
Baron Aloisi presented the following report:

The Argentine Government has been so good as to communicate to the Council, through the Secretary-General, a Pact of Non-Aggression and Conciliation concluded at Rio de Janeiro on October 10th, 1933 (see document C.627.1933.V). This Pact, which has been signed by the Argentine, Brazil, Chile, Mexico, Paraguay and Uruguay, is open to accession by all States (Article 15).

As the Argentine Government observes, the Treaty is in every way a response to the appeal which the ninth Assembly of the League, in its resolution of September 26th, 1928, made to all the Governments, asking them to subscribe to engagements for the settlement of international disputes and the establishment of security.

The new Treaty, which has been concluded on the initiative of the Argentine Government, falls within the series of treaties whose object is to prevent war and settle international disputes: the Covenant of the League of Nations, the Pact of Paris, the General Act, the treaties of Locarno and so forth. So far from conflicting with any of these instruments, it confirms and develops their principles.

The Argentine Government proposes that the Council of the League of Nations, after examining the Treaty, should, if it thinks fit, decide to place it before the Committee set up to deal with the question of the bringing of the Covenant of the League of Nations into conformity with the Pact of Paris. As the Council will recollect, this Committee, whose task is in some respects related to the work of disarmament, will consist of representatives of all the Members of the League. Under the Council’s decision of January 29th, 1934, it will be the function of the Secretary-General of the League of Nations, acting in consultation with the President of the Disarmament Conference, the President of the Council and the Rapporteur, to convene the Committee at a suitable moment.

The Council will no doubt agree with me in accepting the Argentine Government’s happy suggestion, and decide to communicate the new Treaty to the Committee.

As delegate of Italy, I desire to add that my Government, which is always anxious to contribute to constructive work for the maintenance of peace, has been the first non-American State to adhere in principle to the Treaty of Non-Aggression and Conciliation signed at Rio de Janeiro on October 10th, 1933.

M. de Madariaga had received special instructions from his Government to associate himself with the congratulations addressed by the Rapporteur to the Argentine Government upon its very happy idea of introducing into international life the Treaty under consideration, whose author had been M. Saavedra Lamas, Argentine Minister for Foreign Affairs. It might be assumed that, had the League of Nations been absolutely universal, its Covenant would have sufficed to solve all problems; but, for reasons known to everyone, the Covenant was not universal in the juridical sense and it had been necessary—as experience had shown—to conclude other pacts adapting it to circumstances of space and time, geography and history, in order that local opinions and conditions might be represented in the legal texts by which international relations were governed.

The Briand-Kellogg Pact, or Pact of Paris, responded first and foremost to the need for linking up the Geneva doctrine to the points of view and to the present special position of public opinion in North America. The Saavedra Lamas Pact might be regarded in the same light—namely, as an effort to adapt the special spirit and traditions of South America to the conceptions of Geneva.

M. de Madariaga therefore warmly associated himself with the Rapporteur’s proposal that the question be placed before the Committee set up to bring the Covenant into harmony with the Pact of Paris; the Committee would thus endeavour to evoke from these three pacts a single harmonious whole.

In conclusion, M. de Madariaga reiterated his most cordial congratulations to the Foreign Minister of the Argentine Republic.

M. Castillo Najera approved the Italian representative’s report and concurred in the Spanish representative’s observations. As representative of a country which had signed the Saavedra Lamas Pact, he wished to say that Mexico had, from the outset, appreciated the wide scope of that Treaty and had very warmly supported this demonstration of the policy of the Argentine, a country that was unswervingly loyal to its pacific and humanitarian traditions.

M. Castillo Najera joined wholeheartedly in the congratulations now being expressed, and, without embarking upon a discussion of the new Pact in its details, wished to say that he looked on this new instrument as yet another means of ensuring the pacific settlement of any conflict that might divide the peoples.

M. de Vasconcellos had two reasons for concurring in what had been said by the Spanish and Mexican representatives. In the first place, he represented a country which had founded the procedure of arbitration, since Portugal had signed with Spain the first arbitration treaty recorded in history. Secondly, Portugal had relations of friendship, if not even of kinship, with the other signatories to the new Pact. Among the latter was Brazil, to which Portugal was bound by so
sany ties of all sorts. There were among them also faithful friends with whom there had been no need for arbitration agreements, since no dispute divided them from Portugal.

For all these reasons, M. de Vasconcellos joined in the words that had been spoken and in the congratulations to the Foreign Minister of the Argentine.

Sir John Simon had much pleasure in concurring in the report of the representative of Italy. The Council would, he was sure, welcome the acceptance by so many nations of Latin America of the Treaty which had been signed at Rio de Janeiro as a result of the labours of the distinguished Foreign Minister of the Argentine, His Excellency M. Carlos Saavedra Lamas.

Perhaps that Treaty might be considered as of special and practical interest at that moment, in view of the fact that the Council was considering a grave conflict in that part of the world in which the majority of the States which had signed the Treaty were situated.

M. Amador joined, on behalf of his Government, in the congratulations addressed at the Council table to the distinguished Foreign Minister of the Argentine Republic for his happy initiative. M. Amador was sure that all the members of the Council would anticipate the best results therefrom.

M. Paul-Boncour was anxious that France should be specifically associated with the satisfaction expressed by the Members of the Council and with the congratulations which would be transmitted to M. Saavedra Lamas, the Argentine Foreign Minister, for the happy step he had taken. The Members of the Council regarded this action as the warrant and the endorsement of the pleasure they all felt at seeing among them the representative of that great South American Republic. M. Paul-Boncour desired again to lay special stress on the terms in which the Spanish representative had, at the beginning of his remarks, so happily described the instrument which had been placed before the Council and which was to be referred to a committee for special examination. M. de Madariaga had been right in saying that such pacts could not supersede that other and more precise Pact, the League Covenant, but that they were none the less valuable because they circumscribed the possibilities of conflict within a narrower framework of contractual obligations and thus had the advantage that they adapted to the Covenant the particular tendencies existing in certain regions of the world.

To express in still more definite terms his satisfaction at the new instrument, M. Paul-Boncour was happy to observe that the Saavedra Lamas Treaty had, in its third article, taken the very desirable precaution of excluding from its operation the collective treaties by which certain States had assumed more particular obligations with regard to sanctions more precisely defined; further, in Article 2, the Treaty contained the very necessary statement, on which the League Covenant was based, that no territorial question was to be settled by force and that the nations which signed these instruments agreed not to recognise any occupation or acquisition of territory obtained by such means.

M. Cantilo said that the countries which were parties to the new Treaty, and his country in particular, which had originally proposed it, would fully appreciate the interest which the Council had displayed in connection with the Italian representative's report, at present under consideration. In a letter concerning the Treaty of Non-Aggression and Conciliation signed in Rio de Janeiro last October, he thanked the members of the Council who, following the Rapporteur, had, with the two-fold authority conferred on them by their office and their personal standing, expressed in terms of special sympathy their satisfaction at the new Pact.

The Argentine could not have failed to communicate the Treaty in question to the League. Signed at Rio by six nations, it had received at the Pan-American Conference in Montevideo the accession of twenty other States and had likewise obtained, as the Rapporteur had reminded the Council, the accession of one great European Power, Italy. That Treaty represented a concrete act, a precise contribution to the work of international justice and peace, which was the raison d'être of the League. As such, it was in conformity not only with the policy of the present Government of the Argentine, which was deeply devoted to the cause of right, but to that country's national traditions. More than thirty years ago, the Argentine had laid before the second Hague Conference a model treaty which went beyond the narrow conceptions of that time and broadened the scope of arbitration; nor must it be forgotten that the Argentine had lost immense tracts of territory in consequence of arbitral awards.

It was not, however, the Argentine alone that was affected. The Pact represented the united sentiment of all America, and M. Cantilo thought he was entitled to dwell on the spectacle offered by the countries of Latin America uniting, as they had done in the past and as they were doing once again, to ensure and maintain peace on their continent. It was this comprehensive and deep-rooted movement towards union in the cause of peace, the effect of which had been to combine, in the presence of two belligerents, all the other countries that were firmly devoted to the work of conciliation, it was this great protest against war, this far-reaching agreement for the achievement of a pacific solution that had led to the declaration of August 6th, 1932, of the purpose of which the Council had just been reminded by the French representative, and it was that which had been the origin of the Treaty conceived by M. Saavedra Lamas. Its object was to invest with permanency this fraternal trend towards peace that had become manifest in America.

In conclusion, M. Cantilo desired to state what great importance his country and the other South-American countries attached to the action of Italy in acceding, the first of all the European nations, to the Pact of Rio, and in acceding thereto, as she had done, at the first instant. He would venture, as a South-American member of the Council, to express a wish—that in the other parts of the world threats of war or war itself might bring forth the same reaction for a united and concerted policy as had occurred in America.

M. Ousky associated himself with the congratulations expressed by other speakers to the Argentine Government and accepted the Italian representative's report. He was glad to say that
the Czechoslovak Government welcomed with the keenest sympathy any action designed to
prevent the violation of undertakings solemnly entered into and all acts of aggression, and which,
at the same time, was calculated to strengthen the obligations of international co-operation and
peace.

M. Wellington Koo also desired, on behalf of his country, which was always devoted to the
cause of peace and to the peaceful settlement of international disputes, to associate himself with
the words of congratulation and approval which had been spoken. He believed that the Pact of
Non-Aggression was a timely achievement in view of several unhappy situations existing in certain
parts of the world, and that it would serve as a new stimulus to the spirit of peace throughout the
world.

The President, speaking as Polish representative, observed that his Government had sent
a direct message to the Argentine Government congratulating it upon its happy initiative.

As President of the Council, he expressed the hope that the Committee entrusted with the
study of the Treaty would carry out its work in the sympathetic spirit in which the Treaty had
been received by the Council.

The conclusions of the report were adopted.

3384. Protection of Minorities: Resolution adopted by the Assembly on October 11th, 1933.

M. DE MADARIAGA presented the following report and draft resolution:

"At its meeting on October 11th, 1933, during its fourteenth ordinary session, the Assembly
adopted the following resolution:

"The Assembly,

"Reiterating the recommendation which it passed on September 21st, 1922:

"Expresses the hope that the States which are not bound by legal obligations to the
League with respect to minorities will nevertheless observe in the treatment of their own
racial, religious or linguistic minorities at least as high a standard of justice and toleration
as is required by any of the treaties and by the regular action of the Council.

"The Assembly requests the Secretary-General to communicate to the Council the
discussion which has taken place in the Sixth Committee on the question of minorities as a
whole."

"In pursuance of this resolution, the Secretary-General has duly communicated to the
Council the Minutes of the fifth, sixth, seventh, eighth and ninth meetings of the Sixth Committee,
at which the question of the protection of minorities was discussed.

"The report which the Committee submitted to the Assembly gives a very full summary of
the discussion, in which numerous delegates took part; it is therefore, in my opinion, unnecessary
to give a further account of the course of that discussion in the present document.

"For my own part, I do not consider it appropriate at the present juncture to submit to the
Council any proposals relative to the questions which formed the subject of the discussion.
In these circumstances, and unless one of my colleagues desires to submit any proposals, the Council
might confine itself to taking note of the Assembly's resolution, and I therefore venture to submit to the
Council the following draft resolution:

"The Council takes note of the Assembly's resolution of October 11th, 1933, relative
to the question of the protection of minorities."

The draft resolution was adopted.

3385. Protection of Minorities: Application of the German-Polish Convention of May 15th, 1922,
relating to Upper Silesia: Petitions addressed to the Council under Article 147 of the
Convention.

(a) Petition from M. Gustav Koziolek, Dated August 29th, 1932, Concerning His Personal
Situation.

M. DE MADARIAGA presented the following report:

"My predecessor, the representative of Ireland, as Rapporteur for minorities questions,
explained to you in the report the conclusions of which you adopted on May 26th, 1933, the
contents of the petition from M. Koziolek and the observations of the Polish Government on this
subject. You will doubtless remember that the Council decided to adjourn its examination of this
matter until such time as the Polish Government should be in a position to communicate to the
Rapporteur the text of a decision which the Supreme Administrative Tribunal was called upon
to reach in this connection.

1 Document C.66.1934.I.
2 Document C.63.1934.I.