our successors will see that what we are doing this week in Geneva is just one phase in changing the constitution of the international community. Notwithstanding the evident break in continuity between the League and the United Nations, the underlying process is in reality continuous and constructive. Parallels can be found in the national history of many States.

" For a number of complex historical, political and psychological reasons, the combination of free States which organised victory in the Second World War felt that in building a general international organisation they must start afresh. Yet, in truth, they did not start altogether afresh. The problem of building international institutions for promoting security and welfare in a world of sovereign States has been attacked before and still remains essentially the same. The work of the pioneers who organised the great system of international institutions based here in Geneva still stood, serving as an example alike for encouragement and for warning. The debt of the United Nations to the League of Nations cannot be accurately measured merely by comparing one voting rule with another, or one organ with another. What stands out clearly is that, without the achievement of Geneva, San Francisco could not have gone so far or so easily in laying down a constitution for the world community of the future."

M. M. Petitpierre, Switzerland.

" **The** League of Nations may disappear. The idea which it **embodied** subsists. **It** already lives again in the United Nations

Organisation, whose framework is much wider, since two great countries absent at the birth of the League have assumed responsibilities towards the new Organisation by according it from the outset their powerful support.

" There is too often a tendency to regard idealism as incompatible with a sense of reality. We forget that true realism takes account of ideal values. The Charter of San Francisco is inspired by such values; it is, indeed, based on them. But it has also profited by the experience of the League of Nations and, by creating effective security machinery, it has seen to it that the ideal values should not be left defenceless.

" Switzerland will remain faithful to the ideal proclaimed by the League of Nations, to the ideal embodied to-day in the United Nations Organisation, because that ideal is at the basis of the structure of my country, which, without it, could not have been founded, could not have survived and—who knows—might perhaps not have been chosen as the first seat of a World Parliament."

SIMILARITIES OF STRUCTURE AND PURPOSE

Jonkheer F. Beelaerts van Blokland, Netherlands.

" In view of the strong criticism which was levelled against the League of Nations before the Second World War, one might have expected that the new world Organisation would be substantially different.

" All who were acquainted with the activities of the League and who have now studied the programme of work of the Economic and Social Council of the United Nations will, however, be struck by their very great similarity. A great many of the League organs will find direct successors in the committees set up by the United Nations. In these various fields the continuity is all the more apparent, as work in them was hardly interrupted during the war . . .

" We also find that as regards the structure of the new Organisation the United Nations bears a striking resemblance to its predecessor. On this point the official British commentary on the new Charter reads as follows: ' The experience of the League of Nations was, of course, always in the minds of those who prepared the document, and there is in structure a considerable likeness between the Covenant and

the proposed Charter.' If it is true that the League of Nations is now dead, it is certain that it has not lived in vain. The League has always worked in the same spirit as the promoters of the new Organisation, and they have profited by the experience gained in the course of the twenty-five years during which the League existed and worked and—let it never be forgotten—proved itself repeatedly a useful and valuable institution for co-operation between States. It has been rightly admitted that, as regards the structure of the institution, there was little to alter."

M. Luis Padilla-Nervo, Mexico.

" At this moment, when for the last time a delegate of Mexico has the honour to address the Assembly, I must say that I feel no regret or sorrow; emotion which I feel is a firm conviction that the ideals which moved and brought together the nations of the world remain with us. We are turning a page of errors and sins against the Covenant, but the spirit of that Covenant is alive and stronger than before in the Charter of the United Nations, and its signatories have taken our pledge * to promote international co-operation and to achieve international peace and security . . . by the maintenance of justice and a scrupulous respect for all treaty obligations V

THE NEW ALLEGIANCE

M. Th. Aghnides, Greece.

" I am well aware that the world is suffering from a certain uneasiness, and that the ill-success of the League prevents any exuberant display of our faith and confidence in the new organisation; yet this wave of scepticism must be resisted, and we must transfer to the new institution all the loyalty we feel for the League. Does not the very creation of the United Nations Organisation constitute the most striking tribute that can be paid to it? In so far, therefore, as we are faithful to the League ideal we must pledge our faith—an equal faith—in the United Nations. "

" This, indeed, is no rival institution, but a development of the same organisation—a natural development which history can explain...

" Generous ideas cannot perish; you cannot destroy them; at most, you can postpone the day when they will blossom and come to full fruition. Let us therefore transfer our faith in the League of Nations to its younger sister, the United Nations Organisation*"

Dr. Lone Liang, China.

" We are here not to witness the ' funeral ' of the League, as it were, but rather to graft its living parts on to a new organism of peace and security, the United Nations Organisation, which represents the same common ideal that gave birth to the League two decades ago . . .

" Though the League is going to be wound up, its ideals and aims still remain. Shorn of its imperfections and transplanted under better conditions, the League experiment will start a new lease of life in a new human endeavour to achieve peace and security through the United Nations."

Khwaja Sir Nazimuddin, India.

" I do not agree with those who think that we have come to the burial ceremony of the League of Nations. The idea of preventing future wars was experimented upon in the organisation of the League of Nations. Certain results have been achieved, but the experiment was not a complete success. Further research is necessary, and it is now being transferred to a more advanced laboratory where, we hope, it will be possible to evolve conditions which will make it impossible for another war to take place. All our hopes now rest with the United Nations Organisation, where the principle of collective security against aggression will be put into practice."

M. L. Padilla-Nervo, Mexico.

" The work done by the League in all its non-political activities and functions that it undertook will endure. We are encouraged, moreover, by the firm belief that, in the political field, the United Nations will always have the faithful support of its Members which is indispensable to its success and without which humanity and civilisation will not survive. May all the peoples of the world join their hearts and their efforts and their will towards the same end—in the words of the Charter, * to save succeeding generations from the

scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of nations large and small \"

M. M. Bourquin, Belgium.

" We are liquidating a great enterprise with which many of us have been intimately associated and which we cannot see come to an end without a certain feeling of melancholy. This feeling, natural and legitimate as it may be, is not, however, our dominating feeling at this moment. We are dominated, on the contrary, by a hope, a constructive determination, which, while not oblivious of the past, is essentially directed towards the future.

" The work goes on with the same object, with the same ideal and under the influence of the same necessities; it is to that work that we must bring the contribution which it demands of us.

" The Charter of 1945 succeeds the Covenant of 1919. In order that it should be possible to pass from one to the other the ground had to be cleared. It was that thankless task which fell to our lot. We have accomplished it conscientiously.

" The proposals on which we have agreed must not, therefore, be regarded as an act of abandonment but rather as a modest participation in the great effort at international organisation which is going on throughout the world.

" I am put in mind of Jaures' saying: 'It is when a river flows towards the sea that it is true to its source'.

" It is by bringing to the United Nations our faith and our experience that we shall be true to the League of Nations."

LESSONS FOR THE FUTURE

M. Th. Agbnides, Greece.

" It is in keeping with the precepts of Greek humanism to put one's faith far more in men than in institutions. The new instrument set up at San Francisco is adequate for its purpose, as was the Covenant of the League of Nations. Let us hope that statesmen will this time

be equal to their responsibility and by their wisdom and courage rectify possible omissions in the Charter and thus ensure for the world a long era of peace."

Mr. H. Hume Wrong, Canada.

" The troubles of the world are not, and never have been, at bottom a question of the nature of the existing international machinery, of the processes whereby issues are brought forward for discussion and settlement, of the Covenant or the Charter, of the rule of unanimity or the veto power. What the League of Nations could do, and what the United Nations can do, was and is what the States Members agree should be done. The League of itself could accomplish nothing. The United Nations of itself can accomplish nothing. Both are instruments for collective action of their States Members. We must seek to avoid that mischievous fallacy which at times in the past led many people to make excuses for the inaction of their own Governments on the ground that the question at issue was one for the League to settle. More cannot come out of any international organisation than its members are ready to put into it."

Professor K. H. Bailey, Australia.

" We have been trenchantly reminded that a written constitution like the Covenant and the Charter is not self-executing. Man's hope of peace depends on his will to peace. A real will to peace is something much more, and much more rare, than a mere wish to be undisturbed. It needs, as we have been reminded here, a determination to build policy on principles, not on the expediencies of the moment. It needs the courage to take day-to-day decisions with an unswerving eye on the basic objectives embodied in the fundamental law. That is one of the clear lessons which the successors to the League can learn from our experience under the Covenant."

Jonkheer F. Beelaerts van Blokland, Netherlands.

" What above all needed changing and developing was the spirit of the peoples, too often disinclined to make those direct sacrifices which international collaboration demands. Had it been possible to modify this mentality easily, it might not even have been necessary to replace the existing organisation by a new one."

Viscount Cecil of Chelwood, United Kingdom.

" Believe me, there is no safety except in peace, and peace cannot be maintained merely and solely by national armaments, however necessary they may be, by each nation seeking safety for itself. Let us, then, boldly state that aggression, wherever it occurs and however it may be defended, is an international crime, that it is the duty of every peace-loving State to resist it, and to employ whatever force may be necessary to crush it, that the machinery of the Charter, no less than of the Covenant, is sufficient for this purpose if it is properly used, and that every well-disposed citizen of every State should be ready to undergo any sacrifice in order to maintain peace . . .

" In the end, it is public opinion that counts. Governments may be feeble or sometimes dishonest even, circumstances may put into the hands of a few men the power to use or misuse the forces of their country, but in the end the last word will be spoken by the great mass of the people, and I am sure myself that they will decide aright if only they are given proper materials on which to form their opinion, especially by full publicity for all international discussions.

" Education in the largest sense is necessary. Everywhere organisations should exist for that purpose, whether supported by the State or drawing their strength from the conviction and enthusiasms of individuals. I venture very respectfully to press upon my hearers that here is a great work for peace in which all can participate, resting not only on the narrow interests of our own nations but even more on those great principles of right and wrong on which nations, like individuals, depend."

THE LEAGUE'S LEGACY TO THE UNITED NATIONS

Mr. P. J. Noel-Baker, United Kingdom.

" Some of us have spoken as though our resolution were the end of some great enterprise in which for a season we have been privileged to take part. An end ! An end of what ? Is it more an end than what is happening in many countries at the present time ? By our resolution one written constitution will be no more; one set of institutions will cease to be; but already a new constitution, new institutions in

the same society for the same end have taken their place. A new Assembly has already held a meeting and it has since dealt successfully with most difficult and even dangerous post-war international disputes. (The old Court of Justice, as our Polish colleague said the other day, became a beacon light to all international lawyers; to them it became the juristic conscience of the world. We all resolved that in the new Court a wider obligatory jurisdiction shall play a greater part than ever before. Already it is meeting; already there are cases waiting to be heard.

" The Economic and Social Commission recommended by the Bruce Committee in 1939 will hold its second meeting at the end of May. The International Labour Organisation is more vigorous than ever it was before; health, refugees, human rights—we call it that instead of minorities—in every field of the League's action the work has started once again, and in every case the work has started where the League left off, but with a new drive and a new impulsion, a new resolve to use the experience and to avoid the errors of the past. To-day no honest man denies that Lord Cecil is right, that it is because the League existed that the United Nations still exists, and that the United Nations starts with a far brighter prospect than anyone could have hoped for a quarter of a century ago.

" Let us remember what was said by Montesquieu: '*Le succes de la plupart des entreprises depend de savoir combien il faut de temps pour re us sir*'

When the true history of our generation has been written half-a-century from now, the tale will not be told in the terms of the tawdry and conflicting interests about which politicians quarrelled in the periods between the wars or of the small ambitions and the small achievements of which they thought. It will be written in terms of great world movements and the movement from international anarchy to order, from meaningless chaos and division to conscious and intelligent co-operation. It will be written in terms of the growth of those permanent international, political institutions through which that new order and new co-operation will be evolved, and across the pages of that story the names of the League of Nations and its leaders with their successes and failures will be written large.

" Our work is not ended. It has only just begun. "

M. J. Paul-Boncour, France.

" These voices from the past¹ do not invite us to discouragement but rather to see that the work is carried on.

" ' *En avant, par del a les tombes !* ' said a great poet. Onwards, beyond the graves of those who died on the hard road which leads to peace !

" Onwards, beyond the grave in which we are to-day burying the League of Nations, in melancholy indeed and with great dignity !

" A great hope is born at the very moment when we proclaim its end, when we have just finished voting its dissolution.

" The United Nations Organisation takes over its principles and to that Organisation we leave the incomparable threefold legacy of our assets, our archives—rich in material that it will find invaluable for the reconstruction of a world more shaken by war even than the world rebuilt by the League—and lastly our twenty years of experience, our efforts at international collaboration which sometimes, alas, were found too weak and unenduring but which were proof at least of our desire to keep such collaboration alive . . .

" Let us join whole heartedly in wishing the United Nations success—a success which will be our success, since most of the nations that were Members of the League already belong to the United Nations Organisations, where, I hope, they will soon be followed by the others, so that we may all labour together at that task of securing peace in which we have so long been associated."

THE CRUCIAL PROBLEM REMAINS THE SAME

Mr. H. Hume Wrong, Canada.

" This is not an occasion for lamentation or excuse. It is not an occasion for regrets for past errors or for expressions of confidence that the nations of the world have profited from experience. It is chiefly an occasion for heart-searching. The United Nations Organisation is faced to-day with exactly the same central problem that faced the League of Nations over twenty-five years ago: Are the

¹ M. Paul-Boncour had been recalling the great names associated with the foundation and history of the League.

nations and the Governments that speak for them ready to accept in judgment on their own actions ' the decent opinion of mankind' expressed through a general international organisation ?

" The United Nations starts with an enormous advantage that the League never had: there is no powerful State left outside. In its operations and decisions there is less reason for caution than there ever was in the case of the League. All the countries possessing substantial power to-day are Members of the United Nations. But the question remains which, with greater justification, haunted the meeting-rooms and corridors of Geneva: Have they the will to use their power to support the principles and procedures of the Charter ?

"Until that will is manifest in action, until we can see from experience that the machinery can be made to work as it was meant to work, until we can be sure that the latest dread lesson, the lesson of the atomic bomb, has imprinted itself more deeply in the minds of men, we cannot relax our vigilance or feel secure."

TRANSFER OF FUNCTIONS, ACTIVITIES AND ASSETS

For a proper understanding of the Assembly's decisions in these matters it is necessary to set them against the background of international developments during the previous twelve months. The adoption of the Charter of the United Nations by a Conference at which the great majority of the States Members of the League were represented made the latter's ultimate disappearance a foregone conclusion and from that time onwards the chief concern of those responsible for its destinies was to see that its activities were terminated in a manner worthy of the part it has played in world affairs during the last quarter of a century.

In a communication dated September 20th, 1945, the Secretary-General reminded the States Members that the decision taken at San Francisco envisaged the replacement of the League by the United Nations and informed them that the latter's Executive Committee had been instructed to " formulate recommendations concerning the possible transfer of certain functions, activities and assets of the League which it may be considered desirable for the new Organisation to take over on terms to be arranged ". The Secretary-General proposed that the Supervisory Commission be empowered to enter into discussions with the United Nations representatives and to draw up provisional terms of transfer " subject to the final decision of the League Assembly ".

This proposal was accepted by the Members of the League and on December 18th, 1945, the Preparatory Commission of the United Nations set up a Committee to negotiate with the Supervisory Commission. Its powers were, however, limited to the establishment of a Common Plan for the transfer to the United Nations of the League's assets, the question of the assumption of the League's functions and activities being reserved for consideration elsewhere. The joint deliberations of the representatives of the two international Organisa-

tions were successful and the Common Plan on which they agreed was in due course approved by the General Assembly of the United Nations. Thenceforward it only required the assent of the League Assembly to become effective.

The United Nations' decisions regarding the assumption of functions, powers and activities of the League were embodied in several resolutions adopted by the General Assembly in February 1946. The first of these dealt with functions and powers belonging to the League under international agreements. By it the General Assembly reserved its right to decide, after due examination, not to assume any particular function or power and to determine by which organ of the United Nations or by which specialised agency each particular power or function should be assumed. Subject to these general qualifications, however, it declared its willingness to assume the exercise of two main categories of functions devolving on the League under international agreements. These were:

(a) Functions pertaining to a Secretariat in the matter of the custody of the original signed texts of international agreements and the performance of routine duties not affecting the operation of the agreements or relating to the substantive rights and obligations of the parties;

(b) Functions and powers of a technical and non-political character under international agreements whose execution has hitherto been dependent on the exercise of such powers by the League of Nations or certain of its organs.

The General Assembly added that it would itself examine or submit to the appropriate organ of the United Nations any request from the parties that the United Nations should assume the exercise of functions or powers entrusted to the League by international instruments having a political character.

A second resolution of the General Assembly dealt with non-political functions and activities of the League other than those mentioned above. It requested the Economic and Social Council to survey the League's non-political functions and activities and to determine which of them should, perhaps in modified form, be assumed by organs of the United Nations or specialised agencies. Pending the completion of this survey, however, it provided that, on

or before the League's dissolution, the Council should assume, and continue provisionally, the work of certain League departments—namely, the Economic, Financial and Transit Department (particularly its research and statistical work), the Health Section (particularly the epidemiological service), the Opium Section and the secretariats of the Permanent Central Opium Board and Supervisory Body. The resolution further requested the Secretary-General of the United Nations to make provision for taking over the League Library and Archives and for completing the League *Treaty Series*,

Other activities hitherto performed by the League are dealt with in decisions taken by other United Nations bodies.

The Economic and Social Council has established a Commission on Human Rights (whose terms of reference include the protection of minorities), a Sub-Commission on the Status of Women, a temporary Social Commission to report on the advisability of bringing under the Council the activities hitherto carried out by the League in the social field, and a Committee of Enquiry on Refugees and Displaced Persons.

At a conference held in London in November 1945, a United Nations Educational Scientific and Cultural Organisation was established which will deal with all matters formerly included in Intellectual Co-operation.

The Trusteeship Council provided for in Chapter XIII of the United Nations Charter has not yet been set up, but the General Assembly hopes to be able to constitute it next September. The trusteeship system will apply, *inter alia*, to such territories held under mandate as may be brought under it by means of trusteeship agreements.

Thus by the time the Assembly met in its twenty-first session it was in possession of the United Nations' plans for taking over the League's material assets and for carrying on, either directly or through one of its related agencies, all the League's most important functions and activities of a non-political character. Its main business, therefore, was " to make provision for bringing the League of Nations to an end in orderly fashion, so that as much as possible of its surviving work can be continued without interruption and as much as possible of its property can be used to promote those high purposes of international peace and co-operation for which the League itself was founded." ¹

¹ Report of the First Committee to the Assembly (document A.33.1946), page 1.

I. FUNCTIONS AND ACTIVITIES

The amplitude of the functions and activities to be transferred may be judged from the following passage in the Report of the First Committee to the Assembly:

"... the League of Nations has been intimately associated with the development of international co-operation; in fact, it has been the world centre of activities in this sphere. By various international agreements, Governments have entrusted it with a number of important functions. Further, the Assembly and the Council have themselves set up numerous technical organs which, with the assistance of the Secretariat, have carried out invaluable work in connection with economic and financial problems, communications and transit questions, health questions, intellectual co-operation problems, and various social problems such as slavery, child welfare, the traffic in women and the drug traffic. The League's reports and studies and periodical technical publications have gained for themselves a unique authority in every corner of the world; many have continued to appear throughout the war.

" As Mr. Cordell Hull wrote in February 1939: ' The League of Nations has been responsible for the development of mutual exchange and discussion of ideas and methods to a greater extent and in more fields of humanitarian and scientific endeavour than any other organisation in history '." ¹

The Assembly's main decisions regarding the future of these various activities will be found in the following pages.

(a) The Assumption by the United Nations of Functions and Powers hitherto exercised by the League under International Agreements.

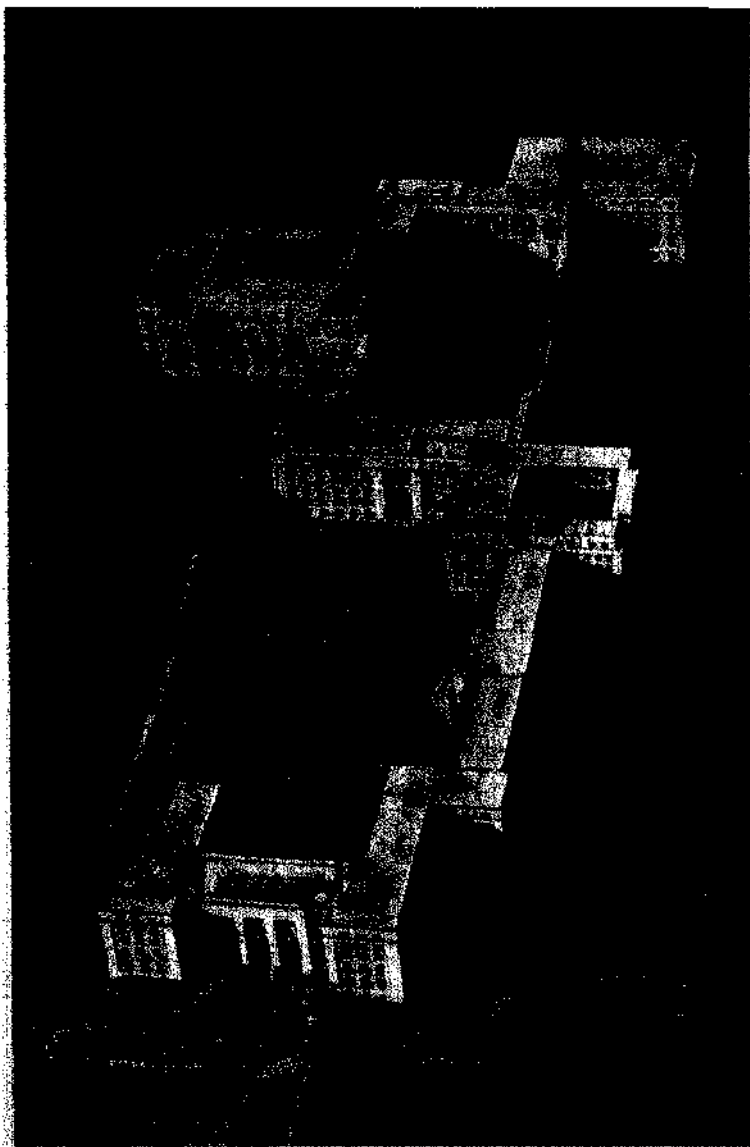
The Assembly adopted the following resolutions:

" The Assembly of the League of Nations,

" Having considered the resolution ² on the assumption by the United Nations of functions and powers hitherto exercised

¹ Document A.33.1946, page 2.

² See page 62.



[photo Boesok, Geneva.

The League Buildings: Air view from the south-west,

by the League of Nations under international agreements, which was adopted by the General Assembly of the United Nations on February 16th, 1946:

" Adopts the following resolutions:

" (1) *Custody of the Original Texts of International Agreements.*

" The Assembly directs that the Secretary-General of the League of Nations shall, on a date to be fixed in agreement with the Secretary-General of the United Nations, transfer to the Secretariat of the United Nations, for safe custody and performance of the functions hitherto performed by the Secretariat of the League, all the original signed texts of treaties and international conventions, agreements and other instruments, which are deposited with the Secretariat of the League of Nations, with the exception of the Conventions of the International Labour Organisation, the originals of which and other related documents shall be placed at the disposal of that Organisation.

" (2) *Functions and Powers arising out of International Agreements of a Technical and Non-political Character.*

" The Assembly recommends the Governments of the Members of the League to facilitate in every way the assumption without interruption by the United Nations, or by specialised agencies brought into relationship with that Organisation, of functions and powers which have been entrusted to the League of Nations, under international agreements of a technical and non-political character, and which the United Nations is willing to maintain."

(b) The Assumption by the United Nations of Activities hitherto performed by the League.

The Assembly adopted the following resolution:

" The Assembly directs the Secretary-General of the League of Nations to afford every facility for the assumption by the United Nations of such non-political activities, hitherto per-

formed by the League, as the United Nations may decide to assume." ¹

The First Committee laid special emphasis on the importance of ensuring that there should be no break in the performance of those of the League's functions and activities which the United Nations decides to maintain. The administrative arrangements made by the Secretary-General for this purpose are summarised under " Staff" on page 91.

(c) International Loans issued under the Auspices of the League.

It is pointed out in a note to the First Committee's Report that the second resolution quoted under (a) above must not be taken to apply to nine international loans issued under League auspices during the nineteen-twenties to various European countries which had suffered particularly from the First World War.² No decision had been taken by the United Nations regarding the assumption of the League's functions in this connection, but the Preparatory Commission had expressed the view that the matter could be brought before the Economic and Social Council by any interested Government.

Sir Hartley Shawcross, the United Kingdom delegate in the First Committee, remarked that the majority of the functions exercised by the Council of the League in connection with the loans had disappeared, but that there still remained one which might have to be exercised in future, and that was the appointment of fresh trustees. It was the view of the United Kingdom Government that those Governments particularly associated with the issue of the loans

¹ For the wide range of activities covered by this brief resolution, see pages 62-63.

² These were the Austrian Government Guaranteed Loan, 1923-43; the State Loan of the Kingdom of Hungary, 1924-44; the Greek Government 7% Refugee Loan of 1924-64; the Municipality of Danzig 7% Mortgage Loan of 1925-45; the Kingdom of Bulgaria 7% Settlement Loan, 1926-66; the Republic of Estonia (Banking and Currency Reform) 7% Loan, 1927-47; the Free City of Danzig 6½% (Tobacco Monopoly) State Loan, 1927-47; the Greek Government 6% Stabilisation and Refugee Loan of 1928-68; and the Kingdom of Bulgaria 7½% Stabilisation Loan of 1928-48.

should be responsible for ensuring that the dissolution of the League should not significantly alter the rights and interests of the parties and it therefore intended " if the occasion arose, and after due consultation with other interested Governments, to raise the question at the next meeting of the Economic and Social Council, so that the necessary arrangements might be made. " ¹

(d) Mandates.

The following statements by the representatives of mandatory Powers were made in the course of the discussion on the Secretary-General's Report in plenary session of the Assembly:

Mr, Leif Egeland (Union of South Africa):

" Among the League's services necessarily left in abeyance at the outbreak of war and since suspended, not the least valuable was its work in connection with the mandates system, the conception of which originated with my Prime Minister, Field-Marshal Smuts. The hopes expressed in 1920 by Mr. Arthur Balfour that one of the most valuable experiments made by the Covenant would be successful were in large measure realised, and it is generally recognised that the League discharged its supervisory functions in respect of mandates with high seriousness, skill and success. For twenty years, as one of the mandatory Powers, South Africa worked in close co-operation with the Permanent Mandates Commission, and we are proud of the fact that our relations with that body have always been both happy and cordial.

" Since the last League meeting, new circumstances have arisen obliging the mandatory Powers to take into review the existing arrangements for the administration of their mandates. As was fully explained at the recent United Nations General Assembly in London, the Union Government have deemed it incumbent upon them to consult the peoples of South West Africa, European and non-European alike, regarding the form which their own future govern-

¹ See Minutes of the third meeting of the First Committee, Friday, April 12th, 1946.

ment should take. On the basis of those consultations, and having regard to the unique circumstances which so signally differentiate South West Africa—a territory contiguous with the Union—from all other mandates, it is the intention of the Union Government, at the forthcoming session of the United Nations General Assembly in New York, to formulate its case for according South West Africa a status under which it would be internationally recognised as an integral part of the Union. As the Assembly will know, it is already administered under the terms of the Mandate as an integral part of the Union. In the meantime, the Union will continue to administer the territory scrupulously in accordance with the obligations of the Mandate, for the advancement and promotion of the interests of the inhabitants, as she has done during the past six years, when meetings of the Mandates Commission could not be held.

" The disappearance of those organs of the League concerned with the supervision of mandates, primarily the Mandates Commission and the League Council, will necessarily preclude complete compliance with the letter of the Mandate. The Union Government will nevertheless regard the dissolution of the League as in no way diminishing their obligations under the Mandate, which they will continue to discharge with the full and proper appreciation of their responsibilities until such time as other arrangements are agreed upon concerning the future status of the territory."

Professor K. H. Bailey (Australia):

" The mandates system expresses one of the most significant ideas in the Covenant, namely that the well-being and development of peoples not yet able to stand alone under the strenuous conditions of the modern world form a sacred trust of civilisation, and that States responsible for the government of those peoples should give guarantees for the due performance of their trust. The principle itself is inherently applicable to all dependent territories, but it was applied by the Covenant only to those that had formerly been ruled by Germany or Turkey.

" Everyone agrees to-day that, in that limited sphere, the mandates system worked reasonably well. Australia has discharged her trust in effective and cordial co-operation with the League, and particularly

with the Permanent Mandates Commission. Ideas have a way of taking root and spreading. That happened with the mandates system. The Charter of the United Nations has now extended its basic principles . . .

" In January 1946, at the first session of the General Assembly of the United Nations, the Government of Australia announced its intention of negotiating appropriate trusteeship agreements with a view to bringing the mandated territories of New Guinea and Nauru under the international trusteeship system contemplated by Chapters XII and XIII of the United Nations Charter. In respect of Nauru, for which Australia shares the mandate with the United Kingdom and New Zealand, the other two Governments concurred in this course of action.

" After the dissolution of the League of Nations and the consequent liquidation of the Permanent Mandates Commission, it will be impossible to continue the mandates system in its entirety. Notwithstanding this, the Government of Australia does not regard the dissolution of the League as lessening the obligations imposed upon it for the protection and advancement of the inhabitants of the mandated territories, which it regards as having still full force and effect. Accordingly, until the coming into force of appropriate trusteeship agreements under Chapter XII of the Charter, the Government of Australia will continue to administer the present mandated territories, in accordance with the provision of the mandates, for the protection and advancement of the inhabitants."

Count Carton de Wiart (Belgium):

" . . . Belgium holds from the League of Nations the mandate for the Territory of Ruanda-Urundi. She has discharged scrupulously all the obligations arising out of the mandate, and this region of Central Africa has known peace and progress under the resultant regime. Subjected not so long ago to the good pleasure of an oligarchy of foreign origin, the mass of its population has recently been living and continues to live in full security under the protection of the law. Its economic prosperity has increased more rapidly than could have been anticipated and, in spite of the fact that the density of the population is exceptionally high for tropical Africa, the living

conditions there are much superior to those which the country had known in the past.

" Belgium has ratified the United Nations Charter, which provides, in Chapters XII and XIII, for the organisation of an International Trusteeship System. At the meeting of the General Assembly of the United Nations in London on January 20th last, she declared her intention of entering into negotiations with a view to placing the Territory of Ruanda-Urundi under the new regime. In pursuance of this intention, the Belgian Government has prepared a draft agreement setting out the conditions under which it will administer the territory in question.

" In the course of the same declaration of January 20th, we expressed our confidence that the Trusteeship Council would soon come to occupy in the United Nations Organisation the important place which it deserves. We can only repeat that hope here and give an assurance that, pending its realisation, Belgium will remain fully alive to all the obligations devolving on members of the United Nations under Article 80 of the Charter."

Viscount Cecil of Chelwood (United Kingdom):

" The system of mandates can properly be regarded as one of the principal landmarks in the evolution of world thought on the subject of non-self-governing countries, recognising as it did that the well-being and development of the peoples concerned formed a sacred trust of civilisation.

" The mandates administered by the United Kingdom were originally those for Iraq, Palestine, Trans Jordan, Tanganyika, part of the Cameroons, and part of Togoland. Two of these territories have already become independent sovereign States: Iraq in 1923, and Transjordan just the other day in 1946. As for Tanganyika and Togoland, under their mandate, and the Cameroons under their mandate, His Majesty's Government in the United Kingdom have already announced their intention of placing them under the trusteeship system of the United Nations, subject to negotiations on satisfactory terms of trusteeship.

" The future of Palestine cannot be decided until the Anglo-American Committee of Enquiry have rendered their report, but

until the three African territories have actually been placed under trusteeship and until fresh arrangements have been reached in regard to Palestine—whatever those arrangements may be—it is the intention of His Majesty's Government in the United Kingdom to continue to administer these territories in accordance with the general principles of the existing mandates."

M. J. Paul-Boncour (France):

" I wish to recall that, during twenty-five years, France has administered the territories allotted to her by mandate in accordance alike with the spirit and with the letter of the mandate. I can reaffirm to-day, as was stated on January 23rd in London by the French representative on the Trusteeship Commission of the Assembly of the United Nations, that the French Government intends to pursue the execution of the mission entrusted to it by the League of Nations. It considers that it is in accordance with the spirit of the Charter that this mission should henceforth be carried out under the regime of trusteeship and it is ready to examine the terms of an agreement to define this regime in the case of Togoland and the Cameroons."

Mr. C. A. Knorvles (New Zealand):

" New Zealand has always strongly supported the establishment of the International Trusteeship System, and has already declared its willingness to place the mandated territory of Western Samoa under trusteeship. In the General Assembly of the United Nations on January 18th, 1946, the Prime Minister, the Right Honourable Peter Fraser, made a declaration on behalf of the Government to the effect that New Zealand was prepared to place under trusteeship the country known as Western Samoa, for which a mandate was conferred by the League of Nations in 1920 upon His Britannic Majesty, to be exercised on his behalf by the Government of the Dominion of New Zealand. Mr. Fraser added that, in due course, his Government would submit for the approval of the United Nations, in accordance with Article 79 of the Charter, a trusteeship agreement in respect of that territory.

" New Zealand does not consider that the dissolution of the League of Nations and, as a consequence, of the Permanent Mandates

Commission will have the effect of diminishing her obligations to the inhabitants of Western Samoa, or of increasing her rights in the territory. Until the conclusion of our trusteeship agreement for Western Samoa, therefore, the territory will continue to be administered by New Zealand, in accordance with the terms of the mandate, for the promotion of the well-being and advancement of the inhabitants.

" In conclusion, I would refer to the happy association which has existed between the Government of New Zealand and the Permanent Mandates Commission. I hope, indeed I claim, that the Commission were satisfied with our administration of Western Samoa, and particularly with those aspects bearing on the welfare of the natives."

Thus all Members of the League at present administering mandated territories declared that, notwithstanding the League's dissolution, they would continue to administer those territories for the well-being and development of the peoples concerned, as required by their respective mandates, until other arrangements could be agreed upon with the United Nations.

The discussion on mandates in the First Commission was, consequently, brief.^x Dr. Lone Liang (China), however, drew attention to the fact that, though the Charter of the United Nations—in particular through the establishment of an international trusteeship system—embodied principles corresponding to those of the mandates system, it made no provision for the assumption by the United Nations of the League's functions under that system as such. The continued application to the mandated territories of the principles laid down in the Covenant of the League was, he said, a matter on which the Assembly would wish to be assured. He therefore moved, and the First Committee approved, the following resolution which was subsequently adopted by the Assembly:

" The Assembly,

" Recalling that Article 22 of the Covenant applies to certain territories placed under mandate the principle that the well-being and development of peoples not yet able to stand alone in the strenuous conditions of the modern world form a sacred trust of civilisation:

¹ See Minutes of the third meeting of the First Committee, April 12th, 1946.

- " (1) Expresses its satisfaction with the manner in which the organs of the League have performed the functions entrusted to them with respect to the mandates system and in particular pays tribute to the work accomplished by the Permanent Mandates Commission;
- " (2) Recalls the role of the League in assisting Iraq to progress from its status under an 'A' Mandate to a condition of complete independence, welcomes the termination of the mandated status of Syria, the Lebanon and Trans Jordan, which have, since the last session of the Assembly, become independent members of the world community;
- " (3) Recognises that, on the termination of the League's existence, its functions with respect to the mandated territories will come to an end, but notes that Chapters XI, XII and XIII of the Charter of the United Nations embody principles corresponding to those declared in Article 22 of the Covenant of the League;
- " (4) Takes note of the expressed intentions of the Members of the League now administering territories under mandate to continue to administer them for the well-being and development of the peoples concerned in accordance with the obligations contained in the respective mandates, until other arrangements have been agreed between the United Nations and the respective mandatory Powers."

Mahmoud Mohamed El Darwiche Bey (Egypt) abstained from voting and made the following statement:

" The terms of Article 22 of the Covenant of the League of Nations, referred to in the preamble of the resolution under consideration, provide that the system of mandates was meant for people not yet able to stand alone in the strenuous conditions of the modern world. Palestine, after the last war, was considered to be a territory coming under this provision. The opinion of my Government is that Palestine has intellectually, economically and politically reached a stage where it should no longer continue under mandate or trustee-

ship or whatever other arrangements may be considered. Palestine is not behind the countries the independence of which has lately been admitted, and to which reference is made in the resolution; she is not behind Iraq, Syria, the Lebanon or Transjordan. I therefore feel that I have to make all reservations in the Assembly, as I did in the Committee, with regard to the fourth paragraph of the resolution, whereby the Assembly

" ' Takes note of the expressed intentions of the Members of the League now administering territories under mandate to continue to administer them. . . in accordance with the obligations contained in the respective mandates . . . ' "

" It is the view of my Government that mandates have terminated with the dissolution of the League of Nations, and that, in so far as Palestine is concerned, there should be no question of putting that country under trusteeship. I have not chosen the procedure of submitting a formal resolution whereby the Assembly expresses the wish that the independence of Palestine shall be declared; I chose in the Committee, and I intend here simply to abstain from voting on this resolution."

(e) International Assistance to Refugees.

The present position and future prospects of the international assistance to refugees which has been carried on under the auspices of the League was fully discussed by the First Committee. The debate was opened by Sir Herbert Emerson, the High Commissioner for Refugees, who made a statement on matters arising out of his last annual report.¹

The report, he said, dealt solely with the two main categories included in his mandate as High Commissioner—(i) Nansen refugees and (2) refugees from Germany and Austria, victims of Nazi persecution. It became apparent, however, within a few months of the beginning of the war that many new classes of refugees were being brought into being and, with the approval of the Supervisory Commission, he anticipated what he believed to be the wishes of the

Assembly in giving every possible assistance to those which, strictly speaking, were outside his mandate.

The system of international protection was based on the provisions of League conventions, but, in addition, there was a generally accepted unwritten understanding that it was the League's right and duty to make representations through its competent officers to Governments in any matter affecting the legitimate interests of the refugees under its protection.

During the past seven years, he had made many thousands of such representations to many Governments, some of which were not members of the League, in regard to refugees scattered throughout the world. Not all of these representations were successful. One successful representation out of ten was often as much as could be hoped for, but no Government had ever challenged his right to make such representations. This position was one in which the League might take a just pride and he hoped it would be consolidated by the international body to be recognised or established by the United Nations.

Among his other functions, he had been instructed to establish contact with voluntary organisations to which a great deal of spade work had necessarily to be left. It was they who had mainly to concern themselves with the individual cases which played so large a part in refugee work and their efforts had been characterised by a very high standard of efficiency.

A particular tribute was due to the Swiss organisations. During the war, Switzerland had been a convenient centre for the assistance of those under the yoke of the enemy and a large part of the relief afforded to victims of Nazi persecution through underground channels emanated from its territory. In caring for refugees, the voluntary organisations were emulating the example set by the Swiss Government itself, which before, during and after the war had shown the greatest solicitude for refugees.

In his report, he had estimated the number of German and Austrian refugees at 160,000 to 200,000, but subsequent information suggested that, excluding those now in Germany and Austria whose status as refugees was at least open to doubt, it might not be much in excess of 120,000 and even that figure tended to exaggerate the effective size of the problem. It included many in the United King-

dom, the countries of Western Europe, Sweden, Australia, Canada and elsewhere who, it might be hoped, would be allowed to remain in those countries and ultimately acquire citizenship. Many of the 120,000 were self-supporting. At present there were probably not more than 20,000 to 30,000 (mainly the old and infirm and the young) who were being maintained by governmental agencies or private organisations. The Intergovernmental Committee on Refugees, of which he was Honorary Director, was contributing greatly to the physical relief of this category. It had relief programmes in operation in Spain, Portugal, France, Belgium, Holland and Italy, and funds were to be provided for the transport to new countries of persons unable to meet the expense themselves.

The situation was similar as regards some aspects of the problem of the Nansen refugees. At the beginning of the war, most of them had been established in European countries where they had the right of settled residence and certain rights under various Conventions; there were still hundreds of thousands who had not been naturalised, but the process of assimilation was proceeding. During the war, however, they had been displaced in large numbers from countries of Central Europe and many of them were back in the position that they were in twenty-five years ago.

In the western zones of Germany and Austria, there were 20,000 to 25,000 such persons to whom he was giving what assistance he could. Many of them were not in camps or within the effective protection of U.N.R.R.A. They constituted a very urgent problem and others who had infiltrated into Italy were in much the same position.

Those established *in* other countries, and particularly in France, although very few of them were displaced, were in difficulties as a result of the war, but very great progress towards restoring the pre-war position had been made with the cordial assistance of the French Government, which had always taken a foremost part in the system of international protection.

German and Austrian refugees also came under the Intergovernmental Committee on Refugees, and their continued protection was thus assured. In the case of the Nansen refugees, on the other hand, there might be a troublesome interval of a few months before the international body to be recognised or established by the United Nations took over responsibility for them.

He had, however, come to Geneva straight from the United Nations Committee of Enquiry in London, the first few meetings of which he had attended in an advisory capacity. The Committee had not then reached any conclusions but he had been encouraged to note that there had been constant reference throughout its proceedings to the principles and methods of the League in this field.

Sir Herbert Emerson's statement drew warm tributes from many delegations to the activity he and his staff had displayed in spite of the immense difficulties of the past seven years. Emphasis was laid on the high humanitarian value of the work started by Dr. Nansen in the League's earliest days and carried on uninterruptedly ever since: it was largely due to the League that the necessity for international organisation for the protection of refugees was now generally recognised.

M. Nahlik (Poland) and M. Ristic (Yugoslavia) enquired whether the High Commissioner was in practice able to draw the distinction, emphasised in a recent resolution of the General Assembly of the United Nations, between genuine refugees and displaced persons on the one hand and war criminals, " quislings " and traitors on the other. Sir Herbert Emerson replied that, though not technically bound by this resolution, he had felt himself morally obliged to act in conformity with it, and was in fact doing so.

The First Committee heard with interest that a Committee of Enquiry set up by the Economic and Social Council of the United Nations was then meeting in London to examine the problem of refugees and displaced persons in all its aspects and that there seemed to be good prospects of the early establishment of a new international authority under the United Nations. The hope was strongly expressed that the categories of refugees with which the League had been particularly concerned would be included in the unified system of protection and assistance which would eventually emerge and that there would be no break in the efforts to promote their welfare.

To avoid the termination of the League's work in this field before the new organisation was in a position to take over, a clause moved by Mr. Philip J. Noel-Baker (United Kingdom) was included, in the resolution for the dissolution of the League of Nations

whereby the Assembly decided that:

" 10. The present High Commissioner for Refugees shall remain in office until the end of the year 1946, or such earlier date as may appear to the Board^x desirable, and his expenses shall be met out of the provision made for this purpose in the Budget of the Secretariat." ²

(f) International Bureaux and Other Organisations placed under the Direction of the League or brought into Relationship with it.

In accordance with Article 24 of the Covenant, five international bureaux were placed " under the direction of the League ", namely:

The International Bureau for Information and Enquiries regarding Relief to Foreigners (Paris);

The International Hydrographic Bureau (Monaco);

The Central International Office for the Control of the Liquor Traffic *in Africa* (Brussels);

The International Commission for Air Navigation (Paris);

The International Exhibitions Bureau (Paris).

Under the Convention of July 12th, 1927, by which it was created, the International Relief Union (Geneva) was brought into relationship with the League though not placed under its direction.

The Assembly adopted a resolution³ directing that all the above-mentioned organisations should be thanked for their co-operation and notified that their connection with the League was at an end.

The League's relationship with the organisations was largely of a formal nature and its severance should not materially affect their working.

(g) Intellectual Co-operation.

General satisfaction was expressed in the First Committee at the foundation of the United Nations Educational, Scientific and

¹ See page 94.

² Document A.32(1).1946.X, page 13.

³ Document A.33.1946, page 6.

Cultural Organisation to carry on and develop the League's work in the field of intellectual co-operation. Intellectual co-operation, said Dr. Caeiro da Matta (Portugal), was one of the best forms of international friendship. Faith in great and lasting political agreements between States was singularly weakened where the sense of mutual trust was lacking, without which agreements, however cleverly conceived and concluded, were of no practical value. The world should turn to the " league of minds " for its salvation. Indeed, reconciliation and mutual understanding between peoples, the supreme importance of which was felt by all, could often be better achieved by education than by political means. At the moment when the League's Intellectual Co-operation Organisation was about to disappear, there was every reason to welcome with enthusiasm the United Nations' decision to set up a new international agency to deal with questions of education and culture.

This agency, it was recognised, would take the place of the League Organisation consisting of the League Committee on Intellectual Co-operation (together with its secretariat and Sub-Committees) and the International Institute of Intellectual Co-operation in Paris. The latter had been placed at the League's disposal by the French Government and had played an important part in carrying out the decisions of the League Committee whose members formed its Governing Body.

Gratitude was expressed to France for its generosity in bearing almost the whole of the Institute's expenses since its foundation in 1925 and the view was recorded that, if intellectual co-operation was to-day a universally accepted reality, this was due in large measure to the work of the Committee on Intellectual Co-operation and the International Institute. The delegates of certain countries which had in the early days been opposed to the inclusion of intellectual co-operation in the League's activities declared themselves convinced both of the value of the work that had been done by the League Organisation and of the necessity for its continuation under the auspices of the United Nations.

Speaking from long personal experience of its activities, M. Costa du Rels (Bolivia) paid a special tribute to the work of the Paris Institute, which had made a notable contribution to international understanding in the period between the two wars. The League

should do everything possible to see that the Institute's work did not suffer through its transference to the new organisation.

The Assembly adopted the following resolution:

" 1. The Assembly thanks the International Institute of Intellectual Co-operation (Paris) for the valuable collaboration which, since 1925, it has given to the League of Nations as the organ for the execution of the decisions and recommendations of the International Committee on Intellectual Co-operation.

" 2. The Assembly, .

" Being desirous of facilitating by all the means in its power the continuity of the work of intellectual co-operation;

" Considering that paragraph 7 of the letter of December 8th, 1924, from the French Government to the President of the Council of the League of Nations provides that, in the event of the abolition of the Institute, any articles and, in particular, the archives and collections of documents deposited in the premises by the Governing Body, as well as any property which has been acquired by the Institute during its period of operation, shall remain the property of the League of Nations:

" Resolves to transfer the right of property mentioned above to the United Nations; and

" Instructs the Secretary-General of the League of Nations to take in due time, in conjunction with the Directorate of the Institute, the necessary measures for the execution of the present resolution." ¹

II. MATERIAL ASSETS

The resolution for the dissolution of the League of Nations, adopted by the Assembly on April 18th, 1946, included the following paragraph:

" 5. The Assembly approves and directs that effect shall be given in the manner set out in the Report of the Finance Committee to the ' Common Plan for the Transfer of League of

Nations Assets', which was drawn up jointly by a United Nations Committee and the Supervisory Commission, acting respectively on behalf of the United Nations and the League of Nations, and was approved by the General Assembly of the United Nations on February 12th, 1946." ¹

The Common Plan ² mentioned above provides for the transfer of certain material assets of the League to the United Nations at an agreed valuation.

The assets specified in the Schedule to the Plan include the Secretariat Building and the Assembly Hall, the Library Building and the Library's collection of books, documents, etc., certain real estate belonging to the League, office fittings and equipment at Geneva and The Hague, stocks of stationery and of League publications, the archives both of the League and of the Permanent Court of International Justice, and the gifts received by the League from various sources.

The assets have been valued on a cost-price basis—that is on terms which, in view of the prices prevailing to-day, may be regarded as highly favourable to the United Nations. No valuation has been put on the Library Building, the original cost of which, amounting to five and a-half million Swiss francs, was borne by Mr. John D. Rockefeller Jr., upon the archives or upon the various gifts to the League whose total nominal value may be put at one and a-quarter million Swiss francs. All these the United Nations will acquire without cost. In the Report of the Second Committee adopted by the Assembly the hope is, however, expressed that, in accordance with the wishes of the donors, the gifts to the League will remain in the building for which they were presented.

Pending the establishment of a final inventory, the total valuation of the assets to be taken over by the United Nations has been provisionally fixed at 45,704,632.86 Swiss francs, but the transfer does not entail any payment by the United Nations to the League as such. The Plan provides that it will be for the League to apportion the credit established by the transfer among the States entitled to part-

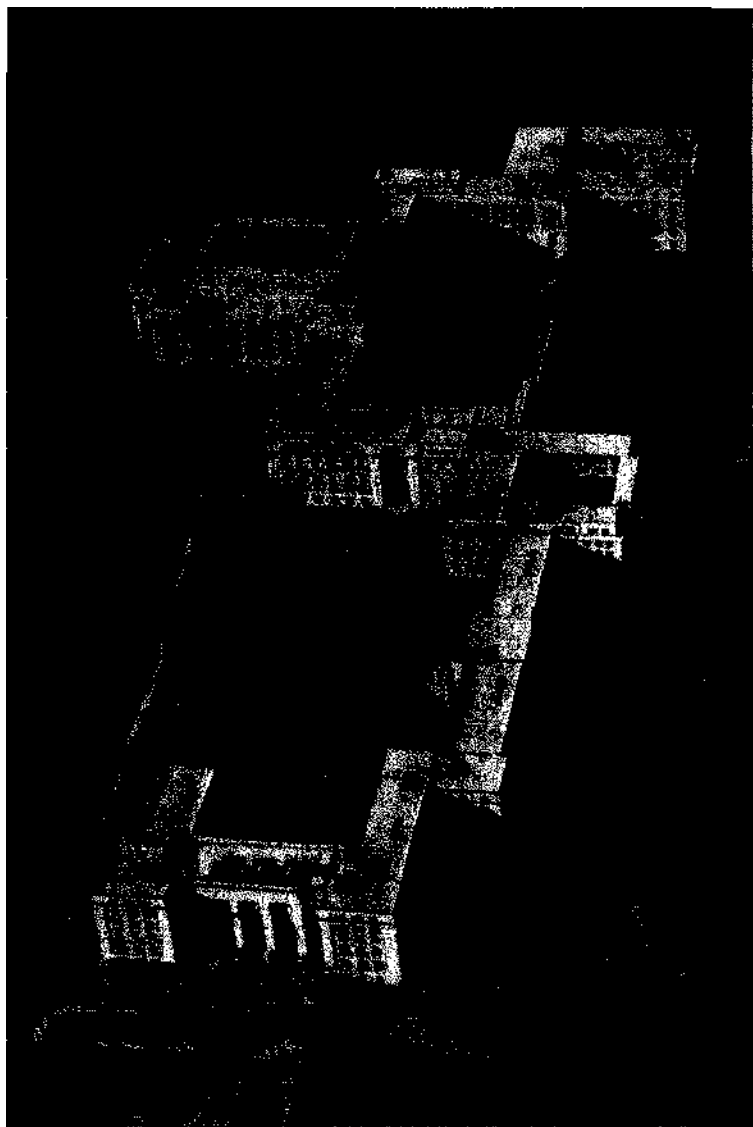
¹ Document A.32(1).1946. X, page 13.

² For the full text of the Common Plan, see document A.32(1).1946.X, pages 16 and 17,

icipate, and that the shares due to States Members of the United Nations shall be credited to them in the latter's books. The Plan makes no mention of the manner in which the League was to deal with the shares of States not members of the United Nations, but a summary of the arrangements ultimately approved by the Assembly will be found on pages 94 and 95.

Transfer is to take place on or about August 1st, 1946, the determination of the precise date being left to the administrative authorities of the two Organisations. In the meantime, it is understood, the League will allow the United Nations the use of any premises or equipment it may require before that date and the United Nations will accord the League similar facilities thereafter.

The Assembly's decision regarding the International Labour Organisation building in Geneva will be found on page 88.



THE PERMANENT COURT OF INTERNATIONAL JUSTICE

Of all the organs of the League it is unquestionably the Permanent Court of International Justice whose work has been most widely appreciated. "The Permanent Court", said Sir Hartley Shawcross (United Kingdom), "has earned the respect of all the countries of the world", while M. Nahlik (Poland), speaking both for his own Government and the "younger generation of jurists", said they had come to regard its work as the "expression of the conscience of humanity",¹ M. Petitpierre (Switzerland) and Dr. Caeiro da Matta (Portugal) both expressed the hope that States not members of the United Nations would, at the earliest possible moment, be allowed to adhere to the new Court by which the international administration of justice is to be carried on.²

The universal esteem in which the Permanent Court has been held is reflected in the following passage from the First Committee's Report to the Assembly:

"Just as the dissolution of the League of Nations follows upon the establishment of the United Nations, so the dissolution of the Permanent Court of International Justice follows upon the establishment by the United Nations of a new International Court of Justice. The new Court has already commenced to exercise its functions...

"The First Committee does not think it appropriate to review in detail the work accomplished by the Permanent Court during the past twenty-four years. The record of the judgments and opinions of the Court finds its place in all standard works on the law of nations and enriches the law libraries of the world. The First Committee does wish, however, to emphasise, first, the close continuity that will

¹ See Minutes of the fourth meeting of the First Committee, April 15th, 1946.

² See pages 38-39 and Minutes of the first meeting of the First Committee, April 8th, 1946.

exist between the Permanent Court and the International Court of Justice and, secondly, the significance for the world community of what the Permanent Court has accomplished.

" Men, conscious that they are, after all, mortal, may, when they hear the word ' dissolution', think that the Permanent Court is dead. In substance, the contrary is the truth. The Statute of the new Court has been modelled closely upon the Statute of the Permanent Court. The Members of the International Court of Justice have symbolised the relation between the new Court and the old by electing as their first President the distinguished Judge Dr. J. Gustavo GUERRERO, who, since 1937, has held the office of President of the Permanent Court.

" In the opinion of the First Committee, there can be no two views as to the success of the work done in the realm of international law by the Permanent Court of International Justice. Its judgments have not only contributed to the development of the doctrines of international law but—more fundamentally—to the extension of the rule of law in international affairs. . The League may take pride in having inaugurated the first successful experiment, after many attempts in this field had failed in the past, to establish a regular world tribunal for determining disputes between States. The First Committee expresses the conviction that the International Court of Justice will maintain the high traditions of its predecessor." ¹

The Assembly adopted the following resolution:

" The Assembly of the League of Nations,

" Considering that, by Article 92 of the Charter of the United Nations, provision is made for an International Court of Justice which is to be the principal judicial organ of the United Nations and which is to be open to States not members of the United Nations on terms to be determined by the United Nations;

" Considering that the establishment of this Court and the impending dissolution of the League of Nations render it desirable that measures for the formal dissolution of the Permanent Court of International Justice shall be taken;

" Considering that the Preparatory Commission of the United

Nations, in a resolution of December 18th, 1945, declared that it would welcome the taking of appropriate steps by the League of Nations for the purpose of dissolving the Permanent Court, and that this resolution records the assent to the dissolution of the Permanent Court of all the Members of the United Nations which are parties to the Protocol of Signature of the Statute of the Permanent Court, whether Members of the League of Nations or not;

" Considering that all the Judges of the Permanent Court have resigned and that on the dissolution of the League no machinery will exist for the appointment of new Judges:

" Resolves:

" That the Permanent Court of International Justice is for all purposes to be regarded as dissolved with effect from the day following the close of the present session of the Assembly, but without prejudice to such subsequent measures of liquidation as may be necessary."¹

Extracts from the message sent to the Assembly by Dr. J. G. Guerrero, the last President of the Permanent Court, will be found on pages 41 to 43.

¹ Document A.35.1946.

THE INTERNATIONAL LABOUR ORGANISATION

According to its Constitution, the International Labour Organisation was established at the seat of the League as part of the organisation of the League. Membership of the League carried with it membership of the International Labour Organisation and various functions in connection with the latter were assigned to the Council and the Secretary-General. There were, in addition, close financial ties, the budget of the International Labour Organisation being part of the general budget of the League.

The League's impending disappearance thus made it necessary for the International Labour Organisation to provide for the continuance of its activities on some new basis, and at a session held in Paris in the autumn of 1945, its General Conference proposed that its Constitution be amended accordingly. An Instrument of Amendment has already been submitted to Governments dealing with the most urgent problems arising out of the dissolution of the League and a further set of amendments has been prepared for submission to the next session of the General Conference, the effect of which will be to make the Organisation completely autonomous while facilitating the establishment of a close relationship with the United Nations,

In its decisions regarding the International Labour Organisation the Assembly did everything in its power to assist the process thus begun. To cover the Organisation's financial needs for the time being, it provided that the amounts collected for it under the 1946 budget should remain available for that purpose. It amended certain statutes and fundamental regulations which would continue to apply to the Organisation after the League's disappearance, arranged for it to be paid its appropriate share in certain special funds and, as is explained on page 93, made over to it the whole remaining balance of the Working Capital Fund. By its adoption of the Common Plan (see pages 80-81), it ensured that, even after the transfer of the League

buildings to the United Nations, the Organisation may continue to use the Assembly Hall, together with the necessary committee rooms and other facilities, at times and on financial terms to be arranged, and to avail itself of the Library in the same conditions as other official users. As regards the International Labour Organisation building in Geneva, the Assembly, by paragraph 14 of its resolution for the dissolution of the League of Nations, decided as follows:

" An agreement to cause the full ownership of the land and buildings at present occupied by the International Labour Organisation to vest in that Organisation shall be concluded between the Secretary-General of the League and the Acting Director of the International Labour Office and all the steps which, under the law of the Republic and Canton of Geneva or of the Swiss Confederation, are necessary to give effect to the agreement shall be taken as soon as possible." ¹

Having thus done everything possible to assist the Organisation in the assumption of its new status, the Assembly adopted, as paragraph 11 of its resolution for the dissolution of the League, the following clause safeguarding the Organisation's further existence:

" The present resolution shall not in any way prejudice the continued existence of the International Labour Office or the measures taken or to be taken by the International Labour Organisation to make in its Constitution such changes as may be required as the result of the dissolution of the League, or the enjoyment by the International Labour Organisation of the privileges and immunities provided by Article 7 of the Covenant pending elaboration of and acceptance by the Members of the Organisation of other provisions dealing with this matter." ²

The text of the address delivered at the closing meeting of the session by Mr. G. Myrddin Evans, Chairman of the Governing Body of the International Labour Office, will be found on pages 43-44.

¹ Document A.32(1).1946.X, page 14.

² *Ibid.*, page 13.

LIQUIDATION

The League's record in administration and finance, the extent of its resources and the main characteristics of the system it built up, are briefly outlined in the following passages from the report of the Second Committee approved by the Assembly on April 18th, 1946:

" Since the inception of the League, State Members have contributed more than 561 million Swiss francs, some 50 millions of which have been transformed into tangible assets which will shortly be handed over to the United Nations and to the International Labour Organisation. The organisations and services that had been built up will disappear, but enduring principles have been established in this field which will guide the new international bodies which are replacing the League. It may not be inappropriate that we should, at the outset, clearly express our view that the expenditure the League has incurred has been usefully applied to essential purposes and that the experience which has been acquired in the last twenty-five years in matters of international financial administration will be invaluable to our successors.

" Since it first met in 1920, the Finance Committee of the Assembly has been directly responsible for the establishment of the financial system which was later embodied in the Regulations for the Financial Administration of the League of Nations and in 1921 for the setting up of the Supervisory Commission. It subsequently recommended the adoption of such unprecedented schemes as a Pensions Fund designed to meet the varying circumstances of officials recruited in every country in the world, and much of the credit for the imposing buildings which house this Assembly and which, we hope, will continue in the future to accommodate international services may be attributed to its labours. Finally, it has taken all necessary measures in order to provide the funds for the many activities of the League, the gradual development of which it has encouraged with active interest.

" The Finance Committee believes that, thanks to the unremitting work of the Supervisory Commission, the League succeeded in establishing a system of international financial administration solid enough to stand the test of a six-years world war which caused untold suffering and immeasurable material and moral losses and, so far as concerns the League of Nations in particular, greatly interrupted communications, rendered consultations almost impossible and disrupted the exchange of currencies. During this period, the wise decisions which, on the report of its Finance Committee, the Assembly had adopted in 1938 and 1939 enabled the Supervisory Commission to preserve intact the structure of the League of Nations and to provide for the continued existence of each of its different institutions, even if general circumstances as well as financial exigencies compelled a reduction in the scale of their operations.

" The Finance Committee feels that these efforts have not been in vain. During the long period of suspense which has just come to a close, there was no infringement of principles and material assets were not allowed to deteriorate, with the result that, if circumstances had been different, the League would now be in a position to make a new start. But it has been decreed otherwise and, before passing to specific recommendations for the winding-up of the League, the Finance Committee would draw the attention of the States Members to the admirable statement in which, in 1944, the Supervisory Commission summarised, for the benefit of future international organisations, the results of its peace-time and war-time experiences in the realm of international administration and particularly the benefits to be derived from a centralised well-knit financial structure (see First Report of the Supervisory Commission for the Year 1944: document 'C.27.M.27.1944.X — Introductory Remarks). The Finance Committee associates itself with the views expressed in this fundamental document and ventures to hope that they may be of practical value to those who are now entrusted with the organisation of institutions, stronger and endowed with far greater material resources than was the League of Nations at any time during its brief career." ¹

" It is worth recording that, over the full period of the League's

¹ Document A.32(1).1946.X, pages 1 and 2.

activity from its inception in 1919 to December 31st, 1945, a little over 90% of the annual income budgets has been received, upwards of 4 1/2% cancelled, and about 1 1/2% consolidated for payment over periods of years. Therefore, only 4% of the contributions are still outstanding. Contrary to impressions prevailing in ill-informed circles, the situation may be regarded as very satisfactory."¹

The process of liquidating the League of Nations organisation involves two main tasks—that of carrying on such functions and activities as the United Nations desires to continue until such time as it can take them over, and that of winding up the League's financial affairs as rapidly and as smoothly as possible. The principal measures adopted by the Assembly for these purposes are summarised below.

(a) STAFF

In a statement to the First Committee, the Secretary-General said that notice had been given to League officials terminating their employment on July 31st, 1946. The fact that this particular date had been fixed did not mean, however, that certain activities could not be taken over by the United Nations before the end of July. Where activities were taken over before that date he would release immediately any officials whom the United Nations might wish to engage and who were prepared to accept appointment to the United Nations Secretariat. There were other activities that the United Nations might not be ready to take over until after July 31st. In that case, officials required to continue work until the United Nations had made its decisions could be re-engaged by the Secretariat of the League for a short period. In this way, any interruption of work would be avoided. Certain officials might further be re-engaged after July 31st to complete the work of liquidation proper.

These arrangements met with the full approval of the Assembly,²

¹ Document A.32(1).1946.X, page 4.

² Resolution for the Dissolution of the League of Nations, paragraph 4 (1). Document A.32(1).1946.X, page 13.

which further accepted the Supervisory Commission's proposals for the payment of compensation to the officials on the termination of their appointments.

(b) STAFF PENSIONS FUND AND JUDGES' PENSIONS FUND

There is every reason to hope that, after the dissolution of the League, the International Labour Organisation will accept responsibility for the administration of the Staff Pensions Fund, the rights of whose members under the Regulations will thus be fully secured.

The present solvency of the Fund is unquestionable, but its ultimate financial position may conceivably be affected by certain long-range factors such as the present trend towards lower interest rates, and in the relevant section of its resolution for the dissolution of the League of Nations¹ the Assembly therefore decided that if at any time the payment of benefits to retired officials (or their dependants) of the Secretariat and Permanent Court involved a deficit for the Fund, the amount involved should be contributed by the States Members of the International Labour Organisation which were Members of the League at the date of dissolution.

The Assembly provided that, if the agreement of the International Labour Organisation to these arrangements could not be secured, the Board of Liquidation² should make the best provision it can for giving effect to the rights of the beneficiaries of the Fund.

The Assembly's decisions regarding the future of the Pensions Fund for the Members (*Le.*, the Judges) of the Permanent Court of International Justice were also based on the hope that responsibility for the administration of the Fund would be accepted by the International Labour Organisation and the arrangements proposed were virtually the same as those in regard to the Staff Pensions Fund.

In the event of its accepting responsibility for their administration, any balances remaining in the Funds after all claims have been discharged will, the Assembly provided, become the property of the International Labour Organisation.

¹ See document A.32(1).1946.X, pages 14-15.

² See (e), page 94-

(c) WORKING CAPITAL FUND

This Fund which is, in principle, the property of the Member States by which it was subscribed was established to finance current expenditure under all sections of the League budget pending the receipt of contributions. It has thus served the purposes of the International Labour Organisation no less than those of the other organisations of the League. Such being the case, the Assembly decided that, subject to the maintenance of the existing rights to repayment of the States owning a share in it, the whole balance of the Fund should be transferred to the International Labour Organisation for use as working capital.¹

(d) DISTRIBUTION OF LEAGUE ASSETS

In its resolution for the dissolution of the League of Nations, the Assembly provided that no Member or former Member should thereby be relieved of any pecuniary liability incurred to the League under the budget for 1946 or in any other manner. It may be assumed that contributions will continue to be received even after the date of dissolution (April 19th, 1946) and it will therefore be some time before the exact amount of the League's liquid assets can be determined. Such being the case, the Assembly confined itself to the adoption of a Scheme of Distribution in general terms, leaving the final calculations to be worked out by the Liquidation Board² in due course.

Roughly speaking, the Scheme provides that, when the final audited accounts are available, the League's liquid and material assets shall be divided between the States Members at the date of dissolution in the proportions to which they have severally contributed to the League's expenses since its inception. The application of this general rule is, however, complicated by the fact that, under the Common Plan (see pages 80-81), the shares in the material assets of Members of the

¹ Document A.32(1).1946.X, page 15.

² See (e), page 94.

League which are also Members of the United Nations are to be credited to them in the latter's books. The Scheme of Distribution therefore lays it down that the shares in the material assets of those Members of the League which on December 31st, 1946, are not Members of the United Nations shall be held in suspense or dealt with under arrangements to be made with the States concerned; if, however, any State should receive cash in lieu of its share in the material assets, the proportion of the latter credited to Members of the United Nations shall be adjusted upwards and their share in the liquid assets adjusted downwards by a corresponding amount. The unappropriated balance of the League's liquid assets are to be distributed in cash as soon as the final calculations are established.¹

In the course of the Second Committee's consideration of the Scheme, a proposal was put forward by the French, Polish and Czechoslovak delegations for the inclusion of the Union of Soviet Socialist Republics among the Powers participating in the liquidation of the League's assets. On consideration, however, it was found that to change the Scheme in the manner proposed would create technical difficulties of so serious a character as to be practically insurmountable. To show its approbation of the essential purpose of the proposal, the Assembly adopted the following resolution:

" The Assembly desires to place on record its recognition of the fundamental contribution of the Union of Soviet Socialist Republics to the overthrow of the fascist enemies of civilisation and to the triumph of freedom, and to welcome the collaboration of the Soviet Union in building, on the foundations so successfully laid, the new edifice of international solidarity." ²

(e) BOARD OF LIQUIDATION

In its resolution for the dissolution of the League of Nations, the Assembly provided that liquidation of the League's affairs should

¹ For the full text of the Scheme of Distribution, see document A.32(1).1946.X, pages 10 and 11.

² Document A.32(1).1946.X, page 11.

be effected as rapidly as possible and appointed a Liquidation Board consisting of the following nine members: ¹

- M. Emile CHARVERIAT (France);
- Sir Atul CHATTERJEE (India);
- M. F. T. CHENG (China);
- M. Adolfo COSTA DU RELS (Bolivia);
- M. Carl Joachim HAMBRO (Norway);
- M. Seymour JACKLIN (Union of South Africa) — from
August 1 st, 1946;
- Sir Cecil H. KISCH (United Kingdom);
- Dr. Jaromir KOPECKY (Czechoslovakia);
- M. Daniel SECRETAN (Switzerland).

The Board will represent the League in all matters connected with its liquidation and, subject to the decisions of the Assembly at its final session, will have full power to take all such measures as it considers appropriate for the purpose.

In particular it will be for the Board to see to the collection of all sums due to the League, to discharge its liabilities, to apportion its assets among the Member States as provided in the Scheme of Distribution, and to distribute the unappropriated balance of the Leagued liquid assets as soon as the final calculations are established.

The Secretary-General will be responsible to the Board throughout the period of liquidation, on the completion of which he will retire.

On the termination of its duties, the Board will make a final report to the Members of the League and declare itself dissolved.²

¹ The Board held its first meeting on April 23rd, 1946, and elected M. C. J. HAMBRO (Norway) Chairman, and Sir Cecil KISCH (United Kingdom) Vice-Chairman.

* Document A.32(1).1946.X, pages 12 to 16.

DISSOLUTION

The dissolution of the League was decided by the Assembly on Thursday, April 18th, 1946, in the following terms:

" The Assembly of the League of Nations,

" Considering that the Charter of the United Nations has created, for purposes of the same nature as those for which the League of Nations was established, an international organisation known as the United Nations to which all States may be admitted as Members on the conditions prescribed by the Charter and to which the great majority of the Members of the League already belong;

" Desiring to promote, so far as lies in its power, the continuation, development and success of international co-operation in the new form adopted by the United Nations;

" Considering that, since the new organisation has now commenced to exercise its functions, the League of Nations may be dissolved; and

" Considering that, under Article 3, paragraph 3, of the Covenant, the Assembly may deal at its meetings with any matter within the sphere of action of the League:

" Adopts the following resolution:

" *Dissolution of the League of Nations,*

" 1. (i) With effect from the day following the close of the present session of the Assembly, the League of Nations shall cease to exist except for the sole purpose of the liquidation of its affairs as provided in the present resolution . . ."¹

¹ Document A.32(1).1946.X, page 12.

In the vote, which was by roll-call, the representatives of the following thirty-four States replied affirmatively:

Afghanistan; Union of South Africa; Argentine Republic; Australia; Belgium; Bolivia; United Kingdom; Canada; China; Cuba; Czechoslovakia; Denmark; Dominican Republic; Ecuador; Egypt; Finland; France; Greece; India; Iran; Ireland; Luxemburg; Mexico; Netherlands; New Zealand; Norway; Panama; Poland; Portugal; Sweden; Switzerland; Turkey; Uruguay; Yugoslavia.

There were no dissentients.

Following the vote, the Assembly was addressed by the Chairman of the Governing Body of the International Labour Office and the first delegates of the United Kingdom, Switzerland, China and France, and the President of the Assembly brought the proceedings to an end with the following closing speech:

" Fellow delegates, our work has come to an end. With the greatest eloquence and penetration, the first delegate of the United Kingdom a few minutes ago expressed the thanks of his delegation to Switzerland, to Geneva, and to the Secretariat of the League of Nations. He did not speak only for his own delegation, he spoke for all the delegations present in this Assembly and, as your President, I can only associate myself with all the justified and eloquent words he spoke.

" It was with some apprehension that we discussed in the midst of the war in London, Mr. Jacklin and myself, and later Mr. Lester and myself, with Mr. Noel-Baker, the idea of calling the last Assembly of the League to meet in Geneva. Events have justified our belief that it was the only correct and dignified way of terminating the active existence of the League . . .

" We have been glad and proud to see among our colleagues some of those who participated in the very first Assembly of the League, in the delegations of the Netherlands, of New Zealand and of Switzerland, but let me say most particularly we have been gratified to see in the delegations of the two major Powers in the League Lord Cecil and President Paul-Boncour. In their names and in the memorable speeches they have delivered to this Assembly we have seen embodied the whole chain of traditions of the League

of Nations, and we have seen passing in review before our minds those inspired statesmen and those ardent supporters of the League and spokesmen of their nations who were mentioned by M. Paul-Boncour a moment ago—Hymans, Balfour, Branting, Dr. Nansen, Briand, whose memory is so dear to all of us, Sir Austen Chamberlain and Henderson. And, fellow-delegates, let us not forget at this last moment in the active history of the League the name of President Woodrow Wilson, which will be perpetuated in Geneva.

" Our thoughts also go out to some of those who are still fortunately living among us but who have been unable to attend this last session of the Assembly, and first of all to that great statesman of South Africa, Field-Marshal Smuts, who was so active in all the work which made the League of Nations possible. And then to Dr. Benes, the President of Czechoslovakia, who presided over this Assembly with so much dignity and in so capable a manner that a special vote of thanks was rendered to him when he was elected by his country to the high office which prevented him from continuing to preside over the Assembly.

" It has been said in a memorable book by one of the parents of the League of Nations that the League was a great experiment. Ladies and Gentlemen, it has been something far more—not only an experiment, not only an experience, it has been an accomplishment and an achievement, and we have heard this underlined in the speeches we have listened to this very day. We have heard it in the message from the President of the new International Court of Justice, testifying that only the name has been changed, that the League has done something that could never be forgotten. We have heard it in the words of greeting spoken by the Chairman of the Governing Body of the International Labour Office. And, as Mr. Noel-Baker has just reminded us, the Economic and Social Council of the new Organisation carries on from where the nucleus of the Central Committee of the League started its work in February 1940. We have heard it as we have been discussing the Mandates. And indeed in every field of international activity and endeavour the traditions of the League mean a lasting gain to the efforts of mankind. Perhaps only those who have been given the duty of trying to help to transfer League activities and immaterial assets to the new organisation can fully realise how much has been accomplished, how much has been prepared for the

years to come and what a debt of gratitude all the nations owe to this great experiment.

" So, we may look back without compunction, but with some sadness—a longing and wistful sadness such as we may feel when we look back on days gone by when our hopes were younger and brighter, when our ambitions soared higher and when our eyes held no shadows caused by memories of lost horizons.

" We look at the past as we look to the future, with calm and patient confidence. We may have lost some of our illusions, but we have kept our ideals. The League as such was only an instrument created for the use of Governments of nations. A better and a stronger instrument has been forged and placed in the same hands, but it has been moulded with the machinery which we have tried to perfect. All our tools go into the workshop of the future, and no effort made has been made entirely in vain. It will be bread thrown upon the waters which will return after many days.

" Even this building will continue to serve its purpose. It will not be an impressive grave for mourned and regretted ideas; we hope that it will soon be teeming with life, a centre of fruitful and creative activity.

" To-day we have decided to hand it over to the new organisation, wielding greater power and possessing even broader responsibility than we ever had. It is a moment of parting but not a day of sorrow . . . Our session here is terminated, but we start on a new task. From now on we owe to the United Nations all our loyalties and all our services. Many of us have already been participating in its work; what we may have gained in experience, what lessons we may have learned in the League of Nations, we bring to the new organisation, the new edifice of international co-operation. Our disappointments and disillusionments may be turned to use in cementing the structure of a new system of world security. We part as we have met, delegates of Governments, servants of a great idea; and as we break up from the last meeting of the League, we all know that its soul ' goes marching on . '

" I now declare the last meeting of the twenty-first and last Assembly of the League of Nations closed."

**PROBLEMS OF INTERNATIONAL
ORGANISATION**

PROBLEMS OF INTERNATIONAL ORGANISATION

Year by year, throughout the course of the war, I issued the usual annual reports on the work of the League. Their distribution was naturally less extensive than in times of peace, and it must be confessed that in the early days of the struggle public opinion was too completely engrossed by more urgent considerations to give much thought to problems of international organisation. As the war progressed, however, and the triumph of the democratic cause became more and more certain, suggestions for the reconstruction of the community of nations began to be thrown out with increasing frequency. These, I recorded and discussed in the general introductions to my various reports in the light of the experience accumulated by the Secretariat in the course of more than twenty years of service to the international ideal. Many of the views thus recorded have since found their expression in the new instruments of international co-operation already brought into being by the United Nations and the process of reconstruction has now advanced so far that for the moment at least questions of technique are no longer of immediate interest. But the fundamental issues remain unchanged and it is because I am convinced that, unless the lessons of the first experiment in international organisation are everywhere kept in mind, the second will be disastrously frustrated that I reproduce in the following pages certain of the general considerations which I thought it useful to submit to the Members of the League in the days when the future of world organisation still hung in the balance.

Sean LESTER,
Secretary-General.

Geneva, May 1946.

1941 -1942¹

When this war ends, continents will have been devastated; many countries will have suffered under the occupation of foreign troops; hunger and famine will have enfeebled the population; the normal economic machinery of the world will have been smashed; the health of untold millions will have been undermined; world production will have changed its character, owing to the fact that industrial resources are being devoted more and more to the manufacture of armaments whilst the artificial and forced production of substitute materials is being extensively developed. Many countries will have been virtually without national Governments for long periods; social disturbances will be inevitable; frontiers and populations will have been displaced, often more than once; transport will have been disorganised in certain regions and in others reorganised within sharply divided spheres; and, above all, there will be a world divided by hatred and vengeful memories.

The problems to be faced will be immense. To those connected with the immediate needs of populations and internal reconstruction in the various countries will be added the problem of planning the future of international co-operation. What can be done so to reorganise the world and the nations as to prevent another conflagration spreading, as the last two world wars have spread, with all the miseries and tragedy and destruction entailed ? The Governments, and not only the Governments, the peoples of the world, are deciding now what Peace is worth, what sacrifices and risks will be worth while for the purpose of guarding it in the future.

Thirty-six States, including all the Great Powers of the world, are now involved in total war; another dozen are in a state of non- or pre-belligerency, while a few still hold tenaciously to an unassured neutrality, as so many others have tried to do in the past. In the

¹ From *Report on the Work of the League of Nations, 1941-1942*. Document C.35.M.35.1942, Geneva, May 1942.

belligerent countries, and indeed almost everywhere, Governments and peoples concentrate on the war effort; that is their first care.

The making of peace and the kind of peace that will be made depend without doubt, in the first case, on the devotion and sacrifices and organisation which can be directed towards bringing the war to an end. In present circumstances, statesmen and Governments hesitate to make precise declarations as to the form and pattern they will give to the world when the war is finished. Perhaps they do not yet know. There has been wisdom in avoiding a too-early crystallisation and formula-making but, even within the past year, thinkers and politicians and Governments have begun to see something of the shape of things to come.

* * *

The death of the League of Nations has often been forecast, either with satisfaction or with regret. The friends of international order have been discouraged by the failure of the first great effort to maintain peace. As an active political power, the League of Nations has indeed been almost non-existent for some years; it lives, however, not only as a centre of economic, financial, social, and humanitarian action and studies, and as an instrument for reconstruction, to the extent of the resources granted by States, but also as a possible agency for the resumption of co-operation between nations.

The International Labour Office carries on bravely, holding its loyalties deep-rooted in organised labour and organised employers, to serve, as it surely will, a high and valuable purpose.

The Permanent Court of International Justice, in spite of the fact that its activities are suspended, nevertheless remains an organised reality, though driven by invasion from its seat at The Hague.

All these organisations of the League of Nations are thus in being, ready at the appropriate moment to take their respective parts in the reconstruction of the world, or to serve as the foundations on which the new order can be built. The possibility of extending their action in preparing immediately for post-war reconstruction is, to a large extent, dependent on the will of States Members and the support which they give.

Behind all these present activities and behind all those connected with future efforts towards international co-operation in what is

termed the " technical " field, the political conception must remain supreme. That is to say that the first need of the world is international security. With that, all things are possible; without it, nothing is possible. Modern means of production and modern organisation, governed by a sense of moral responsibility to all classes and to all nations, can, I am convinced, rebuild and remake the broken economies of the world. Statesmanship and wisdom in all classes can, in time, give the world comparative freedom from want and can ensure the human liberties and the possibility of the spiritual life without which humanity is a poor thing. But if wisdom and guidance and statesmanship cannot also contribute towards an enduring international peace, with a system sufficiently strong to maintain law and sufficiently flexible to assure equity, the rest will remain for ever precarious and at the mercy of another disaster.

Whilst statesmen have learned from the first stage of the great experiment, there are signs also of a resurgent conviction and determination amongst the peoples themselves. Great Powers have been blamed for the first failure. But which State has not, at some time and to some extent, shared that responsibility ? The leaders have been blamed, but the people whom they led cannot escape. They found it too easy to think themselves secure; deluding themselves that they were living on islands, if not of prosperity, at least of security, they accepted too easily the comfort of the superficial belief that the world could blaze in some foreign lands or distant continents while life flowed calmly past them; they listened too easily to the cheap sneer at the idea of international interdependence and responsibility, of " the indivisibility of peace "; and when a leader here and there, with hard realism, risked his political career in expounding this truth, he was only too often contemptuously labelled " idealist " and " dreamer ". Thus the peoples have their ultimate share of responsibility for the catastrophe which has overtaken them and which they are now facing with such magnificent courage, steadfastness and determination.

Peace must be organised, peace must be co-operative; or there will be no peace) The form that organisation will take will probably be different from that of the first stage of the experiment. . . .

There have been thought and activity tending to regional or continental organisation. There has been discussion of Federations, of Unions; and action has begun here and there to form the nuclei of groups. All this concern with the form of organisation is to the good, as is the seeking for security and for economic health. But, even if Governments decide to look for a partial solution in this direction, it can only be partial and must depend for its final stability on a universal organisation.

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Between nations there must be law, there must be justice; but there must be force, economic and military, behind that law and justice: such force cannot be supplied unless it is based on the will of the peoples and on their conviction that the maintenance of peace is worth some sacrifice. The machinery through which the first effort was made in the inter-war period was not in itself bad; it was indeed good, and much of it may be used for the work of rebuilding and reconstruction on the new plans which will emerge. (The League of Nations has been kept in being; some nations have left the organisation because it represented things hostile to their policies or what they believed to be their interests; others may neglect it in fear or in doubt, but for others—and for masses of people in all lands—it still remains a beacon of hope, a promise for the future.)

1942-1943¹

There should be no illusion: the world after this war will be a hard one until the destructions are repaired, the machinery of production adjusted, and national and international communications reorganised. Magnificent efforts are being made for the relief and rehabilitation of suffering populations, to ensure that succour will be available to meet the more urgent needs of masses who will be hungry and debilitated, and to prepare to check the onslaught of

¹ From *Report on the Work of the League of Nations, 1942-1943*. Document C.25.M.25.1943, Geneva, September 1943-

epidemic disease. The Secretariat of the League is allowed to contribute modestly but usefully within its sphere to these humanitarian efforts. These plans and preparations constitute the first and most pressing need until the forces of reconstruction can get into their stride. If national interests can then be transformed into the enlightened self-interest of international co-operation, and if class interests can be bound into those of the common weal, there can be no doubt about the future. But, above all, the essential condition will be hard, unsparing toil—of the man who lays bricks as of the man whose body and nerves have carried the almost intolerable responsibilities of statecraft and war. (The world will not walk into an easy paradise. It can, however, be inspired by the reasonable certainty that wisdom and courage and work and international co-operation can surmount and solve the vast tangle of political and economic problems which will be the world's next task.)

The nations' faults of the past twenty years were not only in the political field, but also in that of economic and financial co-operation. The organisation of co-operation in the technical field has been a fundamental principle of the League of Nations, and the lesson for the future is that it must be extended and that agreements reached at Geneva or elsewhere must be loyally applied. Though the prevention of war is the first object of the international organisation, it must also be rebuilt for peace purposes, that men and States may be helped in the daily stress of economic life.

During its years of activity and almost from the time of its foundation, the League gave an enormous development to the efforts it put forth in this field. The fact is that it became clear immediately after the end of the last war that the arrangements of a political character would be of lasting validity only in so far as, *pari passu*, the world both rose again from its ruins and entered upon the path of organisation likely to ensure a minimum of prosperity to the peoples of the world. The interdependence of prosperity and security is now more evident than ever.

Before the crises of the 'thirties occurred, the whole economic action of the League was aimed at promoting prosperity in the various ways described as "concerted economic action", including, for example, the tasks of financial reconstruction which were undertaken in different countries.

After the early 'thirties, and faced by the effects of crises which dislocated international economic relations, the action of the League organs was devoted chiefly to limiting or repairing the damage done. It is a striking fact, however, that, during that period, the intervention of the League of Nations and its organs was solicited with perhaps more insistence than was formerly the case, as though that wished-for intervention of an international organisation responded to the aspirations of peoples and Governments, who realised that it was impossible for them, by their own efforts alone, to cure the ills from which they suffered. Hence the economic dependence of one on another was spontaneously demonstrated. More than ever, efforts in the future to re-establish prosperity in the world will demand the collaboration of all nations, great and small, in all camps and in all the continents. And the price of prosperity, as of freedom and peace, will be constant vigilance, untiring effort, and honest co-operation.

There is an anxious interest, a growing hunger for the satisfaction of the peoples' hope and demand that not again shall they have to tread the bloody road of war and destruction, loss and grief; that their battles shall be the battles of peace for progress and their sacrifices made not only to preserve or regain their ancient freedoms but to open wider the rising road for humanity. This deep sentiment is naturally more vocal and active in United Nations countries, but it is also the subject of thought and discussion in the few neutral States and is moving people in all the unfree lands.

The League of Nations was not at any given moment fully representative of the world. It is interesting to point out, however, that, at one time or another, though unfortunately not all at the same time, every country in the world was a Member of the League, with the exception of the United States of America.

When the nations, pooling their experience and their desires, begin to reconstruct the international institutions, I believe it will be found that the future organisation must be worldwide and must

have military force behind it, and must have sincere and loyal support, or it will contain the seeds of failure in the endeavour to assure prosperity, justice and peace.

* * *

For some years after this conflict has ended, there may well be no serious threat of war, but, unless measures are adopted to build an orderly world, we may surely count on a new crisis and another vast catastrophe before the young men and women of to-day grow old. It is for that time we must now prepare. The world community must have law and order and justice; it must have peace not only to recover from its wounds, but to give peoples in all lands and their children a reasonable chance " to live out their lives in freedom from fear and want".

We failed in our first attempt, but we are being given, at great cost, another opportunity. It is for the common people whose work and skill and lives are the foundation of all human power to see that this opportunity is not thrown away. They have to burn into their memories that there is now no final safety in exclusively national strength; that there is no sure splendour in isolation, not even for the man of Britain, or Russia, or the United States of North America. Trouble for China or Abyssinia or Czechoslovakia is their trouble too. Vast territories, great wealth, and dividing seas or continents are no longer sufficient. They know they must co-operate with one another and with all the peoples of the world, and must pay the cost of co-operation. The more important part of that payment will be in learning to adjust immediate national interests with those of neighbours and competitors, and in seriously undertaking minor risks so that the greater may be avoided. These are lessons which most political leaders have learned. It is not a question of charity or of idealism but of hard common-sense. Can the peoples too learn them and, when necessary, support and direct the leaders? That is a personal and national question for everyone?) When the complexity of post-war problems is contemplated, embittered and sharpened as they will be by rival claims and ambitions, and memories scarred by cruelty and suffering, the enormity of the task may be partly realised. It cannot be done in a decade or two; it will depend on the insistent will of the common people going on through the

years into another generation, without illusion or disillusion, on that instinct which is the basis of democracy, adjusting freedom to the discipline which is its guardian, correcting and controlling its leadership.

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In spite of abstentions and enmity and unwise friends, the League might well have succeeded. With the authority of intimate experience and the prestige of a statesman who foresaw the consequences of the collapse of the collective security system, Mr. Eden a few months ago made the following declaration: ¹

" The old League of Nations did not fail because its machinery was faulty. It failed because there was not a sufficiently representative force or drive behind it. There are three indispensable attributes for an international organisation if it is to have a chance to achieve its purpose. First, it must be fully representative of the Powers that mean to keep the peace; secondly, it is for these Powers themselves to have the unity and determination to arrive at great positive decisions; thirdly, they should have force behind them to give effect to their decisions."

Leaders of the smaller States have not been less emphatic or less realist. World peace depends in the first place on the will and wisdom of the Great Powers, and they must have authority in keeping with their responsibilities. But the small States know that they too share the responsibility and are often the first to suffer. Their share in past efforts towards world co-operation is hardly sufficiently recognised. Finding power in union, they will have a great contribution to make in the future and it is obvious that no system which would deny them their rightful place could long survive in this century.

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In a general way, it will be seen that the evolution, during the past twelve months, of ideas relating to the problems of world reconstruction should encourage those countries which have maintained their confidence in the principles of the League of Nations. Both in the sphere of ideas and in practice, it is now recognised that,

December 2nd, 1942.

for very many countries—even the greatest countries—not only the standard of living but also their liberty and independence are bound up with the organisation of international co-operation in the economic, social and political fields. That is the fundamental principle of the League of Nations.

The idea once held in certain quarters that co-operation can be maintained and developed without there being any need for a constitutional charter or covenant containing definite obligations has almost disappeared, (It seems now generally agreed that certain principles must be accepted as the bases of continuous co-operation, that those principles must be embodied in definite undertakings, and that there must be a permanent organisation.)

League experience has shown that, while the will and sincerity of nations and Governments are primordial, it is not a matter of indifference whether, when the charter is being re-established, the instrument of international co-operation is more or less imperfect. While on the one hand, as M. C. J. Hambro (President of the Norwegian Storting) has pointed out, "organic growth in itself can never be made to conform to any blue-prints; it creates constantly new problems", it would also be a mistake when defects are visible in the instrument to trust too much to time to bring about its improvement. Some structural defects are such as to hamper the development of an institution, more particularly an international institution. If the means placed at its disposal are not commensurate with the aim in view, then the loftier the aim the greater the risk that the institution may sooner or later meet with a serious failure. Confidence will then be shaken; past successes will be forgotten; even present usefulness will be overlooked and—as experience has shown—it will be very difficult to reconstruct in the midst of scepticism and insecurity.

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The name of the League of Nations is sometimes held to have certain liabilities, partly because it has been easier to put the responsibility for not preventing the war on an international entity than to recall one's own national failure, but it has assets too. Political

achievements and failures have naturally, attracted more attention than the solid work in international co-operation from year to year in less spectacular matters. While it is good and proper that past weaknesses and past failures should be in the forefront of discussion, it would be a foolish mistake to consider that the experience was all negative. On the contrary, the League's success in many fields, its concrete contributions to human progress, although not so obvious to the public mind, will, in world history, assuredly claim a notable page and, if political expediency permits, they are equally worthy of courageous recognition to-day.

It may be that a change of name would facilitate the adhesion of certain Powers to the post-war institution. No person could question any such proposal if it is needed to widen membership and authority. The retention of the present name would, however, have one advantage—apart from the extent to which it is embodied in so many bilateral and multilateral treaties and has been linked with duties in connection with other international organs. It is a truism that, whatever name be adopted, the machine will not work successfully unless both Governments and peoples give constant support. That is one of the reasons why war was not prevented. The use of the old name would be an element not negligible in regard to this aspect of popular psychology. There would be less tendency to sit back and believe there was a magical panacea in a brave new name and that the machine would of itself produce results which can only come from consistent effort and loyalty and good-will. What is sometimes regarded as the liability of the name might in this respect prove to be an asset for the new attempt to establish world order.

1943-1944¹

It is, in general, with a view to preparing for the resumption of far-reaching international co-operation, as soon as circumstances permit, that the League of Nations has worked during these recent

¹ From *Report on the Work of the League of Nations, 1943-1944*. Document C.14.M.14.1945, Geneva, April 1945-

years. The continuance, to the greatest extent possible, of activity in non-political spheres, the making of analyses of the experience of the past, and in particular of the period of reconstruction after 1918, as also, for example, the attempt at rational forecasting embodied in the study of population projections for the period 1940-1970—all this and other work has but one object: viz., to make available for States at the present time, and for the international organisation in the early future, such studies, information, statistics and instruments of work as may help them to develop effective action. Until a final decision is taken concerning the future Organisation, the League of Nations will continue its activity, within the limits imposed by circumstances. From the moral standpoint, the maintenance of the League of Nations, especially in the darkest hours of the war, has constituted also an act of faith in the re-establishment, with more or less profound modifications, of the world Organisation, after the failure of attempts to impose by force an order founded on doctrines of " vital space " and the " sphere of co-prosperity ".

There is hardly any international problem which, during the past twenty-five years, has not been considered at meetings of the League of Nations, occasionally in a theoretical manner, but generally under the test of hard practical realities which, more especially in international life, often impose the necessity for concessions and compromises.

At the San Francisco Conference, too, there will be moments when compromises will have to be found, and no country will expect its own conceptions regarding the international Organisation to be adopted in their entirety. The essential thing is that compromises should not be made at the expense of the legitimate possibilities of action of the new Organisation, and those possibilities will depend not only on the means with which the new League is provided, but even more on the sincere acceptance of its aims and principles. If these receive the support of peace-loving nations, great and small, all equally interested in the perpetuation in security, of good neighbourly relations between them—for nearly all nations have now become neighbours in a world that has grown smaller and they have

to choose between general collective security and general insecurity—the constitution of the international Organisation will be a lasting creation.

The machinery to be provided and the texts prepared for future guidance will have a very real importance, but they must be moulded and interpreted as living instruments. Even more important will be the readiness to make sacrifices for peace, the progressive materialisation of the world's passionate desire for justice—social and political—the growth of confidence between nations, and the establishment of common moral standards of action. As these things find expression in the torment of post-war problems, the herculean task of rebuilding may be faced with hope and with confidence.

Peace can be none other than a continuous collective creation, and security in all spheres can result only from constant national and international effort.

1945¹

The peoples of the world, searching for means to avoid the inhumanity and folly of war constantly becoming more terrible and destructive, made a covenant and a league of peace. They did not keep the covenant; they broke the league; and a new war smashed across Europe and leaped the oceans. Aggression and ambition, on one side, timidity of Governments and short-sighted vision of the peoples themselves, on the other, led straight to the catastrophe.

The League of Nations as an organisation no doubt had faults, but it is dangerous nonsense to say that war came because of those faults. The League did not fail; it was the nations which failed to use it. That is the lesson of the last ten years and it is a vital and terrible warning for the next ten years. The old League of Nations is going and the new League takes the centre of the world's stage. Whether, in many respects, it is better than the machine which is being discarded is not the most important thing. Success will depend

¹ From *Report on the Work of the League during the War*. Document A.6.1946, Geneva, October 1945.

on how it is used, on the justice, wisdom and courage of leaders and, above all, on the vision and determination of the common people. Such truisms cannot be too often repeated in view of the immensity of the task which again faces humanity. (The new generation of builders and makers must not be misled into thinking that any defect in the ideals or organisation of the League of Nations was the cause of humanity's tragic failure. That failure was due rather to the statesmen and peoples of the League of Nations that contented themselves with lip-service, that could not face the lesser sacrifices to avoid the greater, and to those peoples and States which foolishly imagined they could be lookers-on. That will be the verdict of history,) simplified though it may appear in the welter and tangle of international relations.

f The United Nations Organisation, launched only a few months ago, is already a vital and great reality. Its Charter points the way to peace and freedom and progress. There is no alternative to this way; it is a continuation of the first effort to organise nations to help and to protect themselves and others. The League might have been reconstructed, thus avoiding many complications, but that was apparently impossible for political reasons. A start is again made, with a new name, a new Covenant, possibly a new seat; but the problems remain the same, the objects are unchanged, and methods cannot greatly differ. Above all, the United Nations will begin its work with the superlative advantage of the co-operation of all the World Powers—including, for the first time, the United States of America. Whatever clouds may cross the sky of international affairs, the future is assured while their peoples are inspired by the principles of the preamble to the Charter and contribute their force, their genius and their political maturity to the common cause/ On these peoples, above all, responsibility rests, but the less powerful nations must take their share of duties just as they will and must assert their rights in a free world. All this is now possible. We must have hope and belief, but we cannot rely on these alone; each must give his share in creating confidence in one another; and the onward march of humanity, stirred by ideals and guided by moral principles, will be resumed.

The first " great experiment" in international co-operation for peace and human progress has been made. Its lessons must now contribute to the success of the second experiment. The powers of destruction which would be let loose in a new conflict do not permit the envisaging of a possible failure.

LEAGUE PUBLICATIONS, 1940-1946

A great part of the work of the League Secretariat has always been embodied in the publications issued by it. The studies and reports published represent work undertaken in accordance with decisions of the Assembly or the Council. They are prepared by the competent sections of the Secretariat, after consultation, when necessary, of Government Departments and experts in the countries concerned. The production and distribution of these publications in the two official languages of the League—English and French¹—call for the collaboration of many of the special services set up within the Secretariat—in particular, the Document Service, the Printing Service, the Publications Department, and the Distribution Service.

The Secretariat being an international civil service, its publications were intended, in the first instance, for the Governments of the States Members of the League. In pursuance, however, of a policy which was followed from the earliest days of the League, they have been, in nearly all cases, made available also to the general public and have, accordingly, been sent not only to Government Departments, but also to all the chief reference libraries of the world. Further, the Publications Department of the Secretariat was organised on the lines of a publishing business and, with its network of authorised sales agents in all parts of the world, it has placed the results

¹ Although, normally, League documents are published only in the two official languages (English and French), special Spanish editions were issued in the case of the following publications:

Prosperity and Depression;
The Transition from War to Peace Economy;
Economic Stability in the Post-war World;
International Currency Experience;
Model Bilateral Conventions for the Prevention of International Double Taxation and Fiscal Evasion;
Conditions of Private Foreign Investment;
Chronicle of the Health Organisation, Special Number, October 1943;
Report on the Work of the League of Nations, 1941-1942 ;
Report on the Work of the League of Nations, 1942-1943.

of the many-sided activity of the Secretariat at the disposal of all those who are in any way interested in the wide range of questions with which the League has been called upon to deal.

In all its essential features, though on a greatly reduced scale, this organisation was kept in being throughout the war years. The Publications Department and Printing Service remained at the headquarters of the Secretariat in Geneva, whence they continued to issue the most important of the League's regular publications—the *Treaty Series*, the *Monthly Bulletin of Statistics*, the *Statistical Year-Book*, the *Bulletin of the Health Organisation*, the *Weekly Epidemiological Record* and the *Monthly List of Selected Articles*, in addition to a large number of documents and reports on the traffic in opium, social questions, refugees, etc.

With the transfer, in September 1940, of the greater part of the Economic, Financial and Transit Department to Princeton, N. J., and the establishment, in February 1941, of Branch Offices of the secretariat of the Permanent Central Opium Board and of the Supervisory Body in Washington, D.C., the concentration of the entire publishing activities of the League of Nations in Geneva ceased to be possible and a large proportion of the publications of these bodies was produced in the United States of America.

Other publications were printed in London and in Canada. From January 1943 to September 1945, a parallel edition of the *Monthly Bulletin of Statistics* was, moreover, regularly produced in Princeton, to facilitate the earlier distribution of this publication in extra-European territories.

In spite of this war-time dispersion of the Secretariat's publishing activities, the French editions of all the publications issued, including those printed in English elsewhere, were produced and published in Geneva.

The value of the continuity of the work that thus went on uninterrupted through the years of the war is illustrated by the following observation in the First Report of the Supervisory Commission for the year 1943:

" The publication of the two-hundredth volume of the *Treaty Series* of the League of Nations was a notable event. Begun in 1920, this unique series has realised a proposal launched at a

diplomatic conference at Berne in 1892—half-a-century ago. By making available the official texts of more than 4,700 treaties, with English and French translations where necessary, raw material for the development of international law has been supplied to the whole world."

Between 1940 and 1945, indeed, no fewer than 10 volumes of the *Treaty Series*, containing nearly 300 treaties with their translations, were issued in Geneva. The total number of treaties contained in the 204 volumes of this Series already published by the League, in accordance with the terms of Article 18 of the Covenant, is 4,822.

Despite all difficulties, the *Weekly Epidemiological Record* and the *Monthly Bulletin of Statistics* have continued to appear regularly without interruption. The former has, week by week, furnished Governments with information respecting epidemics and mortality in belligerent, occupied and neutral countries, together with periodical notes concerning the effects of the war on the health of the European peoples, thereby providing essential data for purposes of relief work.

Notwithstanding the " statistical black-out " of the war years, the *Monthly Bulletin of Statistics*—the oldest of the regular publications of the Economic and Financial Department, as it was originally taken over from the Supreme Economic Council in 1920 —continued each month to provide unexpectedly comprehensive information concerning economic developments in all parts of the world.

In conjunction with the *Monthly Bulletin of Statistics*, the four issues of the *Statistical Year-Book* which appeared during the period 1940-1945 provide a remarkable history, in figures, of the world at war. The latest issue of the *Statistical Year-Book*, for instance, issued in Geneva in 1945, contains 108 tables, giving statistics regarding population, employment and unemployment, agricultural, mineral and industrial production, international trade, currency and banking, interest rates, prices and cost of living and public finance; and all countries of the world are included. Attention is devoted to subjects of immediate interest such as territorial changes which occurred at various stages of the war, Government receipts, expenditures and indebtedness (including war expenditure in the principal belligerent countries), currency measures adopted and currency equivalents established.

Meanwhile, the Library was able, in spite of difficulties in communications, to carry on its work of collecting, classifying and indexing periodicals appearing all over the world. The *Monthly List of Selected Articles* which, for several years during the war period, was the only publication of its kind, thus continued to furnish a bibliography of articles on the social and political sciences reflecting the world-wide scope of the documentary material the Library offers to research workers and to all concerned with current problems. Since January 1928, the *Monthly List of Books catalogued in the Library of the League of Nations* had provided a selected list of works relating to questions of every kind studied by the organs of the League. This publication had to be suspended in 1940, but the Library prepared a composite issue (547 pages) covering the period from April 1940 to December 1944, and this appeared in 1945.

The twelve numbers of the *Bulletin of the Health Organisation* issued during the period 1940-1946 furnish striking evidence of the steadfastness with which the greatly reduced staff of the Health Section continued to make available to medical men, public officials, health workers and laboratory workers authoritative information on a wide range of vital subjects. These numbers of the *Bulletin of the Health Organisation* deal with the work that was carried on, without any interruption, in the sphere of biological standardisation, and also include a polyglot glossary of communicable diseases, prepared at the request of the International Red Cross and giving the terms employed in twenty-four European languages. They contain also studies on famine disease, the rice problem, the unification of pharmacopoeias, the epidemic and nutritional situation in Europe and the means of combating the menace of typhus fever. One of these numbers (Vol. XI) takes the form of a Bibliography of the Technical Work of the Health Organisation and, as it covers several thousand reports of Committees and studies by experts, will be a valuable work of reference for specialists in public health and social medicine.

The *Handbook of Infectious Diseases*, which was published in 1945, proved at once to be of such value to Government Health Departments and field workers engaged in relief work, etc., that the first edition in French was rapidly exhausted and a reprint had to be undertaken almost immediately.

The war-time publications of the Economic, Financial and Transit Department—nearly all of which were produced in Princeton, N. J., French editions being subsequently issued in Geneva—number over thirty; some of them were concerned with current events.

Three issues of the *World Economic Survey* give a general view of world economic developments in the period covered. The latest—to quote its Preface—" may derive a special interest from the fact that it deals with the world economic situation on the eve of the United Nations' victory—a situation which will inevitably form the point of departure for much of the work of post-war reconstruction."

Rationing, consumption and food supplies were the subject of *War-time Rationing and Consumption*, the first comprehensive work that had appeared on the subject, and of *Food Rationing and Supply 1943/44*, by which it was expanded and brought up to date. This series is being completed by the issue of *Food, Famine and Relief, 1940-1946*.

Studies relating to post-war problems constitute an important section of the publications of the Economic, Financial and Transit Department during the years 1940-1945.

Apart from the Report of the Delegation on Economic Depressions (Part I: *Transition from War to Peace Economy*; Part II: *Economic Stability in the Post-war World*) which is mentioned below, relief and reconstruction problems are dealt with in *Relief Deliveries and Relief Loans, 1919-1923*; *Europe's Overseas Needs, 1919-1920, and how They were met*; *Agricultural Production in Continental Europe during the 1914-1918 War and the Reconstruction Period*; *International Currency Experience*; and *The League of Nations Reconstruction Schemes in the Inter-war Period*. With a view to facilitating the solution of post-war communications and transit problems, the following two publications were issued in 1945: *Transport Problems which arose from the War of 1914-1918 and the Work of Restoration undertaken in this Field by the League of Nations*, and a *List of Multilateral Conventions, Agreements, etc., relating to Communications Questions*.

Six of the studies issued during this period relate to trade and trade policy, namely: *Europe's Trade*; *The Network of World Trade*; *Commercial Policy in the Inter-war Period*; *Quantitative Trade Controls: Their Causes and Nature*; *Trade Relations between Free-market and Controlled Economies*; and *Commercial Policy in the Post-war World*.

Economic security forms the central theme of the two volumes of the Report of the Delegation on Economic Depressions. The theoretical basis of much of this report was established in *Prosperity and Depression*, of which a revised and enlarged edition, issued in 1941, had to be several times reprinted, whilst a background study to the problems of transition was provided in *Economic Fluctuations in the United States and the United Kingdom, 1918-19 22*, published in 1942.

In execution of the programme of work laid down by the Demographic Committee in 1939, the Office of Population Research of Princeton University undertook for the League Mission in Princeton a series of studies of which the League has already published *The Future Population of Europe and the Soviet Union: Population Projections 1940-1970*, and *Economic Demography of Eastern and Southern Europe*. Two further volumes in this series are in preparation.

The work of the various meetings of League Committees, which it was possible to hold even during the war period, resulted in the appearance of a number of reports and publications—three reports on the work of the joint sessions of the Economic and Financial Committees held respectively in 1942, 1943 and 1945, *Model Bilateral Conventions for the Prevention of International Double Taxation and Fiscal Evasion*, drawn up at the Second Regional Tax Conference held in Mexico in July 1943; the *Report on the Work of the Tenth Session of the Fiscal Committee*; and *Conditions of Private Foreign Investment*, the last-mentioned being a report drawn up by a Special Joint Committee of the Economic and Financial Committees.

Between 1940 and the end of 1945, the Secretariat in Geneva published six Summaries of Annual Reports by Governments on the Traffic in Women and Children and the same number of Summaries of Annual Reports on the Circulation of and Traffic in Obscene Publications, four Annual Reports giving information received from Governments on the question of Child Welfare, and two Summaries of legislative and administrative documents published by the Child Welfare Information Centre in 1939 and 1940. In addition, a study on the *Prevention of Prostitution* deals with measures adopted or under consideration particularly with regard to minors, and supplements the studies published in 1938 and 1939 on the rehabilitation of prostitutes (*Prostitutes: Their Early Lives; Social Service and Venereal Diseases; Methods for the Rehabilitation of Adult Prostitutes*).

The *Twenty-first List of Signatures, Ratifications and Accessions in respect of Agreements and Conventions concluded under the Auspices of the League of Nations*, dated July 10th, 1944, is so arranged as to present a general view of the legislative work of the League of Nations since its foundation. It comprises all the agreements and conventions concluded under the auspices of the League and contains a special section relating to Labour Conventions.

With a view to post-war reconstruction and, in particular, to the transfer to the United Nations of the powers and duties hitherto attributed to the League of Nations, three publications were issued in 1944 and 1945 under the respective titles: *Powers and Duties attributed to the League of Nations by International Treaties*; *List of Conventions with Indication of the Relevant Articles conferring Powers on the Organs of the League of Nations*; and *The Committees of the League of Nations: Classified List and Essential Facts*.

In April 1945, at the time when the principles for the administration of non-autonomous territories and the system of international trusteeship, since incorporated in the United Nations Charter, were under discussion, the Secretariat published a study entitled *The Mandates System: Origin—Principles—Application*. This volume retraces the historical background, the genesis and the establishment of the system of "tutelage" created in virtue of Article 22 of the League Covenant, analyses the fundamental principles of the mandatory system and the methods adopted for the application of those principles and describes the way in which the League of Nations exercised supervision of the mandatory administration and, in particular, the role and work of the Permanent Mandates Commission.

In connection with the international system of control over the manufacture of and trade in dangerous narcotic drugs—a system which was developed under the general supervision of the League of Nations during the last twenty-five years and which continued to function throughout the war period—a considerable number of publications were issued during the years 1940 to 1945. These included the Report on the Work of the Twenty-fifth Session of the Advisory Committee on Traffic in Opium and Other Dangerous Drugs, held at Geneva in May 1940, and the Minutes of that session; three Analytical Studies of Annual Reports by Governments on the Traffic in Opium and Other Dangerous Drugs covering the years

1938, 1939 and 1940, respectively; seven Annual Statements of Estimated World Requirements of Dangerous Drugs for the years from 1940 to 1946; four Reports by the Permanent Central Opium Board, one of which related to the measures required to re-establish the control of dangerous drugs in liberated and occupied countries, and a special study on the *Pre-war Production and Distribution of Narcotic Drugs and their Raw Materials*.

The activities of the League of Nations High Commissioner for Refugees, one of whose main functions has been to provide the legal and administrative protection of refugees which is a creation of the League of Nations, are described in the six reports published during the period 1941 to 1946.

Fuller details concerning all the publications to which brief reference has been made above, are given in the five Annual Reports on the Work of the League which were issued during the war period and which constitute a comprehensive survey of the various activities the continuation of which—in the words of the Introduction to the latest report—"apart from their momentary or durable intrinsic value, was also to some extent a challenge to the forces of disorder and would, it was expected, ultimately help to provide a basis for a reconstructed world organisation".

The far-reaching scope of the material which—together with the experience gained over a quarter-of-a-century in the production and distribution of official publications—the League now hands over, may best be seen from the *General Catalogue of Publications, 1920-1935*, the four Supplements covering the years 1936 to 1939 and the List of Publications issued between January 1st, 1940, and December 31st, 1945, all of which may be obtained on application to the Publications Department of the League of Nations, Geneva.

