

ment of reasons with the following observation. The Committee, interpreting the decisions of the Assembly at its sixth ordinary session, will not feel that it has fulfilled its duties until the International Relief Union has been constituted on a permanent basis, as laid down in Articles 34 and 35 of the Statutes. Until then it will hold itself at the disposal of the Council of the League of Nations to make any further modifications which may still seem desirable in the draft, and to make preparations for putting it into operation.

"I believe that the Council will agree with me that it is desirable to propose to the Assembly that the Preparatory Commission should continue to meet for the purpose of preparing draft regulations for the International Relief Union and submitting to the Council any proposals which might facilitate the coming into force of the Convention.

"I have therefore the honour to propose that the Council should adopt the following resolution:

"The Council is highly gratified at the admitted success of the work of the Conference summoned to create an International Relief Union for the victims of calamities;

"It decides:

"To instruct the Secretary-General of the League of Nations to communicate, in accordance with Article 15 of the Convention, the authentic text of the Convention and of the Statutes adopted by the Conference to all non-Member States which were not represented at the Conference,

"To communicate to the Assembly the results of that Conference with a view to future consideration by the latter.

"And to propose to it that the Preparatory Commission of the International Relief Union should continue to meet in order to prepare draft regulations for the Union and to submit to the Council any proposals which may facilitate the coming into force of the Convention."

The draft resolution was adopted.

1999. **Free City of Danzig: Manufacture of Aircraft within the Free City. Report of the Air Sub-Committee of the Permanent Advisory Commission for Military Naval and Air Questions.**

Dr. Sahm, President of the Senate of the Free City of Danzig, and Dr. van Hamel, High Commissioner of the League of Nations at Danzig, came to the Council table.

The PRESIDENT read the following report¹

"The Council at its meeting of June 13th, 1927 decided to ask the Air Sub-Committee of the Permanent Advisory Commission for Military Naval and Air Questions for its opinion concerning a request submitted to it by the High Commissioner at Danzig, that the Council should reconsider the restrictions imposed on Danzig in regard to the manufacture of aircraft. The Danzig Senate requested the High Commissioner to take this action in the interests of Danzig industry and of scientific research at the Technical High School.

At the meeting of the Council on June 13th, the President of the Senate asked that the procedure might be expedited in view of the fact that the Free City had considerable commercial interest in seeing a settlement of the question reached at the earliest possible moment.

A report was submitted to the Council by the Air Sub-Committee on July 21st (Annex 984). The Air Sub-Committee conceives it its duty to bring to the notice of the Council that, from the technical point of view, it appeared extremely improbable that any civil aviation enterprise in Danzig could hope to compete with the large air industries already organised in various European nations without the receipt of very generous subsidies. Should the Council decide that political objections to the establishment of such an industry are not serious, the Air Sub-Committee would submit to the Council its opinion of what restrictions, if any should be enforced.

"On August 28th, 1927 the High Commissioner sent his observations on the report of the Sub-Committee (Annex 984 a). The High Commissioner states that it must be admitted that, at the moment, it is not of very great practical importance for the prosperity of the Free City that there should be greater freedom in regard to the manufacture of civil aircraft. 'Personally' he says, I have found nothing in Danzig industrial circles that conflicts with this view. There is not at present any civil aircraft industry whatever at Danzig. I enclose a copy of the information I have received from the Senate of the Free City in regard to the Air Sub-Committee's report. It contains nothing to suggest the probability of a development of the industry in question.

"The High Commissioner points out, however, that this matter raises the question of the application of Article 5 of the Danzig Constitution, in which it is laid down that the Free City cannot, without the previous consent of the League of Nations in each case, authorise the manufacture of munitions or war material on its territory. In accordance with this article, the Council decided in 1921 that the manufacture of war aircraft at Danzig was prohibited, but that the manu-

¹ Document C. 452 (1). 1927. I.

² See *Official Journal*, July 1927, page 747.

facture of civil aircraft might be authorised under the High Commissioner's supervision. The data given by the Air Sub-Committee to the High Commissioner enabled a distinction to be drawn between civil and military aircraft. The High Commissioner raises the question whether the rules that were then laid down are still up to date, and considers that it might perhaps be well to investigate this technical point at once in order to be sure that, if at any time an opportunity arises for the development of a civil aircraft industry at Danzig, the principles which will have to be followed are as far as present circumstances permit.

"In the note from the Senate attached to the High Commissioner's letter, the Senate states that a decision does not involve the examination of economic or political considerations; the only question to be considered is what restrictions may be imposed for the construction of aircraft under the Constitution guaranteed to the Free City by the League of Nations. According to the report of the Air Sub-Committee, on which the Council's decision of June 23rd, 1921, was based, the regulations to be imposed on Danzig should be the same as those which the Allied Powers decided to impose on Germany. Some time ago, the regulations in regard to Germany and in regard to Bulgaria underwent a modification, certain concessions being granted to those countries. As military aviation is also forbidden in Germany and Bulgaria and the circumstances in Germany and Danzig, although for different reasons, are similar, the Free City only asks that, in the matter of concessions, Danzig should be placed on the same footing as Germany and Bulgaria. The Senate considers that there are no reasons either in law or in fact why the Free City should continue to receive less favourable terms than any other State.

"This seems to show that the question of the establishment of an aircraft industry at Danzig has no practical interest at the moment. It is a question of principle raised by the Senate. Should the Free City be placed in an inferior position in this respect to any other State?

"The question presents itself to me in the following light:

"Under Article 5 of its Constitution, the Free City cannot authorise the manufacture of munitions of war material on its territory without the previous consent of the League of Nations. On June 23rd, 1921, the Council decided that the manufacture of civil aircraft might be authorised by the Council of the League of Nations under the High Commissioner's supervision. The regulations laid down at the request of the High Commissioner by the Air Sub-Committee on October 6th, 1921, to enable the High Commissioner to decide what is war and what is civil aircraft material must, in accordance with the terms of the report of the Sub-Commission, be revised every two years, in order that an account may be taken of any modifications required by the progress in aircraft manufacture. These regulations must therefore be considered as out of date, and cannot accordingly be regarded by the Senate as placing the Free City in a position of inferiority.

"It appears to me that the following is a possible solution of the question. In the event of a definite request for the establishment of a civil aircraft industry the High Commissioner would be called upon to supervise that industry in accordance with the instructions of the League of Nations. He might, in that case, if he felt any doubts on the matter, refer it to the Council, who would, if necessary ask the Air Sub-Commission to establish regulations to assist the High Commissioner in exercising this supervision.

Dr. SAHM, President of the Senate of the Free City of Danzig, thanked the President, as Rapporteur, for the proposal which he had just made, which met the wishes expressed by the Free City of Danzig.

Dr. VAN HAMEL, High Commissioner, said he understood that the High Commissioner had merely to wait for a definite request to be presented to him by the Senate of the Free City for the establishment of an industry for the manufacture of civilian aircraft, and that if he then, in view of the supervision with which he was entrusted, had any doubts on the subject he might apply to the Council.

The PRESIDENT agreed.

The Council approved the conclusions of the report.

FOURTH MEETING (PUBLIC, THEN PRIVATE).

Held at Geneva on Thursday, September 8th, 1927 at 3.15 p.m.

Present: All the representatives of the Members of the Council, and the Secretary-General

2000. Report of the Permanent Mandates Commission on the Work of its Eleventh Session.

Mr. J. S. Smit, Representative of South Africa, Sir James Parr, Representative of New Zealand, Sir George Pearce, Representative of Australia, and M. Van Rees, Vice-Chairman of the Permanent Mandates Commission, came to the Council table.