MINUTES
OF THE
SIXTH SESSION
OF THE
GOVERNING BODY OF THE
INTERNATIONAL LABOUR OFFICE

GENEVA
THE 11th, 12th AND 13th JANUARY, 1921

INTERNATIONAL LABOUR OFFICE
1921
# TABLE OF CONTENTS

## FIRST SITTING.

*Approval of the Minutes of the Fifth Session.* (1st Item on the Agenda).  
Page 5

*The Director's Report.* (2nd Item on the Agenda).  
Assembly of the League of Nations.  
Mandates.  
Admission of New States.  
International Court of Justice.  
Page 5

## SECOND SITTING.

*Director's Report (continued).* (2nd Item on the Agenda).  
Ratifications.  
Publications.  
Commissions.  
Page 10

## THIRD SITTING.

*Director's Report (continued).* (2nd Item on the Agenda).  
Enquiries.  
Commission set up under Art. 312 of the Peace Treaty.  
Russian Refugees.  
Page 14

## FOURTH SITTING.

*Director's Report (continued) (2nd Item on the Agenda).*  
Commission set up under Art. 312 of the Peace Treaty.  
Complaint of the Spanish Trades Unions.  
Page 21

*Preparation of the 1921 Conference.* (4th Item on the Agenda).  
Page 27

*Action required by the Decisions of the Joint Maritime Commission.* (5th Item on the Agenda).  
Page 32

*Scrutiny of the Appointments made under Art. 412 (Commissions of Enquiry).* (7th Item on the Agenda).  
Page 32

## FIFTH SITTING.

*The 1921 Budget.* (3rd Item on the Agenda).  
Page 33

*Report of the Committee on Standing Orders regarding the Reform of the Composition of the Governing Body.* (6th Item on the Agenda)  
Page 37

*Scrutiny of the Appointments made under Art. 212 (Commissions of Enquiry).* (7th Item on the Agenda).  
Page 37

*Report of the Commission on Unemployment.* (8th Item on the Agenda).  
Page 37

*Proposals put forward by Mr. Oudegeest.* (9th Item on the Agenda).  
Page 37

*Date of the next Session.* (10th Item on the Agenda).  
Page 37
<table>
<thead>
<tr>
<th>APPENDIX</th>
<th>I.</th>
<th>Agenda of the Sixth Session</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>APPENDIX</td>
<td>II.</td>
<td>The Report of the Director (Item 2 on the Agenda)</td>
<td>40</td>
</tr>
<tr>
<td>Annex A.</td>
<td></td>
<td>Note on Ratification of the Draft Conventions and Measures taken in pursuance of the Recommendations adopted at Washington</td>
<td>53</td>
</tr>
<tr>
<td>Annex B.</td>
<td></td>
<td>Note on Ratification of the Draft Conventions and Measures taken in pursuance of the Recommendations adopted at Genoa.</td>
<td>58</td>
</tr>
<tr>
<td>Annex C.</td>
<td></td>
<td>Letter to the Director of the International Labour Office from the Secretary-General of the National Union of Spanish Workers</td>
<td>60</td>
</tr>
<tr>
<td>APPENDIX III.</td>
<td></td>
<td>Speech of Sir Malcolm Delevingne, as rapporteur of the Finance Committee (Item 3 on the Agenda)</td>
<td>72</td>
</tr>
<tr>
<td>Annex A.</td>
<td></td>
<td>Note on Statement of Accounts for 1920 : and Tabular Statements I and II</td>
<td>73</td>
</tr>
<tr>
<td>Annex B.</td>
<td></td>
<td>General Resolutions proposed by the Finance Committee to regulate the Financial Procedure of the International Labour Office</td>
<td>75</td>
</tr>
<tr>
<td>Annex C.</td>
<td></td>
<td>Regulations proposed by the Finance Committee for the payment of Subsistence Allowances and Travelling to Members of the Governing Body and Commissions appointed by the Governing Body</td>
<td>75</td>
</tr>
<tr>
<td>Annex D.</td>
<td></td>
<td>Explanatory note on Estimates for 1921 adopted by the Finance Committee</td>
<td>76</td>
</tr>
<tr>
<td>APPENDIX IV.</td>
<td></td>
<td>Note on Preparation of the 1921 Conference (Item 4 on the Agenda)</td>
<td>85</td>
</tr>
<tr>
<td>Annex</td>
<td></td>
<td>Letter of Swiss Federal Council to the Governing Body of the International Labour Office</td>
<td>88</td>
</tr>
<tr>
<td>APPENDIX V.</td>
<td></td>
<td>Note on Action required by the decisions of the Joint Maritime Commission (Item 5 on the Agenda)</td>
<td>89</td>
</tr>
<tr>
<td>APPENDIX VI.</td>
<td></td>
<td>Note on Scrutiny of the Appointments made under Article 412 (Commissions of Enquiry) (Item 7 on the Agenda).</td>
<td>91</td>
</tr>
<tr>
<td>Annex A.</td>
<td></td>
<td>List of Persons nominated to the Panel for Commissions of Enquiry</td>
<td>92</td>
</tr>
<tr>
<td>Annex B.</td>
<td></td>
<td>Supplementary List</td>
<td>94</td>
</tr>
<tr>
<td>APPENDIX VII.</td>
<td></td>
<td>Proposals put forward by Mr. Oudegeest (Item 9 on the Agenda).</td>
<td>94</td>
</tr>
<tr>
<td>APPENDIX VIII.</td>
<td></td>
<td>Note on Date of the next Session of the Governing Body (Item 10 on the Agenda)</td>
<td>95</td>
</tr>
</tbody>
</table>
The Governing Body of the International Labour Office

Sixth Session: January 1921: Geneva

Minutes of the First Sitting.

The First Sitting of the Sixth Session of the Governing Body of the International Labour Office took place at 10 a.m. on Tuesday, the 11th January 1921, at the International Labour Office at Geneva.

The following members were present:

- Mr. Arthur Fontaine, (Chairman).
- Count de Altea, (substitute for Viscount de Eza).
- Brigadier-General A. C. Baylay, (substitute for Sir Allan Smith).
- Mr. G. H. Stuart Bunning.
- Mr. L. C. Christie, (substitute for Hon. G. D. Robertson).
- Sir Malcolm Delevingne.
- Mr. H. A. Halford, (substitute for Mr. P. M. Draper).
- Mr. F. Hocacz.
- Mr. K. Inuzuka.
- Mr. L. Jouchaux.
- Mr. J. Lecocq, (substitute for Mr. J. Carlier).
- Dr. Leymann.
- Mr. E. Mahaim.
- Mr. G. de Michelis.
- Mr. Olivetti, (substitute for Mr. A. Pirelli).
- Mr. J. Oudegeest.
- Mr. H. Pfister, (substitute for Mr. H. Rüfenacht).
- Mr. R. Pinot.
- Mr. F. Sokal.
- Mr. A. Thorberg, (substitute for Mr. H. Lindquist).
- Mr. H. Vedel.
- Mr. Wissell.

The following members were absent:

- Mr. de Alvear.
- The representative of the Swiss Employers' Organisations.

There were also present:

- Mr. Albert Thomas, Director of the International Labour Office.
- Mr. H. B. Butler, Deputy-Director of the International Labour Office.
- Mr. Lemercier, Mr. Phelan, Mr. Pône, Secretaries to the Governing Body.
- Mr. Herbert, in charge of the London Correspondence Office.
- Mr. Roques, in charge of the Paris Correspondence Office.
- Mr. J. F. Ayusawa and Mr. S. Yoshisaka accompanying Mr. Inuzuka.
- Mr. S. Backlund accompanying Mr. Thorberg.
- Mr. Dreyer accompanying Mr. Vedel.
- Mr. Droz accompanying Mr. Pfister.
- Mr. J. S. Edström accompanying Mr. Hocacz.
- Mr. Goinneau accompanying Mr. Pinot.
- Mr. E. Küttig accompanying Dr. Leymann.
- Mr. F. D. Lamb accompanying General Baylay.
- Mr. Marchesi accompanying Mr. Olivetti.

The Chairman declared the Sitting open at 10.17 a.m. He recalled to the Governing Body the sad loss which it had sustained since its last Session by the death of Baron Mayor des Planches and Mr. Legien. He said that he had been informed of the former by a telegram from Count Sforza, and in reply had expressed both his own personal regret and that of the Governing Body. He outlined the career of Baron Mayor des Planches, who was already well-known for
his services to Italy as Ambassador and as a financial adviser before he took part in the work of the Commission on International Labour Legislation in Paris. He recalled the spirit of faith and devotion which Baron Mayor des Planches had manifested in his efforts for the improvement of social legislation at Paris, at Washington, where he was the Delegate of the Italian Government, at Genoa, where he presided over the Seamen's Conference, and in all the Sessions of the Governing Body, at which his keen interest in Labour questions was always evident.

The Chairman had learnt, on his arrival at Geneva, of Mr. Legien's death. He had had no opportunity to express his regret officially to Mr. Legien's family and to the German Government, but he asked Dr. Leyman and Mr. Wissell to accept the sincere condolence of Baron Mayor des Planches. Mr. Legien's wide experience had given great weight to his advice on all labour matters. The Chairman had been acquainted with him before the war and had been able to realize how well and how devotedly he used to edit the Bulletin of the Workers' Organisations, which might be taken as a model for a Statistical and Social Bulletin.

Mr. de Michélis thanked the Chairman, on behalf of the Italian Government, for his remarks regarding the late Baron Mayor des Planches.

Mr. Jouhanax, on behalf of the Workers' Group, thanked the Chairman for his reference to the late Mr. Legien, and associated himself with the sentiments expressed regarding Baron Mayor des Planches. He said that the workers had found him liberally open to all social theories, and ready to support the claims put forward by the Workers' representatives before the Governing Body.

Mr. Oliveri proposed that a copy of the Minutes of the Sitting should be sent to the family of each of the late members. This proposal was generally approved.

The Director stated that the Office had been informed officially of the death of the two members, and had already written to their families, as well as to the Italian Government and the German trade union organisations, to express its own deep regret, and that of the Governing Body. The Director spoke of the invaluable assistance which the two members had given to the International Labour Office. Owing to Baron Mayor des Planches the Office had made many friends in Italy. In Germany, Mr. Legien had done his utmost to establish regular relations between the Office and the workers' organisations.

The Director stated that the places of the two late members were taken by Mr. Wissell, who had already acted as Mr. Legien's substitute during the Genoa Session, and Mr. de Michélis.

The Chairman welcomed the new members.

The names of the members were then called, and their credentials verified.

The Chairman read letters which he had received from Mr. D. Schindler and from the Central Union of Swiss Employers' Associations (Union Centrale des Associations Patronales Suisses), the Swiss Union of Arts and Crafts (Union Suisse des Arts et Métiers) and the Swiss Union of Commerce and Industry (Union Suisse du Commerce et de l'Industrie). By these it was proposed to appoint Mr. F. L. Colomb, Secretary-General of the Association cantonale bernoise des fabricants d'horlogerie, to be a member of the Governing Body of the International Labour Office in place of Mr. Schindler, who had resigned in November 1920.

General Baylay asked that the Employers should be given an opportunity to consider the proposal. It seemed to him uncertain whether, since Mr. Schindler had resigned, he had power to appoint a member to take his place.

Mr. Pfister did not oppose General Baylay's proposal but referred to the proceedings of the Washington Conference, as showing the steps whereby Mr. Schindler was appointed. He explained the circumstances in which Mr. Schindler had been compelled to resign on account of pressure of work caused by his membership of the Governing Body, and had asked for a substitute to take his place, whereupon the Swiss Employers proposed to appoint Mr. Colomb. He pointed out that the Chairman had replied to the letters which had been read to the Governing Body in the sense that Mr. Colomb would be summoned to attend the Session and that it might be anticipated that the procedure taken to replace Mr. Schindler would be analogous to that followed in the case of the late Mr. Guérin. Since the Swiss Employers were unrepresented upon the Governing Body, Mr. Pfister would express their point of view if the question of their representation was discussed. It was not a question of exceptional treatment of Switzerland, but of the maintenance of a procedure already accepted. He asked that the Swiss Employers' Organizations should be considered entitled to appoint the successor whom they wished, namely, Mr. Colomb, in accordance with the decision of the General Conference at Washington, which only the General Conference itself appeared to have power to revise.

The Chairman said that it had been agreed by the Employers' Group that each member could name a substitute; but the reasonable procedure appeared to be that such substitute should be agreed to and presented by the Employers' organisations in the country which had nominated the previous delegate. That procedure had been followed in the case of Mr. Pinot.

General Baylay said that the Employers thought themselves entitled to elect their own members. In the case of Mr. Pinot, the whole group had been agreed.
The Chairman pointed out that this was a departure from the principle adopted at the request of the Employers' Group namely, that the nomination must be approved by the national employers' organisation, and not by the Group. He said that Mr. Pinot had, in fact, been nominated not by his group but by the French Employers' Organisations.

General Baylay again asked that the Employers' Group should be given time to consider the question.

Mr. Mahaim read Article 3 of the Standing Orders of the Governing Body, which, as a transitory measure only, allowed the Employers' and Workers' members to nominate their own substitutes. He recalled the fact that when this same point was discussed in London, the Employers' Group, led by Mr. Guérin, asked for individual representation.

After a brief discussion, General Baylay's motion, that further consideration of the question should be postponed until the following Sitting, was put to the vote and adopted by 9 votes to 2.

FIRST ITEM ON THE AGENDA.

Approval of the Minutes of the Fifth Session.

The Director stated that a few modifications of a formal nature had been proposed. The Minutes so amended were approved.

The Chairman then announced that it would be necessary to appoint during the Session a number of Commissions. In the first place, the Committee on Standing Orders had just decided on the appointment of a Commission of four members, drawn from the Governing Body, to determine the data for arriving at the characteristics for the industrial importance of States. The members were to be appointed two from the Government, and one each from the Employers' and Workers' Groups. The Government delegates suggested that the members appointed should belong to States which unquestionably either fell or did not fall in the category of the eight chief industrial States. He stated that the Government Group had nominated himself and Mr. Inuzuka, and asked the other two Groups to communicate the names of their nominees as soon as possible.

He then referred to the Commission which was required in view of Article 312 of the Treaty of Versailles in regard to the transfer of social insurance funds in territories which had changed ownership by virtue of the Treaty. He explained that this question was dealt with by the Director's Report, and therefore would come up for discussion later. He felt, however, that in view of the importance of the question, which might eventually affect other countries and not only France and Germany, the Governing Body might wish to have time to consider in advance the appointment of the three impartial members, as the Treaty required of them.

The Director suggested that it might be well to decide the conditions in which the appointment should be made. He pointed out that it might not seem expedient to follow the usual procedure of appointment by each Group, since a certain technical knowledge was perhaps required in the members of the Commission.

The Chairman further pointed out that the Governing Body was required to appoint three competent persons, and not necessarily three of its own number.

Mr. de Michelis remarked that this question would not arise with regard to Italy, since it had been settled by mutual agreement with Austria and the funds automatically transferred.

SECOND ITEM ON THE AGENDA.

The Director's Report.

Mr. Pinot said that he had only received the Report at a late hour on the previous evening, and had only had time to read it once. It called for more careful reflection, in view of the wide ground which it covered. He enquired whether it was submitted for approval or merely for information.

The Director replied that it was the normal practice to distribute his Report to members on their arrival in order that it might include events of the eleventh hour. It was never submitted for approval, although a certain number of points were raised in the course of it which required decision, in connection with matters which had occurred subsequent to the fixing of the Agenda for the Session.

Mr. Pinot enquired whether it would not be possible to draw up a Report at an earlier date and supplement it by what might be termed a Post-Report.

Sir Malcolm Delevingne supported Mr. Pinot's suggestion that the Report should reach the members earlier than in the past had been the case. He pointed out that the Report was, in general, a statement of the activity of the Office since the last Session. There were almost always a number of questions which needed discussion, and others which members required to consider carefully; Government delegates, moreover,
might wish to consult their Governments. His own Government had expressed the desire that its representative on the Governing Body should be in a position to consult it on any points of importance in the Director's Report. He would, in any case, even if Mr. Pinot had not brought up the matter, have himself asked that the Director's Report should be issued to the members of the Governing Body at least two weeks before the date on which they left their countries to attend a Session. He believed that in this way the Report would be more useful, and the discussion of it more fruitful and more rapid.

The Director said that in the past he had deliberately waited till the last possible moment to draw up his Report. He was, however, entirely ready to agree to Sir Malcolm Delevingne's proposal. He made the reservation that urgent questions which arose subsequently would be dealt with in a Post-Report and that recourse would also be had, in such cases or in matters where Governments needed to be consulted, to telegraphic communication.

The Director then proceeded to his report itself. He emphasised the excellent work which had been performed by the officials of the International Labour Office, and the good spirit now manifest. He referred to the important question, which must be discussed fully at a later stage, of bringing the salaries up to a level equal to that of the Secretariat of the League of Nations; this was essential if the uneasiness of the Staff was to be removed. He said that the fact that the basic salaries in the League of Nations Secretariat were much higher than in the International Labour Office, showed conclusively that the latter was not squandering the funds provided by the Members of the League of Nations.

Mr. Oudegeest thanked the Director for the vigour and care with which he had defended the International Labour Office during the Assembly of the League of Nations. He enquired whether the reference in the Director's Report to the need for greater "cohesion and unanimity" in the Staff was intended only for information or was in some degree a complaint.

The Director explained that his report was merely for the information of the Governing Body. He could assure Mr. Oudegeest that no incident whatever had occurred, but only the minor difficulties inherent in an international staff. He repeated the remarks contained in his Report as to the absence in the case of the International Labour Office of the stimulus afforded in the case of a national administration, for example, by parliamentary discussion. He said that the phrase to which Mr. Oudegeest had referred had been written entirely owing to his desire still further to improve the internal co-operation as well as the output of the Office.

Mr. Oudegeest expressed his satisfaction that his fears were unfounded. He said he had raised the question because the Report was the basis of control of the Office by the Governing Body.

The Director proceeded to the section of his Report which dealt with the activities of the First Assembly of the League of Nations. He said that he would content himself with commenting briefly upon the various headings.

The first two ("Report of the Council" and "Technical Organisations") called for no comment; in connection with the third (India's claim to be represented upon the Governing Body) it was explained, in reply to Mr. Halford, that the question of the replacement of the United States by India did not arise until 1922, and that the interests of Canada were in no way bound up with those of India. The Director then mentioned briefly what had been done as regards Passports and Mandates.

Sir Malcolm Delevingne considered that the position of the International Labour Organisation with regard to the countries subject to mandates presented some very difficult questions and constituted a problem which ought to be considered at leisure and discussed at a further meeting of the Governing Body. The members would recall that a recent number of the Bulletin contained a copy of a letter addressed by the Director to the Secretariat of the League of Nations, and expressing views as to the legal position on which Sir Malcolm Delevingne and the advisers of the British Government felt some doubt. The subject also involved some delicate political questions; he thought that the whole matter should be carefully considered by the Governing Body and might have to come before the General Conference of the Members of the International Labour Organisation. The actual decision of the Council with regard to the appointment of the expert to the Mandates Commission appeared indeed to imply that this must be made by the Conference itself. He did not wish to discuss the questions involved, but suggested that the Director should be asked to make a report to the Governing Body before its next meeting, and that the matter should be placed on the Agenda of the next Session.

The Director agreed as to the importance of the subject, and expressed his readiness to fall in with Sir Malcolm Delevingne's suggestion. It seemed desirable that the Governing Body should consider and express its views upon the method of the appointment of the expert. There appeared, however, to be difficulties in the appointment of the expert by the Conference itself; the question need not be settled forthwith.

He wished to draw the attention of the Governing Body to another point. It had been foreseen that States might contemplate the possibility of extending their system of labour protection to their Colonies and Protectorates; it therefore appeared difficult to give different treatment to countries subject to mandates, especially since in such
countries the political situation might occasion intervention by another Power and since labour problems might appear there in a more clearly-defined shape than in Colonies. It seemed difficult for the International Labour Organisation to disregard countries where measures might be required to protect labour, including native labour. Protection of the weak was the primary function of the International Labour Organisation. The Director supported Sir Malcolm Delevingne’s proposal for an exhaustive study of the question, but asked that the study should be conducted on the lines of the letter addressed to the Secretary-General and of the actual decision of the Assembly of the League of Nations, and in conformity with what seemed the noblest tradition of the International Labour Organisation.

Mr. Jouhaux did not wish to enter into a discussion, or to oppose Sir Malcolm Delevingne’s proposal, but desired that there should be no question of opposition to the principle expressed in the letter to the League of Nations and included in Article 22 of the Treaty of Peace. Unless that principle was adhered to, the moral authority of the International Labour Organisation would suffer, and its opponents would be given a weighty argument to use against the Office.

The Director then turned to the admission of new Members to the League of Nations. He explained that all pertinent information with regard to the Organisation had been sent to the Members newly admitted. He said that in the case of four States whose application was rejected by the Assembly of the League of Nations, it had been at first proposed that they should be placed on the same footing as regards the technical organisations of the League as the actual Members of the League. This would involve admission to the International Labour Organisation. It had been pointed out to the Committee charged by the Assembly with the study of the question that it was for the General Conference to decide such a matter; the resolution, therefore, was finally adopted in the form in which it was reproduced in the report, namely: “The Committee suggests to the Assembly that the International Labour Conference should be requested to devote favourable consideration to any application for admission made by these States.” The only point which remained to be settled was whether the Office should take the initiative by communicating the decisions of the Assembly to the States in question and asking them what steps they proposed to take, or whether it should merely await their application for membership of the International Labour Organisation.

Mr. Olivetti was in general agreement with the Director’s views, but wished to draw attention to the possible danger of a large number of States, who were not Members of the League of Nations, applying for membership of the International Labour Organisation; they might even form a majority in the Conference. He thought that each individual case should be considered on its merits by the Governing Body.

Mr. Christie thought that the question of the admission of Members who were not Members of the League of Nations raised important constitutional questions, with which the Governing Body was not competent to deal. He recalled the long debates which took place on that question at the Washington Conference. He did not wish at the moment to discuss the legal position, but suggested that since neither the Governing Body nor the International Labour Office was competent to deal with the matter, all that could be done was to leave it to the next Annual Conference, so that it might be placed on the Agenda of a subsequent one.

In reply to a remark by the Chairman, Mr. Christie explained that he raised the point because he did not see how, in the circumstances, the Office could enter into relations with such States.

Mr. Jouhaux thought that the Assembly’s decision was conducive to an extension of the International Labour Organisation and of international labour legislation. He said that at the Washington Conference it was clearly emphasised that States need not be Members of the League of Nations in order to be Members of the International Labour Organisation, but that on the contrary it was maintained that the largest possible number of States should become Members of the Organisation. He proposed therefore that it should be suggested to the States concerned that they should apply for admission to the International Labour Organisation.

The Chairman asked that the discussion should not be prolonged since the whole matter must be discussed subsequently by the General Conference.

Sir Malcolm Delevingne only intervened to point out that he did not consider Mr. Jouhaux’s recollection of what had occurred at Washington to be correct. It was decided then to admit Finland in view of that particular Conference, and he believed that the same policy was followed at Genoa. He supported the suggestion that the whole matter should be referred to the next Conference.

Mr. Pinot said that two distinct questions had been raised: first, that of the admission of new States, which could only be decided by a General Conference, and, second, the Director’s enquiry whether the States should be asked to apply or should be left to make the application on their own initiative. The second point required immediate decision. Mr. Pinot would only remark that to suggest to States that they should apply for membership of the Organisation might in some degree bind the Conference in advance and place it in a difficult situation. It would, moreover, be painful for those States if, after they had received such an invitation, the Conference refused to admit them.
Mr. Jouhaux suggested that, to solve the difficulty, the Office should address simply a copy of the Resolution of the Assembly of the League of Nations to the States concerned to indicate that they were at liberty to apply for membership of the International Labour Organisation.

The Director agreed with this suggestion. He added that certain information had already been supplied to the States in response to requests which he had not felt he could refuse.

On Mr. Pinot's suggestion it was agreed that the text of the Resolutions should be sent by the International Labour Office as such, and not in the name of the Governing Body.

The Director had little to add to his Report as regards the Permanent Court of International Justice. He said that although the original proposal made by the Office, that a special section should be created in the Court to deal with Labour questions, had not been accepted by the Committee appointed by the Assembly to deal with the question, it had nevertheless been agreed that a Special Chamber should be provided, composed of five judges having office for three years and assisted by four Technical Assessors selected from a list composed partly of persons proposed by the Members of the League of Nations and partly of persons proposed by the Governing Body; the latter should nominate persons contained in the list provided by Article 412 for the panel of Commissions of Enquiry. The Director had also been accorded the right of addressing the Tribunal and of making written communications to the Court, in order to inform it of the point of view of the Governing Body, during its discussions.

Mr. Pinot said that a phrase in the Director's report evinced a theory which appeared to him to be dangerous. The moral authority of the Office would be jeopardised if the Director took to some extent the rôle of an advocate appearing against a State Member of the International Labour Organisation. The Court had power to impose so serious a penalty as economic boycott: such a verdict might lead to war. Intervention by the International Labour Office might therefore have far-reaching results.

The Chairman said that there were two cases in which the International Labour Organisation was required to intervene in the Permanent Court of International Justice. The first was that contained in Article 411 of the Treaty of Peace, and the second in Article 416. The second case did not involve an initiative by the Governing Body, since it only arose when an individual State Member wished to make a complaint.

It appeared evident that when the Governing Body decided to transmit a complaint to the Court (under Article 411) the least it could do was to supply the Court with full information. The decision of the Assembly of the League of Nations did not go beyond the scope of the Treaty of Peace, and provided only for the measures which were essential to enable the Court to give judgment.

Mr. Pinot expressed himself satisfied with the decision of the Assembly of the League of Nations. He asked the Director, however, to remain strictly impartial and only to intervene with the utmost prudence.

The Director said that similar arguments had been brought forward by Mr. Costa, the rapporteur of the Committee of the Assembly. He pointed out that the time might come when the Governing Body might sit as a sort of Grand Jury, and decide that the machinery provided in case of the failure of a State to ratify a Draft Convention should be put in motion. He did not think the Office could possibly maintain a disinterested attitude towards such a case.

Mr. Pinot was in agreement as regards Article 409, since in that case the Governing Body definitely undertook the responsibility; but he considered that Article 416 might involve the International Labour Organisation in serious difficulties.

Mr. Mahaim did not think the difference of opinion to be very large. He wished, however, to draw attention to the fact that the scope given to the Permanent Court of International Justice was very wide, and not limited as regards labour matters only by Articles 409 and 416. It might be called upon to settle disputes between States which were not Members of the International Labour Organisations. He enquired what would be the position of the International Labour Office in such a case, and whether Technical Assessors could be nominated to assist the Court.

The Director, in reply to Mr. Pinot, said that he recognised the distinction to be made between Articles 409 and 416. The first amendment which he had proposed to the Committee of the Assembly was to the effect that in case of a dispute arising from a complaint brought either by or through the Office before the Court, the Director could represent the Office in the same way as the Secretary-General could represent the League of Nations.

The Court had power to impose so serious a penalty as economic boycott: such a verdict might lead to war. Intervention by the International Labour Office might therefore have far-reaching results.

In reply to Mr. Mahaim, the Director said that the competence of the Court did not seem to have been decided very precisely by the Committee of the Assembly of the League of Nations. Article 26 of the Scheme, however, seemed to suggest that cases affecting labour which were not directly covered by Part XII of the Treaty might be laid by the Court before the Special Chamber.

After a brief further discussion, the Sitting was adjourned at 1.10 p.m.

Arthur Fontaine.
The Second Sitting of the Sixth Session of the Governing Body of the International Labour Office took place at Geneva, at 4.40 p.m. on Tuesday, the 11th January, 1921, at the International Labour Office.

The following members were present:

Mr. ARTHUR FONTAINE, Chairman.
Count de ALTEA (substitute for Viscount do EZA).
Brigadier General A. C. BAYLAY (substitute for Sir ALLAN SMITH).
Mr. G. H. STUART BUNNING.
Mr. L. C. CHRISTIE (substitute for the Hon. G. D. ROBERTSON).
Mr. F. L. COLOMB.
Sir MALCOLM DELEVINGNE.
Mr. H. A. HALFORD (substitute for Mr. P. M. DRAPER).
Mr. F. HODACZ.
Mr. K. INUZUKA.
Mr. L. JOUHAUX.
Mr. J. LECOCQ (substitute for Mr. J. CARLIER).
Dr. LEYMANN.
Mr. E. MAHAIM.
Mr. G. de MICHELIS.
Mr. OLIVETTI (substitute for Mr. A. PIRELLI).
Mr. J. OUDEGEOEST.
Mr. H. PFISTER (substitute for Mr. H. RÜPENACHT).
Mr. R. PINOT.
Mr. F. SOKAL.
Mr. A. THORBERG (substitute for Mr. H. LINDQUIST).
Mr. VEDEL.
Mr. WISSELL.

The following member was absent:

Mr. de ALVEAR.

There were also present:

Mr. ALBERT THOMAS, Director of the International Labour Office.
Mr. H. B. BUTLER, Deputy-Director of the International Labour Office.
Mr. LEMERCIER, Mr. PHELAN, Mr. PÔNE, Secretaries to the Governing Body.
Mr. HERBERT, in charge of the London Correspondence Office.
Mr. ROQUES, in charge of the Paris Correspondence Office.
Mr. J. F. AYUSAWA and Mr. S. YOSHISAKA, accompanying Mr. INUZUKA.
Mr. S. BACKLUND, accompanying Mr. THORBERG.
Mr. DREYER, accompanying Mr. VEDEL.
Mr. DROZ, accompanying Mr. PFISTER.
Mr. J. S. EDSTROM, accompanying Mr. HODACZ.
Mr. GOINEAU, accompanying Mr. PINOT.
Mr. E. KÜTTIG, accompanying Dr. LEYMAN.
Mr. F. D. LAMB, accompanying General BAYLAY.
Mr. MARCHESI, accompanying Mr. OLIVETTI.

Before calling upon the Governing Body to decide with regard to the replacing of Mr Schindler, the Chairman recalled the conditions in which vacancies could be filled. He read Article 393 of the Treaty of Peace, fixing three years as the duration of the mandate of the members of the Governing Body, and laying down that the method of filling a vacant seat might be regulated by the Governing Body, subject to the approval of the Conference. No final regulation had yet been established in this connection. In accordance with Article 3 of the Standing Orders of the Governing Body, when a vacancy occurred owing to the death or resignation of a member of the Employers’ or Workers’ Group, his place was to be filled provisionally by the substitute appointed in accordance with Article 3, until the next Session of the General Conference. Article 3 laid down that until the 1921 Conference, the Workers’ and Employers’ representatives should nominate their own substitutes to replace them. It was clear, therefore, that the appointment of substitutes to fill vacancies only held good until the 1921 Conference had approved a permanent regulation and had, if it approved them, ratified the appointments already made.

General BAYLAY stated that the Employers’ Group agreed that Mr Colomb should take Mr Schindler’s place until the 1921 Conference.

Mr. Colomb was then admitted to the Governing Body in place of Mr. Schindler.
SECOND ITEM ON THE AGENDA (continued).

The Director's Report.

The Director resumed his explanation of his Report, and pointed out that the remarks in it with regard to the budget were purely formal, inasmuch as the Governing Body would have subsequently to discuss the 1921 budget in detail. In his report he had explained the circumstances in which the resolutions of the First Assembly General of the League of Nations with regard to the budget had been adopted. For the current year the International Labour Office had only been required to submit a round figure to the Assembly, but in future a detailed budget would be drawn up by the Governing Body and presented to the General Assembly of the League of Nations, incorporated in the general budget of the League. On the other hand, that budget would be submitted directly to the Governments in view of its subsequent examination by the Assembly, but without any modification being made in it either by the Council of the League or by the Secretariat General.

As regards auditing, it had been decided that this would be carried out by three auditors, who would be the same for the Secretariat and for the International Labour Office and who would thus ensure unity of financial procedure for both organisations. These auditors would be appointed by the Council of the League of Nations, and would receive all necessary documents and information from the Director of the International Labour Office. Their report would be submitted to the Governing Body for its comments, before being dispatched to the Governments, in view of its subsequent examination by the General Assembly of the League of Nations. This method guaranteed both the financial autonomy of the International Labour Organisation and a proper unity throughout the whole of the financial procedure of the League of Nations.

The Director said that the only difficulty arose from the fact that when the budget was submitted chapter by chapter to the Assembly, no representative of the Governing Body would be present to support it. The gravity of this omission had been shown in the course of the 1920 Assembly. In this connection Mr. Oudegeest had proposed the resolution contained in the Agenda of the present Session: the Director had communicated this proposal to the Secretary-General of the League of Nations, who had received it sympathetically. Neither the Secretary-General nor the Council of the League of Nations could take any decision in the matter, but the question could be submitted to the next General Assembly, with a report by the Council.

This part of the Director's Report occasioned no discussion, and the Director proceeded to the section dealing with raw materials.

The Director had little to add to the statements contained in his Report: he directed attention, however, to the fact that during the Assembly certain States, in particular the British Dominions, showed considerable opposition. However, the special Committee charged with the examination of the question had transmitted it to the Economic and Financial Commission. The Director said that perhaps as much progress had not been made as the Governing Body might have wished. A special questionnaire, however, had been addressed to the Governments in which it was specified that the Office should be kept informed of the proceedings of the Economic and Financial Commission and should collaborate closely with it.

As regards postal expenses, the Director reminded the Governing Body that in accordance with its decision he had entered into relations with the Congress of the Universal Postal Union, but that his attempt had met with no success. The regulations governing national administrations had been cited as a precedent, but he himself was not convinced of the force of that argument as applied to the International Labour Office, since the receipts and expenses did not fairly counterbalance one another as in the case of national administrations.

With regard to Conferences, the Director said that the final record of the Genoa Conference would be published very shortly. With regard to ratifications, he said that the situation was not unsatisfactory. The detailed note which had been distributed to the Governing Body showed that some results had already been achieved; moreover, certain Parliaments had started the discussion of drafts and legislative measures. Considerable efforts were still necessary, but appreciable progress had already been made.

Mr. Oudegeest had not yet had an opportunity to read the note with regard to ratifications: he wished, however, to ask the Director whether the results obtained were such that there was no need to address a reminder to the Governments in the name of the Governing Body, as had been decided at the previous Session.

The Director replied by pointing out that one letter, together with an extract from the Minutes of the Second Sitting of the Fifth Session, had already been sent to the Governments. In his report he asked whether the Governing Body were of the opinion that this appeal should be renewed in any form. The Governing Body had also asked that a memorandum dealing with the legal question involved should be prepared for
dispatch to the Governments. The legal aspect of the question had been dealt with at some length in a letter to the Secretary-General of the League of Nations, in connection with a communication received from the French Government. That letter had been reproduced in the Bulletin. Its results had seemed to make it unnecessary to send a special memorandum.

The Chairman announced that, as a result of the negotiations which had taken place between France and Belgium with regard to the ratifications of Draft conventions, the difficulty raised by the French Government had been removed.

Mr. Oudegoest asked for precise information with regard to the way in which the decisions adopted by the Governing Body at its last Session, as to the steps to be taken to approach various Governments, had been carried out.

The Director outlined the communications which had been sent successively to the Governments. The last had been sent at the beginning of January, at the same time as the letters despatched to the Delegates who attended the Washington and Genoa Conferences, pointing out that the Draft Conventions adopted at Washington must be submitted before the 27th January 1921 to the authority competent to transform them into legislation.

Mr. Oudegoest declared himself satisfied by this explanation.

Mr. Sokal, in order to complete the information contained in the note with regard to ratifications, stated that there was every reason to believe that the Polish Government would submit the Draft Conventions adopted at Washington to Parliament within the prescribed period. He said that the visit of the Director of the International Labour Office to Warsaw had largely contributed to the acceleration of the ratification of the Washington Draft Conventions by the Polish Government.

Mr. Stuart Bunning considered that it would be well once more to urge the Governments to take the necessary action. The International Labour Office could only maintain its position in public opinion by positive results, and it was of the utmost importance that the Draft Conventions should be ratified as soon as possible.

The Director pointed out that in his report he had suggested to the Governing Body that a fresh appeal to the Governments would no doubt be of value. Up to the present time the Office had made great efforts to obtain immediate results as regards ratifications. The Director himself, in the course of his travels in Europe, had continually urged that the Washington Draft Conventions should be ratified within the prescribed period, and he assured the Governing Body that these efforts would be continued.

The Governing Body proceeded to examine that part of the Director's Report which dealt with publications.

The Director said that the members of the Governing Body were in possession of the publications, and asked them to express their opinions upon them.

Mr. Stuart Bunning emphasised the great value of the publications of the Office, which had served a very useful purpose in England. He considered, however, that the Daily Review of the Press in its actual form was from its nature somewhat belated in its information. He asked whether it would not be better to develop the weekly Bulletin.

Mr. Christie considered, similarly to Mr. Stuart Bunning, that the information contained in the Daily Review was frequently published very late: he pointed out that this objection applied with special force in the case of distant countries such as Canada. He said he had to suggest the consideration of the abolition of the Daily Summary.

Sir Malcolm Delevingne also supported Mr. Stuart Bunning's suggestion that the publication would be more useful if it were made weekly. It would then be more read and certainly be much less expensive. He felt that the Daily Summary had not come up to the standard of the other publications of the Office. During the past six months it had been considerably improved, but at the same time he was of opinion that it would be well to transform it into a weekly publication.

Mr. de Michelis disagreed with the opinions expressed by previous speakers: he considered that a daily review of the press, compiled by specialists, was of a definite value even though it arrived several days late. Moreover, even if the publication were suppressed, a review of the press must still be prepared for the use of the Office itself. The economy produced would therefore be very small, and he favoured the continuance of the present publication.

The Director was glad that the members of the Governing Body had expressed their opinions with regard to the Review of the Press, since that enabled him to draw attention to the efforts which had been made and to explain the plan which he proposed to adopt. As Sir Malcolm Delevingne had said, considerable progress had been realised. The Director pointed out that the difficulty of summarising and selecting increased as the distribution of the Review was extended. He reminded the Governing Body that at the outset the Review of the Press was undertaken solely to meet the needs of the Office, and that subsequently members of the Governing Body and others had asked that the publication should be sent to them. The Economic and Financial Studies published in France by an association of industrial organisations had been taken as a model. This purpose had been kept in view in the elaboration of the work, and the most recent improvements which
had been introduced made it certain that eventually an original publication of real value would be achieved.

Since the 1st January 1921, the title of the Review had been changed, and it would in future be called "Daily Intelligence". It was considered that the news extracted from the Daily Press ought to occupy less and less space in the Review, and that it should, on the other hand, contain, above all, information extracted from technical publications of various countries. Actually, the number of people who were in a position to read such technical publications was very limited, and the "Daily Intelligence" would make it possible to supply their needs. In addition, the Office was obtaining an increasing supply of original news: Mr. Sokal, for Poland, and Mr. Inuzuka, for Japan, were providing news which appeared in no newspaper of Western Europe and which was of undoubted value, and similarly the delegates of the Yugo-Slav Government had promised thenceforward to send regular information as to the economic and social activity of their country. The publication, therefore, was becoming increasingly well-supplied with news at first-hand, and extracts from it were being made by such foreign papers as the Financial News. This afforded the Office a means of propaganda and of extension of its influence which it ought not to forego. When in the future it was necessary to correct a mis-statement, or to provide any agency with information which it required, it would be possible to do this by means of the "Daily Review". The Director, therefore, asked the Governing Body to authorise him to continue the experiment. He had also to point out that there were already a considerable number of subscribers, and that, therefore, it would not be possible to suppress the Review without due notice. Further progress would certainly be made, and the Governing Body could express its opinion on this publication at each of its Sessions.

The Chairman said that the members of the Governing Body appeared to agree that the experiment should continue.

Sir Malcolm Dellevingne was of opinion that this publication should be less of a Press Review and much more an original production. He did not oppose strongly the proposal that the experiment should be continued, but he wished that the length of the trial should be limited. He also pointed out that the question must be discussed again in connection with the 1921 budget.

There followed a discussion in which General Baylay, Mr. Pinot, and the Director took part, with regard to the publication in a number of "Studies and Reports" of a letter written by the Director in reference to the representation of co-operative societies at the Conference. It was stated that the letter had been published by mistake. The Governing Body proceeded to consider the part of the Director's report dealing with the Commissions.

The Director recalled that the Commission on Emigration would begin its task in the near future.

The Chairman asked whether the United States Government had communicated officially the name of its representative.

The Director replied in the affirmative.

Mr. Oudegeest asked for certain explanations with regard to the method in which the delegates had been invited to take part in the Maritime Conference at Brussels.

The Director replied that the Office, as such, had nothing to do with the Brussels Conference, which was the outcome of negotiations which took place at Geneva during the Session of the Joint Maritime Commission, but outside that Commission. The invitations had been sent out by the Secretaries of the two international organisations which had decided to attempt at Brussels to find a basis for an agreement between themselves. The Director himself had been invited to preside at the meeting, but the purpose of the conference was to attempt to reach an agreement between the International Seafarers' Federation and the International Shipping Federation, and not to prepare an international convention.

Mr. Jouhawu desired that if the conference took place in some degree under the auspices of the International Labour Office, all seamen's organisations, whether or not affiliated to the International Seafarers' Federation, should be able to participate.

Mr. Oudegeest was afraid that if the seamen of all countries were not represented at the conference, the responsibility for the omission would fall in some measure upon the International Labour Office, inasmuch as its Director would have presided over the Brussels meeting.

The Director said that similar observations had already been made to him and that he had hastened to communicate them to the secretaries of the two organisations. He considered, however, that even if there was no intention to prepare an international convention, there was yet a moral need for the International Labour Office to take a close interest in any efforts that might be made to regulate the hours of work on board ship. At the time an important part of the seamen's and owners' organisations were attempting to reach a general agreement, which might ultimately serve as the basis of a draft international convention. It appeared that even though the meeting were not as universal in character as an International Conference, the Office could not dissociate itself from it.
Mr. Lecocq pointed out that the Brussels meeting was decided on as the result of a private discussion, and that the Director of the International Labour Office was invited in his private capacity to accept the chairmanship of the meeting.

Mr. Oudegeest expressed a fear that any general agreement which might result from the deliberations at Brussels might appear analogous to an international convention, owing to the fact that the Director of the International Labour Office had presided over the meeting. He was anxious that no attempt should be made, in consequence, to impose upon the seamen of countries not represented at Brussels, whatever conditions of work the conference might decide upon.

The Chairman recognised the force of Mr. Oudegeest's arguments, but emphasised the importance of establishing an agreement between the British seamen and shipowners, which, even though in no way universal in its application, might clear the way to an international regulation of the conditions of work of seamen. In this way the difficulties which were encountered at Genoa would be removed. Both sides were making efforts to reach an agreement, and this could not fail to help towards the international regulation of maritime labour.

Mr. Oudegeest said that the seamen's organisations of his country had not been invited to take part in the Brussels Conference, and he was afraid that if in the end the Dutch seamen refused to accept the conditions of work as decided at Brussels, they would find themselves at an overwhelming disadvantage as compared with the seamen of other countries. He asked that further discussion should be postponed to enable the question to be studied more carefully.

The Chairman declared the Sitting suspended to enable the members to discuss the question among themselves. At Sir Malcolm Delevingne's suggestion, the Sitting was adjourned at 7.5 p.m.

Arthur Fontaine.
MINUTES OF THE THIRD SITTING.

The Third Sitting of the Sixth Session of the Governing Body of the International Labour Office took place at 10 a.m. on Wednesday, the 12th January 1921, at the International Labour Office at Geneva.

The following members were present:

Mr. ARTHUR FONTAINE, Chairman.
COUNT DE ALTEA, (substitute for VISCOUNT DE EZA).
Brigadier-General A. C. BAYLAY, (substitute for SIR ALLAN SMITH).
Mr. G. H. STEVART BUNNING.
Mr. L. C. CHRISTIE, (substitute for the HON. G. D. ROBERTSON).
Mr. F. L. COLOMB.
Sir MALCOLM DELEVINGNE.
Mr. H. A. HALEFORD, (substitute for Mr. P. M. DRAPER).
Mr. F. HODACZ.
Mr. K. INUZUKA.
Mr. L. JOUHAUX.
Mr. J. LECOCQ, (substitute for Mr. J. CARLIER).
Dr. LEYMANN.
Mr. E. MAHAIM.
Mr. G. DE MICHELIS.
Mr. OLIVETTI, (substitute for Mr. A. PIRELLI).
Mr. OUDEGEEST.
Mr. H. PFISTER (substitute for Mr. H. RÜFENACHT).
Mr. R. PINOT.
Mr. F. SOKAL.
Mr. A. THORBERG, (substitute for Mr. H. LINDQUIST).
Mr. H. VEDEL.
Mr. WISSELL.

The following member was absent:—
Mr. de ALVEAR.

There were also present:—

Mr. ALBERT THOMAS, Director of the International Labour Office.
Mr. H. B. BUTLER, Deputy Director of the International Labour Office.
Mr. LEMERCIER, Mr. PHELAN and Mr. PÔNE, Secretaries to the Governing Body.
Mr. HERBERT, in charge of the London Correspondence Office.
Mr. ROQUES, in charge of the Paris Correspondence Office.
Mr. J. F. ATUSAWA and Mr. YOHISAKA, accompanying Mr. INUZUKA.
Mr. S. BACKLUND, accompanying Mr. THORBERG.
Mr. DREYER, accompanying Mr. VEDEL.
Mr. DROZ, accompanying Mr. PFISTER.
Mr. J. S. EDSTROM, accompanying Mr. HODACZ.
Mr. GOINEAU, accompanying Mr. PINOT.
Mr. E. KÜTTIG, accompanying Dr. LEYMANN.
Mr. F. D. LAMB, accompanying GENERAL BAYLAY.
Mr. MARCHESI, accompanying Mr. OLIVETTI.

SECOND ITEM ON THE AGENDA (continued).

The Chairman inquired whether it was desired to resume the discussion with regard to the Maritime Conference at Brussels.

Mr. Jouhaux said that the Workers' Group had considered the question and thought that whilst it was desirable to reach even a limited agreement as regards maritime labour, any agreement reached must not infringe the principle of international unity. They therefore asked the Director to do all in his power to secure that the seamen of all countries were invited to take part, in order that the Conference might have an international character.

The Director agreed with Mr. Jouhaux's account of the position. He was of opinion that it was better that the Office should be associated even with a limited attempt at an agreement, such as would form part of the general movement towards international legislation, than that it should lay it entirely on one side. Mr. Jouhaux asked him to solve
the difficulty with which they were faced by trying to ensure that the seamen of all countries were represented at the Brussels Conference. But even since the sitting on the previous afternoon further difficulties had arisen. He had received a letter from the General Manager of the International Shipping Federation, on behalf of the shipowners, asking his aid in certain difficulties; another from Mr. Damm, Secretary of the International Seafarers' Federation, asking him to secure the attendance of the Liverpool shipowners, since otherwise the seamen would not take part. He had also received news that the French seamen were making numerous reservations with regard to the character of the Conference. He himself, therefore, as Mr. Jouhaux and other members of the Governing Body had suggested, would do his utmost to make the scope of the Conference as wide as possible. Should he fail, he would have to dissociate the Office from all responsibility and make it clearly understood that it was in no way connected with the negotiations, even though its Director presided at the Conference.

The section of the Director's Report referring to enquiries was then discussed.

The Director had little to add to his Report. The two enquiries which were at the time being carried on were those into the conditions of work in Soviet Russia, and production. As regards the enquiry into the situation in Upper Silesia, the report had been distributed confidentially to the members of the Governing Body and nothing whatever had been published.

Mr. Christie then read a statement to the following effect:

In his opinion, the character of the matters dealt with under the heading of "Enquiries" in the Director's Report, seemed to show that the International Labour Office had embarked upon a policy which was at variance with its object as set out by the Articles of Part XIII of the Treaty of Versailles. The fundamental idea at the Peace Conference, which Mr. Christie had attended, was that, in order to improve the conditions of work in all parts of the world, a uniform standard must be introduced as far as possible in all countries. This must be achieved, in the present political state of the world, by means of conventions agreed upon between the nations, for the expediting of which the Treaty provided, as an improvement over the former diplomatic method, a special machinery, namely, the International Labour Conference. A detailed method of enforcement was also provided, again as an advance on the old procedure. The International Labour Office was set up as an integral part of this system, and its object was shown by Article 388 of the Treaty, stating that the Permanent Organisation, in addition to the General Conference, shall consist of "an International Labour Office controlled by the Governing Body"; by Article 393, providing that "the International Labour Office shall be under the control of the Governing Body" chosen in a certain way; and by the important Article 396, of which Mr. Christie emphasised in particular the last clause of the first paragraph, namely, that the functions of the Office are confined to the conduct of "such special investigations as may be ordered by the Conference". This showed clearly that the Office was subsidiary to and created simply for the object of promoting the definite system of international legislation outlined above. It was felt to be a vital condition of its success that it should be world-wide and therefore that all its activities should be conceived on the broadest lines in directions that would make the most universal appeal.

At that time, however, Mr. Christie found many amongst the activities of the Office which, with the best will, he could not believe to be sanctioned by the scope and intention of its constitution and real purpose. He mentioned in particular the enquiries relating to the Ruhr Valley, to Upper Silesia and to Hungary, none of which had been ordered by the General Conference, or, furthermore, could be said to be in any way related to proposals for universal international labour legislation. Nor was it sufficient justification to say that they were demanded by some special interest or country. The enquiries into production and raw materials equally had no possible relation to any practicable international convention nor to the international adjustment of conditions of industrial life and labour. (Article 396). This applied also to such proposals as those relating to Russian refugees, certain Spanish labour associations and the enquiry into primary education. Finally, there were certain propaganda activities which might more properly be discussed in connection with the budget.

Mr. Christie emphasised two points of a legal character: first, that since many of the activities of the Office had not been ordered by the General Conference, the question of their validity must be raised under Article 396; second, that, however authorized, they had no relation to the purpose of Part XIII of the Treaty, or at most a relation that could hardly be defended in the Parliaments of the world. There were also three practical points. First, there was a danger of dissipating the energies of the Office, and so failing to carry out the primary purpose of the Organisation: second, there was a tendency to devote its energies only to the part of the world within reach of Geneva, that is to say, in reality, to Europe—especially the fact that all the enquiries to which he referred were world-wide and therefore that all its activities should be conceived on the broadest basis, would be alienated. Mr. Christie said that his remarks were not made in a hostile spirit. He thought that the practical contributions of Canada in effort and in funds would dispel any idea that the Canadian Government or people had felt any such spirit towards the League of Nations and the International Labour Organisation. The question was one of policy; and politics
might be defined as the science of the intelligible. His real concern was that the relations between the activities of the Organisation and the purpose of the Treaty might be universally intelligible; otherwise, it would be difficult to count upon effective support in all quarters. He recognised the good work already done within the proper scope of the Organisation, and thought that if the lines he had indicated were followed, the chances of success and universal appreciation would be increased.

Mr. Christie, in reply to suggestions that a declaration of such length and importance made on behalf of a Government ought to have been printed and circulated before hand to the members of the Governing Body, explained that the statement had not been drawn up by the Canadian Government whom he had no opportunity to consult but was an expression of the views which he himself had reached as the result of a study of the documents supplied in connection with the present Session and of conversations in London with the Canadian Delegates to the Assembly of the League of Nations.

Sir Malcolm Delevingne said that there were certain questions which he wished to raise as regards the part of the Director's report under discussion, especially with regard to the enquiry into production. This was mentioned very briefly, and he wished the Director for more information as to the scope of the enquiry, the progress it had made and the probable date of its termination. He reminded the Governing Body that at its last Session the Director had laid before it a sketch, including a questionnaire, indicating the general lines of the enquiry, but had also asked that he might receive the observations of the members of the Governing Body and of the various Governments, if they wished to offer them, on the scope and lines of the enquiry. It now appeared that the enquiry was proceeding without awaiting the remarks of the Governments, and it was further stated that it was intended to complete it in a few months. Sir Malcolm Delevingne said that the British Government since the last meeting of the Governing Body had considered the lines of the enquiry as indicated by the Director, and felt very strongly that it was too large. An enquiry on those lines would require many months of prolonged investigations before it could be completed, and the British Government had instructed him to suggest that its scope should be limited; if it were so limited, his Government was prepared to undertake the necessary investigations, and thus relieve the International Labour Office of all trouble and expense, as far as conditions relating to production in Great Britain were concerned. If, however, the Office was already in the middle of investigations on the lines originally suggested, the British Government must reconsider its position.

Whilst he was not prepared entirely to support the views put forward by Mr. Christie, it was nevertheless true that some of the enquiries undertaken had given rise to criticism in Great Britain and on the part of the British Government. He was in favour of the strict limitation of enquiries undertaken by the Office to the scope of the Organisation as defined by the Treaty. To exceed that scope meant, in the first place, that the expenditure was liable to be challenged by the Assembly of the League of Nations, it being only the expenses of the Labour Office as established and constituted by the Treaty that the League of Nations was called upon to pay. In the second place there was a danger in such case that the energies of the Office might to some extent be wasted by being too widely diffused.

Mr. Jouhaux expressed astonishment that the question had been raised at that Sitting. He said that the enquiry into production was first proposed at the Genoa Session of the Governing Body, and on that occasion no reservations were made except by the Workers' Group, who only asked that the enquiry should not be limited to the question of the Eight Hours' Day but should include all factors which might influence production. It was therefore decided, without any reservation and by general agreement, that the enquiry should be undertaken in as wide a form as possible. The question was again discussed at the following Session of the Governing Body and the suggestion that the enquiry should be limited was again rejected. At the present time the enquiry was proceeding in accordance with the general instructions given by the Governing Body, and he believed that the Workers' Group would refuse to allow it to be limited, for the simple reason that such proposals should have been made when the question was first raised.

Sir Malcolm Delevingne could not accept Mr. Jouhaux's account of the origin of the enquiry. He said that the question was first raised in Genoa with no previous notice and that its scope was not at that time discussed. Neither he himself nor the British Government had any objection, either then or at the present time, to an enquiry into production, but if he recollected rightly the Director was expressly instructed to draw up a scheme for the enquiry and to submit it to the next meeting of the Governing Body. Clearly there was no occasion to make any reservations at that time. The scheme was laid before the Governing Body at its next Meeting, when Mr. Firelli himself expressed some apprehension as to the scope proposed. The Director himself asked that the Members of the Governing Body should study the scheme and, if they desired, obtain the views of their Governments. There again there was no question of making any reservation, and it was clear that none could be expressed until the examination for which the Director had asked had taken place. All that he had done since the Fifth Session was to lay the scheme before his Government, which had considered it. Such examination could not be hurried, in view of the importance of the question. He had now indicated the views of his Government, which was anxious to further the enquiry and was prepared to furnish all the
assistance possible, but at the same time considered that scheme proposed by the Director required limitation. He reminded Mr. Jouhaux that the object of the proposal made by Mr. Pirelli at Genoa was to secure a rapid survey on the state of production at that time. It was generally understood and agreed that, if the enquiry was to be of any value, it must take place very rapidly.

Mr. Olivetti was inclined to agree with Mr. Jouhaux. It had been agreed at Genoa that the enquiry must be made into all factors affecting production. At its Fifth Session the Governing Body had adopted the plan proposed by the Director, after hearing his explanations. Quick results were essential; he therefore wished to be informed as to the present position.

Mr. Stuart Bunning pointed out that, until the Director had answered Sir Malcolm Delevingne's questions, it was not easy to understand the objections of the British Government, as to which he wished full information.

He was however more concerned by the points raised by Mr. Christie, since they struck at the root of the International Labour Office. Read as strictly as Mr. Christie wished, Article 396 of the Treaty left very little within the competence of the Office. With regard to the specific cases where Mr. Christie thought the scope of the Office had been exceeded, the best answer appeared to be that these, with one exception, had already been discussed by the Governing Body. The exception was the question with regard to Spain, where the point raised was the right of association. If Mr. Christie read the preamble of Part XIII of the Treaty, which had as much force as Article 396, he would find the question of right of association specifically mentioned.

The Chairman said that he understood from Sir Malcolm Delevingne that the British Government asked was how far the enquiry had proceeded. They did not ask for the limitation of the scope of the enquiry, but simply that an attempt should be made to obtain more rapid results.

General Baylay considered that his remarks at the Fifth Session bore upon what Mr. Christie had said. He held the view that the International Labour Office was formed for a definite purpose. If it exceeded its proper rôle and introduced too many controversial subjects, the result might be failure to reach agreement and to obtain good results. If that was the intention of Mr. Christie's remarks, General Baylay agreed with him in principle.

Mr. Pinot said that in his opinion it was not a question of examining the manner in which the Enquiry into Production was being undertaken by the Office, but one of deciding as to the competence of the governing Body as regards enquiries.

On this point he considered that apart from the enquiries authorised by Article 411 of the Treaty the Governing Body had no power to cause an enquiry to be made, that being within the competence only of the General Conference. In view of the importance of the question and the need to decide the exact competence of the Governing Body, he proposed that the Director should draw up a report which should be circulated, to enable members of the Governing Body to consider it.

The Chairman remarked that a general discussion of the points raised by Mr. Christie would occupy a considerable time. The record of the discussion would be printed in the Minutes and Mr Christie's note could also be distributed if it was desired.

Mr. de Michielis said that he would support what he understood Mr. Pinot to propose, namely, the postponement of the discussion, but would in that case reserve his right to express the point of view of the Italian Government, which was entirely different from that expressed by Sir Malcolm Delevingne in regard to Great Britain.

Mr. Mahaim proposed the closure of the discussion as soon as the Director had replied.

It was understood that acceptance of this proposal would mean that the points raised by Mr. Christie would not be discussed any more during the Session.

The Chairman said in reply to Mr. Jouhaux that this would not prevent the discussion of the question raised in connection with Spain; he asked whether the Governing Body approved Mr. Pinot's proposal.

The Director pointed out that if the Governing Body decided to put the question raised by Mr. Christie on the Agenda of the next Session, he thought it desirable that there should be some preliminary discussion, since it would mean to some extent that they accepted the criticism, not of the Director himself, but of what the Governing Body had done since it was first instituted. He felt that a question of such gravity ought not to be allowed to pass without discussion.

Mr. Pinot explained the precise meaning of his proposal. Mr. Christie had made certain observations with regard to the enquiries already taken in hand by the Governing Body. Mr. Pinot was not in a position to express any opinion upon those observations, but asked that, since at that time no legal opinion existed on the subject, the question of the competence of the Governing Body with regard to enquiries should be placed on the Agenda of the next Session. Mr. Christie's declaration gave additional weight to the proposal.

The Director first replied to the question put by Sir Malcolm Delevingne as regards the enquiry into production. He thought that there was general agreement as to the
purposes of the enquiry. He said that the action taken was the following: as soon as possible after the session of the Governing Body at Genoa, a preliminary questionnaire was drawn up and sent to the members of the Governing Body, and a large number of technical and other experts were asked for their opinion. This was the basis of the memorandum submitted in proof form to the Governing Body at its Fifth Session. The number of replies made to the request that the members should give their observations was not great; the Office waited a month before printing and despatching the questionnaire. It had been sent, not to the Governments, but to various departments who were known to be in a position to provide information. In this way indications had been obtained of the directions in which an enquiry into the factors influencing production could usefully be made, and a number of documents had been collected and were being studied. The Director explained that it was not proposed to make a direct enquiry into production in the various countries and industries, but to collect and make use of information already in existence. The purpose was to enable the Governing Body to decide the immediate importance of the various factors which might influence production. He assured Sir Malcolm Delewingne that a strict limit had been set to the enquiry, and that it was hoped to finish it in May 1921. The general conclusions drawn from it would be submitted to the Governing Body, who would decide what further enquiries on particular points could be undertaken.

He then replied to Mr. Christie's statement. Mr. Christie had said that his remarks were the expression of his personal opinion. The Director pointed out that it had been expressed in very wide terms. He had not expected that the activities of the Office would be discussed at length; doubts had been expressed in substance by some members of the Governing Body as to whether the Office had not gone too far as regards its proposals to the Assembly of the League of Nations. But those were proposals for the future; till then he had heard no criticism directed against past activities.

Mr. Christie's remarks really bore upon all the activities of the Governing Body since January 1920, such as the enquiries in Russia and Hungary, and the enquiry into production; it was perhaps natural that, after a year had elapsed, doubts should be raised as to the exact scope of the Office, but the Director thought it useless to attempt to define exactly the limits within which an enquiry might be made. The demands for enquiries came mostly from outside the Office, to meet the needs of industrial organisations (for example, the enquiry into production proposed by Mr. Schindler and Mr. Pirelli) or of Governments (for example, the request of the British Ministry of Labour for information regarding measures taken in Canada and the United States, and Altona, to prevent unemployment). In the case of Altona, the International Labour Office had asked for information from the German Government but had found it insufficient, and had therefore sent an agent to enquire into the matter on the spot. Other enquiries had arisen, and might arise, in the same way.

He thought that Mr. Christie was mistaken in imagining that the activities of the Organisation could be limited within a paragraph of the Treaty. The Director was studious to avoid diplomatic difficulties as far as possible, and to proceed with caution, but the Organisation could not live if it were confined as Mr. Christie proposed. As it was, the authority of the statutes was always sought for every enquiry undertaken by the Office. In the case of the enquiry into Soviet Russia, the Director had even approached the Council of the League of Nations to ask in what conditions it could be undertaken. Thus the representatives of Canada, at the Assembly of the League of Nations, whom Mr. Christie had consulted, had approved the enquiries undertaken by the Office. The Director urged the Governing Body not to bind itself by the adoption of a definite principle, since it would often be called upon to take decisions which would involve the making trial of fresh measures without disregard of the text of the Treaty. He pointed out that enquiries into the conditions of industrial life and labour were prescribed by an Article previously quoted; provided that certain rules were observed, as was always done in the negotiations with the Governments concerned, there was little difference between an enquiry made on the spot and the collection of information on a stated question at the International Labour Office. In conclusion, the Director asked the Governing Body to believe that he always took into account the views expressed by the Governing Body; but he felt that Mr. Christie's declaration essentially criticized the action of the Governing Body, and expressed the conviction that no attempt should be made to limit the activities of that office by hard and fast definitions which could not be observed.

Mr. Christie said that no satisfactory reply had yet been made to the questions raised by him in view of the terms of the Treaty. A belief appeared to exist that it was enough for some members of the Governing Body to favour the opening of an enquiry for such an office to be set up. He thought that the discussion might well be renewed at the next Session, since in his opinion the chances were it would certainly be raised at the next Conference.

The Chairman pointed out that a representative of Canada had always been present when the Governing Body had decided on the opening of an enquiry.

Mr. Pinot proposed the following resolution:

"A report and proposals will be presented by the Director to the next Session of the Governing Body upon the powers of the Governing Body with regard to enquiries. This
Mr. Christie's note will be added thereto for information."

Sir Malcolm Delevingne thought that it would be a mistake to attempt an exact definition of the powers of the Governing Body, but that each case should be considered on its merits. He therefore favoured the closing of the debate.

Mr. Pinot insisted that full advantage should be taken of the experience already gained and that the Governing Body, which recognised the difficulties presented by the question of enquiries, should lay down guiding principles in order to avoid the basic discussion of each individual case.

After some discussion Mr. Pinot's resolution was put to the vote and adopted by 13 votes to 6.

The Chairman said that the International Labour Office had officially suggested that Judge Castberg, a former Minister of Labour in Norway and a special expert in matters of social insurance, might be asked to be one of the members. It had also suggested the name of Dr. Rüfenacht, Director of the Federal Department of Social Insurance in Switzerland. No third name had been proposed, but it was suggested that a suitable nominee might be found in England, Italy or Belgium.

Mr. de Michelis proposed the name of Mr. Abbiate, ex-Minister of Labour and of Social Welfare of Italy, and Vice-President of the National Department of Social Insurance.

Mr. Oudegeest said that the Workers' Group proposed, in addition to Mr. Abbiate, Mr. Lindstedt, President of the Royal Council of Social Insurance of Sweden, and Mr. Moser, ex-Director of the Social Insurance Service of Switzerland.

On the other hand Mr. Mahaim suggested the name of Mr. Maingie, a Professor at Brussels University and specialist in matters of social insurance.

Sir Malcolm Delevingne wished to suggest that in view of the highly technical work required on the Commission, it might be desirable to include in it a man of actuarial experience. He did not propose any names himself, because Great Britain was not directly interested; he was, however, prepared to do so if the help of Great Britain was desired.

The qualifications of the various persons whose names had been put forward were briefly discussed, and it was decided that the three members should be selected at the next sitting.

The Director wished to consult the Governing Body as to whether the Office, if it acceded to the request of the International Committee of the Red Cross to establish an Emigration Office, would not exceed its scope. He only asked that the Office should be authorised to co-ordinate the efforts of the Governments concerned; to organise the Emigration Office would involve expenditure which the budget did not permit.

The Chairman said there was no question of any expenditure from the budget of the Office. The proposal was merely to have an outside organisation set up with the advice of the Office.

The Director, in reply to Mr. Mahaim, said that he did not insist on anything being done. Mr. Christie had previously pointed out that the proposal was perhaps beyond the scope of the Office; he himself could take no initiative without the direction of the Governing Body.

Mr. Sokal said that the question was an interesting one, particularly to Poland, since it meant the finding of employment for from fifty to seventy thousand people, many of whom were refugees in Poland itself. He asked, however, that the request of the Red Cross Committee should be expressed in more precise terms. Serious difficulties in the way of success arose too from the fact that many of the refugees were not manual but intellectual workers, and that unemployment was rife in almost every country.

Mr. Oudegeest agreed with the proposal made by the Director, but thought that the question should be examined in conjunction not only with the respective Governments but also with the workmen's organisations. There was much unemployment in the world and therefore the workers' organisations had their own point of view, which must not be neglected.

The Chairman said that the first and third of the questions put by the Red Cross Committee required no vote, since they only asked for information and fell within the scope of the International Labour Office as defined by the Treaty. The second of the three proposals could not, in the Director's view, be accepted. The Chairman, however, understood the Director to be of opinion that though the Office could not make itself
responsible for the routine work of an Emigration Office, it could co-operate in forming one and dissociate itself from it after it had been established.

The Director explained to Mr. Sokal that the Red Cross Committee were really thinking of the refugees in Serbia, Constantinople and other parts of South-Eastern Europe as a consequence of General Wrangel's operations. He said that the question involved was that of finding employment for these refugees; the International Labour Office might undertake the task of approaching the various Governments and co-ordinating their efforts. Once an Emigration Office had been set up, the Office would withdraw.

The Chairman summarised the Director's proposal as follows: "Besides the information which the Office is required to furnish on a question such as unemployment, the Director of the Office is authorised to delegate to the Red Cross one or several persons to give technical assistance in creating and organising the Emigration Office asked for by the Red Cross; this collaboration to cease after the organisation of such Emigration Office."

Mr. Olivetti considered that the International Labour Office as such could not undertake the responsibility of co-operating otherwise than by supplying information.

Mr. Hodacz thought the question was not one of the responsibility to be undertaken by the Office, but of helping unfortunate people who were greatly in need of assistance; he supported the Director's proposal.

Mr. Oudegeest supported the proposal, with the addition that the persons sent from the International Labour Office should keep in constant touch with the workers' organisations to prevent any difficulty or misunderstanding.

M. de Michelis said that the Red Cross Committee's original request, that the International Labour Office should organise a labour exchange for the refugees in Eastern Europe, had been refused. He thought that the proposal as amended (namely, that the Office should collaborate from a technical point of view by sending members of its staff to help in the organisation of such a labour exchange) could be supported, since all the responsibility would lie upon the Red Cross; but in such case Mr. Oudegeest's proposal appeared to have no force, since the International Labour Office would not have to give its advice as to the way in which the Emigration Office should conduct its operations. On the actual question of finding employment, the worker's organisations and the Government in the country concerned should certainly be consulted.

Mr. Halford emphasised the need for care as to the type of organisation set up, in view of the fact that in Canada and the United States much unemployment already existed and in view of a tendency on the part of certain emigration organisations to send out emigrants of all types, without taking into account the special conditions of those two countries.

The Chairman said that the proposal he had read would be put to the vote. It did not engage the responsibility of the Office.

After a brief discussion between the Chairman and Mr. Oudegeest, the latter of whom could not accept the view that the Office in sending members of its staff to help organise would accept no responsibility for the Emigration Office in question, the Director said that he asked to be authorised to discuss the question with the competent authorities; the Red Cross proposal was a very indefinite one. He asked the Governing Body for authority to enter into relations with the International Red Cross Committee and perhaps to assist them by approaching the French Government, as well as the worker's organisations. Whilst the Emigration Office was in course of being organised, he himself, or his officers, could give them advice and even guarantee the help of the worker's organisations. In any case he would act most prudently.

M. Jonhaux said that after the explanations given the Worker's Group felt they could accept the proposal as made. Previously, they had feared that they might bind themselves by a vote in such a way that they would be unable to make representations to a Government in the case of workers being sent to districts where unemployment already existed. The co-operation of the International Labour Office provided a guarantee against such an occurrence; but the plan adopted must be expressed in clear terms.

The Chairman then put the proposal to the vote namely:

"That, besides the information which the Office is required to furnish on a question such as unemployment, the Director of the Office is authorised to delegate to the Red Cross one or several persons to give them technical assistance in creating and organising the Emigration Office asked for by the Red Cross; this collaboration to cease after the organisation of such Emigration Office."

This proposal was carried.

The Sitting was adjourned at 1.5 p.m.

Arthur Fontaine.
MINUTES OF THE FOURTH SITTING.

The Fourth Sitting of the Sixth Session of the Governing Body of the International Labour Office took place at 3 p.m. on the 12th January, 1921, at the International Labour Office, at Geneva.

The following members were present:

Mr. Arthur Fontaine, Chairman.
Count de Altea, (substitute for Viscount de Eza).
Brigadier General A. C. Baylay, (substitute for Sir Allan Smith).
Mr. G. H. Stuart Bunning.
Mr. L. C. Christie, (substitute for the Hon. G. D. Robertson).
Mr. F. L. Colomb.
Sir Malcolm Delevingne.
Mr. J. S. Edström, (substitute for Mr. Vedel).
Mr. H. A. Halford, (substitute for Mr. P. M. Draper).
Mr. F. Hodacz.
Mr. K. Inuzuka.
Mr. L. Jauhaux.
Mr. J. Lecocq, (substitute for Mr. J. Carlier).
Dr. Leymann.
Mr. E. Maraim.
Mr. G. de Michelis.
Mr. Olivetti, (substitute for Mr. A. Pirelli).
Mr. Oudegeest.
Mr. H. Pfister, (substitute for Mr. H. Rüfenacht).
Mr. R. Pinot.
Mr. F. Sokal.
Mr. A. Thorberg, (substitute for Mr. H. Lindquist).
Mr. Wissell.

The following member was absent:

Mr. de Alvear.

There were also present:

Mr. Albert Thomas, Director of the International Labour Office.
Mr. H. B. Butler, Deputy-Director of the International Labour Office.
Mr. Lemercier, Mr. Phelan, Mr. Pône, Secretaries to the Governing Body.
Mr. Herbert, in charge of the London Correspondence Office.
Mr. Roques, in charge of the Paris Correspondence Office.
Mr. I. F. Ayushawa and Mr. S. Yoshisaka, accompanying Mr. Inuzuka.
Mr. S. Backlund, accompanying Mr. Thorberg.
Mr. Droz, accompanying Mr. Pfister.
Mr. Goinneau, accompanying Mr. Pinot.
Mr. E. Küttig, accompanying Dr. Leymann.
Mr. F. D. Lamb, accompanying General Baylay.
Mr. Marchesi, accompanying Mr. Olivetti.

SECOND ITEM ON THE AGENDA (concluded).

The Director’s Report.

The Chairman said that the Governing Body had to appoint three members to the Commission provided by Article 312 of the Treaty of Peace to control the transfer of social insurance funds in Alsace-Lorraine. The following candidates had been proposed:

Mr. Abiatte.
Mr. Castberg.
Mr. Lindstedt.
Mr. Mainigie.
Mr. Moser.
Mr. Rüfenacht.

On the Director’s proposal it was decided that votes should be cast for three names simultaneously, and that appointment should be by absolute majority; a second vote should be taken if fewer than three candidates were elected by an absolute majority.
During the voting, a discussion took place between the Chairman, Mr. de Michelis, Mr. Mahaim and the Director, with regard to the appointment of Mr. Edström as substitute for Mr. Wedel for the Fourth Sitting. The Governing Body finally decided to accept Mr. Edström as Mr. Wedel's substitute, with reservations, whilst awaiting the establishment of a final regulation, and without allowing this decision to constitute a precedent.

The Chairman announced that twenty-three votes had been cast for the appointment of the three members of the Commission required by Article 312, and that therefore twelve votes constituted an absolute majority. The votes obtained by the candidates were as follows:

Mr. Moser ... 21 votes.
Mr. Lindstedt ... 18 votes.
Mr. Abbiate ... 12 votes.
Mr. Maingie ... 9 votes.
Mr. Castberg ... 3 votes.
Mr. Rifffenacht ... 3 votes.

Mr. Moser, Mr. Lindstedt and Mr. Abbiate were elected.

Mr. de Michelis proposed the retention of the names of those who were not elected, in case any of those elected could not accept the task entrusted to them; they could then, in such case, be replaced by the candidates who had obtained the next greatest number of votes.

This proposal was accepted. Mr. Maingie became the first substitute, and as Mr. Castberg and Mr. Rifffenacht had obtained the same number of votes, the Chairman declared that, if occasion arose, they would be appointed to vacancies in order of seniority, provided that, if Mr. Moser remained a member of the Commission, Mr. Castberg should be appointed and not Mr. Rifffenacht, who was of the same nationality as Mr. Moser. It was agreed that the Office should decide the place of the Commission in agreement with the members.

The Governing Body then proceeded to examine the question raised by the communication of Mr. Largo Caballero. (Annex C to Appendix II).

The Director said that he was laying the complaint before the Governing Body and that it remained for the latter to decide what attitude it should adopt.

Count de Altea, as representative of the Spanish Government, read the following declaration:

"The representative of the Spanish Government, in view of the letter addressed to the Director of the International Labour Office by the Secretary of the General Union of Spanish Workers, with regard to various acts for which the successive Spanish Governments since 1917 up to the present time are alleged to have been responsible and in view also of the remarks made by the Director in his Report under discussion, deems it necessary to make the following declaration:

(1) That the general principles set out in Article 427 of the Treaty of Versailles do not constitute an innovation either for the legislation or the attitude of the Spanish Government since, previous to the date of the Treaty, workers' associations were respected, encouraged and at times even subsidised, whether or no they were socialistic in tendency:

(2) That the general principles above-mentioned could not either in letter or in spirit constitute a Convention such as could occasion the procedure indicated by Article 409 and the following Articles of the Treaty of Peace, as the Director has clearly stated in his Report;

(3) That all the Governments of Spain, including the Government in power at the moment, have respected those workers' associations which have been constituted in conformity with the law; at the present time this is proved by the fact that two days ago, on the 10th January, the new representatives of the employers and workers took their places on the Directing Council of the Institute of Social Reform, and that the workers' representatives, all of whom are socialist in tendency (General Union of Workers), have been elected by 2,055 workers' organisations, which, equally with the other organisations not entitled to vote for representation on the Institute of Social Reform, conduct their affairs in a normal manner without any restriction of their free exercise of their rights;

(4) That it further appears from the document laid before the Governing Body by the Director (7th Item on the Agenda) with regard to the appointments made by the various Governments for the Commission of Enquiry, that the workers' representative appointed by the Spanish Government is no other person than the Secretary of the General Union of Workers, Mr. Largo Caballero;

(5) That since the passing in 1900 of the law on workers' accidents (the originator of which, twenty years ago, was the present President of the Council of Ministers) the Governments and the Parliament of Spain have paid particular attention to the social legislation in the country with a view to its efficacy; this is proved by the enactments at present in force with regard to articles of apprenticeship, conciliation boards, workers' clubs, employment offices, Sunday rest, emigration, strikes and association, labour inspection, etc.; by the decree establishing an eight-hours' day and a forty-eight hours' week, which was
promulgated on the 3rd. April, 1919, (that is to say, some time before the Washington Conference) and came into force in all industries as from the 11th October of that year; and finally, by the decree establishing a seven-hours' day in underground working in the mines. On the other hand, measures have recently been adopted to regulate the hours of work in commercial enterprises, the pensioning of employees under its various aspects and conditions the application of social insurance, the regulation of hours of labour on board ship, the employment of women and children, the employment of women at night, and other matters. It will be seen therefore that the majority of the Washington Conventions have in view precisely the essential provisions of existing Spanish legislation;

(6) That the first resolution adopted by the present Spanish Government when it came into power was for the creation of a Ministry of Labour, the special duty of which was to pay increased attention to social problems, and the bringing into effect of the principles set out in the Treaty of Versailles;

(7) That the message read by H. M. King Alphonso XIII, at the opening of the new Parliament, announced that the obligations undertaken by the Spanish Government at the Washington Conference would be ratified by the Chambers;

(8) In view of the foregoing facts, I must state, in the first place, that the complaint formulated by Mr. Largo Caballero has to do with very numerous and different facts and that every reservation must be made as regards the truth of those facts; in the second place, those complaints bear in some cases upon measures of a revolutionary character, in others upon the illegal exercise of the right of association, and in almost all, upon propaganda by action or attempts against the agents of the public authority, against employers and most often against the workers, acts committed under the influence of anarchist groups, who, in the words of a communication made to the Press by the General Union of Workers itself, are anonymous and irresponsible in their activities.

Such facts indisputably fall within the scope of the national and internal administration and are within the competence solely of the sovereignty and executive authority, of Spain. Without wishing in any way to prejudice the rights or powers of the International Labour Organisation as set up by the Treaty of Versailles, we declare that the Governing Body of the International Labour Office is not competent to judge of or even comment upon such facts”.

Finally Count de Altea proposed that the Governing Body should proceed with the Agenda without discussion of the question.

Mr. Jouhaux emphasised, on behalf of the Workers' Group, the serious nature of the question which was being discussed. It was a complaint brought against a Government, belonging to the International Labour Organisation and represented on the Governing Body of the International Labour Office. He had listened carefully to the statement which had been read by the representative of the Spanish Government. He had heard an account of what the Spanish Government had done in the past and of the measures which it had in mind to introduce at the moment, but he had heard no refutation of any kind of the statement of the Secretary General of the General Union of Spanish Workers. That tended to show that the facts could not be disputed.

The Spanish Government declared that these questions were of a domestic character and that therefore the International Labour Office could not interfere. If the view of the Spanish Government were accepted, it would be possible for any Government faced by a complaint such as that formulated by Mr. Caballero to declare the question to be a domestic one in which the Office could not interfere. Mr Jouhaux maintained that obviously, if the principles formulated in Part XIII of the Peace Treaty were inapplicable, the international conventions subsequently adopted would be equally inapplicable.

One of the principles set out in the Preamble was that of free exercise of freedom of association. Mr. Caballero's protest showed that the exercise of freedom of association had been seriously restricted in Spain. His report made mention of the arrest of trade union leaders, the closing of workers' clubs, the prohibition of labour publications and various restrictive measures taken during strikes; these showed that freedom of thought and of the Press had been violated and that the right to strike had been suppressed. He would not lay any emphasis upon the arbitrary arrests and the cruelty of which the workers leaders, such as Mr. Besteiro, the President of the General Union of Spanish Workers, had been the victims, nor on the deportation of workers' leaders upon warships. He would take his stand on the spirit of Part XIII of the Peace Treaty, which affirmed the principle of freedom of association. It was in view of that affirmation that the Workers' Group echoed the complaints addressed by the Spanish Trade Unions both to the International Labour Office and to the International Congress of Trade Unions, at its meeting in London, and demanded the strict application of Articles 396 and 410 of the Treaty of Peace; that is, the opening of an enquiry. Unofficial steps had already been taken, inasmuch as the Director had communicated to the Spanish Government the protest which had been addressed to him; the statement addressed by the representative of the Spanish Government was in some sort a reply to the communication of the International Labour Office.

There was no question of condemning the Spanish Government but only of establishing the real facts: the truth or falsity of the allegations could only be proved by making
enquiry of the Spanish Government and the Spanish Trade Unions. In Mr. Jouhaux's opinion this would not injure in any way the sovereignty of Spain. If the allegations in Mr. Caballero's letter were incorrect, it was above all in the interest of the Spanish Government that the fact should be made known to international public opinion. If objection was made to an enquiry on the ground that the question at issue was one of a domestic kind, nothing remained but to say that Part XIII of the Treaty existed only within the limits of the interpretation which each Government chose to give to it, and that its interpretation was not within the competence of the International Labour Office or the International Labour Conference. The situation would then be clear.

Mr. Jouhaux himself was in constant communication with the Spanish workers; he knew the efforts which the General Union of Workers has made to spread the principles of the International Labour Organisation throughout Spain, and he knew the struggle in which they had been forced to engage against other sections of the workers' organisations. If the Governing Body refused to consider the complaints made by the General Union of Workers, there was danger that it would drive the Union, not only into the path of legitimate opposition to the violation of its rights, but also into an opposition, which could not always be justified, to principles which were excellent in themselves, but improperly applied.

Mr. Jouhaux could have cited documents which would not have confirmed the optimistic views of Count de Altea, but he wished to take his stand on the application of Part XIII of the Treaty of Peace, and called upon the Governing Body to control this application. If the liberty recognised by the Treaty of Peace were not ensured in its entirety, and if the Governing Body of the International Labour Office were not authorised to control the application of the principles set out by Part XIII, nothing would remain for the workers but to abandon an organisation where principles were solemnly enunciated but not afterwards applied.

Count de Altea said that he had brought with him to Geneva no official declaration from the Spanish Government, since he had only read the Director's Report on the previous evening. The declaration which he had read had only then been drawn up by himself. In his opinion, it was necessary to distinguish between two totally different questions; on the one hand, the Conventions and Recommendations of the International Labour Organisation, and on the other, the application of national laws in accordance with the special conditions of life of each country. He considered that any discussion of the question would be incompatible with the principles of the organisation of the International Labour Office. He would make no reply to the declarations of Mr. Largo Caballero, the point at issue not being a Convention, but the application of laws which existed before the Treaty of Peace. He emphasised the fact that the statements in his declaration appeared to him sufficient as regards the questions within the competence of the Governing Body, and he asked the Chairman to close the discussion on the facts.

The Chairman pointed out that the Governing Body was discussing, not the facts, but the preliminary question of deciding whether the facts should be examined.

Mr. Oudegeest said that he had already raised the question in the course of the previous Session. He had heard Count de Altea say that the organisations which had been established in conformity with the law were respected in Spain. He asked why, in that case, branches of the General Union of Spanish Workers (which had been constituted in conformity with the law) had been prosecuted. That organisation had a membership of 700,000, and Count de Altea had not in any way refuted the statements of fact contained in its complaint. Count de Altea had also declared that social legislation in Spain was very far developed. Mr. Oudegeest wished to know whether those laws were actually applied, and asked how it was possible for them to be enforced, if the trade unions could not exist freely and could take no part in the application of that social legislation.

Finally, Count de Altea had declared that freedom of speech and of the press were respected in Spain. Mr. Oudegeest pointed out that the International Federation of Trade Unions had held a Congress in London in the month of November 1920, and that the Director of the International Labour Office had been present. The Congress had examined the question of exchange, of the distribution of raw material and of the socialisation of industry, and had adopted a policy of opposition to the Third International. If, the liberty of the press and of speech were respected in Spain, he did not understand why the publication of a report of that Congress had been forbidden. He laid before the Governing Body a number of El Socialista the leading article of which was entitled "The London Congress". The censorship had deleted every word of the article, and only the author's signature remained. Yet the Congress had only been a trade union congress, and its proceedings had been similar to those of congresses in all countries. During its course Mr. Besteiro had made certain statements with regard to the situation in Spain, and possibly the Spanish Government had prohibited the publication of the article because those statements appeared to be embarrassing.

Count de Altea could only make one answer: that the question could not be discussed by the Governing Body, and therefore he could take no part in the debate. It would be inconsistent on his part to discuss the question after he had declared that in principle he was opposed to any discussion whatever.
The Director said that the Governing Body was faced by a difficult situation, which involved the essential principles of the International Labour Organisation. He thought that for a clear view it was necessary to go back to those principles. He had said in his Report, after consultation with jurists, that it appeared impossible in the present case to cite Article 409 and the following Articles of the Treaty of Peace, as though the question at issue were a regular Convention. The International Labour Office could only intervene in an entirely different manner; namely, by way of an enquiry, as had been done in Hungary.

It must, however, be noticed that the International Labour Office had been invited by the Hungarian Government to send a mission with the purpose of sifting, by means of an impartial enquiry, accusations which that Government did not consider well-founded. But in the case under discussion, Spain, one of the Members of the International Labour Organisation declared that the questions at issue were of a domestic character, and in face of that refusal it appeared difficult to intervene, in view of the possible consequences.

That was one side of the case. On the other, it must be pointed out that the workers' organisations were represented on the Governing Body just as much as the Governments and the employers' associations. It was undeniable that the workers' organisations had adopted an attitude of sympathy and confidence towards the International Labour Organisation, and that this attitude was the result of the declaration of the principles set out in the Preamble to Part XIII and Article 427 of the Treaty of Peace. The Governing Body, when it came to decide, must not overlook that fact. The Director said that, in addition, Mr. Jouhaux let it be understood at the end of his speech that if a certain number of the principles set out in the Peace Treaty were not applied, the International Labour Organisation might one day lose the collaboration of the workers' organisations. These were the various difficulties with which the Governing Body was faced.

The Director desired, above all, to remind the representatives of the workers that the voluntary adherence of all States was the essential principle upon which the International Labour Organisation was founded. When, for example, the question of the ratification of a Convention arose, economic action could only be taken with regard to a State which had refused to ratify a Convention. It seemed to him that the present position of the Governing Body was similar and that, as regards the application of general principles, unless States voluntarily agreed to apply them, the International Labour Organisation could not, at present, have recourse to coercive measures. There was nothing in the Treaty of Peace to authorise it.

The workers might ask what was the use of the International Labour Organisation. Similarly, during the First Assembly of the League of Nations, it was asked what was the use of an Assembly which was compelled to yield on many points. It must be remembered that the international institutions were still only in process of formation. Hesitation or inability to act must not be regarded as retrogression; the truth was that every measure of intervention constituted a fresh achievement such as gave life to the Organisation. There were certain measures which the Governing Body could take, and others which in the existing circumstances could not be taken; for, as had been said with regard to the League of Nations, the fundamental principle and the only force upon which the International Labour Organisation depended was the public conscience, in so far as it was developed, and action was only possible in the measure of that development.

The Director recalled the resolutions adopted by the International Federation of Trade Unions which were to the effect that the Trade Union organisations were to take action in their respective countries on the lines of the measures which they required the International Labour Office to take, and that it would be unjust to condemn the International Labour Office because it had not yet been able to take certain steps, whilst the force of public opinion and of the workers' organisations in the various countries was still insufficient. If the trade union question arose in Spain in such a way that the Government felt unable to deal with it and to resist the force of universal public opinion, it was more than probable that the Government would ask the International Labour Office to intervene, and to make an impartial enquiry.

The Director drew attention to the results of the enquiry in Hungary. The report of the Commission had not yet been submitted to the Governing Body, since it had appeared impossible to print it in its original form. The members of the Commission of Enquiry were at present reconstructing the report in the form simply of a collection of documents, collating those produced by the Government and those of the trade unions, in order to enable every reader to form his own opinion.

It was, if he might say so, impossible even for experts in the theory of trade unionism, to determine exactly where the exercise of freedom of association ended, and where politics began. That was the difficulty which had been encountered in the enquiry in Hungary. It was clear that public opinion was not certain on this point. In the circumstances it seemed reasonable to impose on the Spanish Government an enquiry which it refused to accept. He emphasised the need to inform public opinion, and considered that if the forces of public opinion were thus developed, the future could be regarded with every confidence.

In the eighth paragraph of his declaration, Count de Altea had drawn attention to acts of terrorism, which the Spanish Government held to be entirely different from trade union action. In political questions the Spanish Government cited its sovereign rights:
at the same time it declared that it could in no way prejudice the rights and powers of the International Labour Office as laid down by the Treaty of Versailles. The Spanish Government therefore admitted that intervention by the International Labour Office was possible in questions of liberty of association and the future was assured by that reservation. In the circumstances, the Director asked the Governing Body to express its confidence in the International Labour Office for the future.

The Chairman understood that the Director's proposal was that the question raised and the views expressed should be published by reproduction from the Minutes. It seemed clear to him that Article 409 was not applicable to the case. It was necessary, therefore, only to decide whether an enquiry should take place, but it was extremely difficult, and perhaps impossible, to distinguish the trade union from the political point of view, and it was to be feared that no form of enquiry was possible. In these circumstances it appeared that the publication of the documents was the true solution, since each reader would be left to form his own opinion of the facts of the case. That was the proposal submitted to the Governing Body.

Mr. Jouhaux said that he had expected that such a proposal would be made, but he had not expected that the representative of the Spanish Government would refuse to discuss the allegations. He was within his rights in doing so and Mr Jouhaux could not contest the point. The fact none the less remained that the Preamble of Part XIII of the Treaty of Peace affirmed, amongst other principles, that of the right of association: and whatever limitations had been formulated from a legal point of view, Mr. Jouhaux could not admit that the International Labour Office, which had been set up in conformity with Part XIII of the Treaty of Peace, had not the right to interest itself in the application of those principles in the different States. He pointed out that the Governing Body had already authorised two enquiries, one of which was into Soviet Russia. The members of the Workers' Group had approved the despatch of a Commission of Enquiry, though they realised beforehand that the results of that Mission might create subsequent difficulties for themselves, whatever their positions in their own countries. Their view was that, wherever it might be, the truth should be established; and they had similarly agreed to the enquiry in Hungary, which had to deal with facts analogous to those reported by the General Union of Spanish Workers.

The Spanish Workers only asked whether they were entitled to exercise their right of freedom of association: Mr. Jouhaux knew from experience that it was difficult to draw a hard and fast line between freedom of association and politics. The question, however, did not arise in that form. He pointed out that the French General Confederation of Labour had not been dissolved without trial, or put in such a position that it could not conduct its affairs; that was the present situation of the Spanish Trade Unionists, since, up to that time, nothing had been said which cast a doubt on the statements of Mr. Largo Caballero and Mr. Besteiro. He ventured to ask whether an enquiry intended to sift the truth of the allegations would harm the sovereignty of Spain. He did not think it would, and declared that if the International Labour Office did not undertake the enquiry, the International Federation of Trade Unions would do so, and would publish the results in their entirety, without giving the Spanish Government any opportunity to express its views in reply, as it could have done in the Governing Body.

However, Mr. Jouhaux felt that he must draw attention to the results of the decision which the Governing Body was about to take. The International Labour Office declared that it could not intervene in questions which concerned the national sovereignty of a State. It was certain that such a decision would have an effect upon the feelings of the working classes and that when Mr. Jouhaux or his friends denounced the excesses of the Soviet Government or the suppression of liberty (such as the right to strike) in Russia, it would be easy for their opponents to reply that a similar state of affairs existed in other countries, and that the International Labour Organisation, which had been set up with the aid of the workers' organisations, was unable to discover whether the right of association was respected, far less to ensure that it was.

Mr. Jouhaux drew attention to the fact that the Workers' Group was also in a special position, and was held responsible by the working classes. When the members of the Workers' Group addressed the Governing Body, they spoke not only for the countries which they represented, but for all the workers represented at the Washington Conference. There were twenty-seven millions of organised workers who had put their faith in the International Labour Office and who wished to collaborate with it in peace and order, to ensure the advance of civilisation for the whole world. It was those twenty-seven million workers who, by the medium of the Workers' Delegation on the Governing Body, asked that an enquiry should be held. It was to be feared that if their request were refused, they would be driven from the path of order into that of disorder.

Mr. Stuart Bunning pointed out that Count de Altea had refused to discuss any details on the ground that the question was one of principle only. He had, however, read a declaration, the only purpose of which could be to contradict the statement made by Mr. Caballero. It was also unfortunate that the only part of that declaration which could be checked (namely, with regard to the freedom of the Press) had been shown by Mr. Oudegeest to be inaccurate. He agreed that the Governing Body could not impose an enquiry on the
Spanish Government without its assent, but it would be regrettable if the Governing Body were induced to say that it could not examine the very serious allegations which had been brought to its notice. He pointed out that Mr. Jouhaux could have cited other parts of the Preamble of Part XIII of the Treaty of Peace, for example, the third paragraph, which read as follows:

"Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries."

Mr. Stuart Bunning considered that this paragraph entitled the Governing Body to make representations to the Spanish Government and even, in the interests of Spain, to propose an enquiry. The Spanish Government had the power to refuse, but in that case the Governing Body could not be convicted of a refusal to give the Spanish Trade Unions the assistance for which they might have hoped.

The Chairman pointed out that he had received a proposal that the views which had been expressed should be published in the form of an extract from the Minutes; the effect of this motion would be to close the discussion.

This proposal was put to the vote and adopted, without opposition, by 14 votes.

The Chairman said that the Governing Body would proceed to the next item on the Agenda: the preparation of the 1921 Conference.

Sir Malcolm Delevingne pointed out that it was essential that the Finance Committee should have time during that afternoon to proceed with its consideration of the Budget, if its report were to be presented to the Governing Body on the following afternoon.

Mr. Pinot suggested that the simple points on the Agenda should be settled at once.

A brief discussion followed between the Chairman, Mr. Mahaim and the Director, Mr. Mahaim suggesting that the best procedure to adopt would be to postpone the discussion of the budget until the next Session and to vote supplementary estimates for the meanwhile.

It was, however, pointed out by the Director that there were difficulties as to the basis of such supplementary estimates, and also that it would be necessary at the next Session of the Governing Body to discuss the budget for 1922.

It was decided that the Finance Committee should meet on the following morning and present its report to the Governing Body in the afternoon. The Governing Body then proceeded to the fourth item on the Agenda.

FOURTH ITEM ON THE AGENDA.

Preparation of the 1921 Conference.

The Chairman, in introducing this question, reminded the Governing Body that the text of a letter from the Swiss Federal Council, dated the 7th January 1921, had been distributed to the members, to whom the Federal Council had addressed it.

Mr. Pfister stated that he had brought, in the name of his Government, a proposal the effect of which was that the Governing Body should alter a decision which it had already taken. He pointed out that the inclusion on the Agenda of the next Conference of the international regulation of the conditions, and particularly the hours, of work in agriculture had created a certain amount of unrest in agricultural circles in various countries. He considered that the insertion of the question on the Agenda was premature, and was of opinion that the carrying out of the measures contemplated presented serious difficulties, if they were not actually impossible. The Swiss Government asked whether the Governing Body could modify its decisions after they had been communicated officially to the various Governments. If the Governing Body took the view that it could not revise the Agenda of the 1921 Conference, then the objection raised by the Swiss Government fell to the ground.

The first question to be settled, therefore, was one of principle; namely, to decide whether the Governing Body was in that particular case bound by a decision taken by the Washington Conference.

Mr. Pfister thought that the Washington Conference had not finally instructed the Governing Body to include agricultural questions on the Agenda of the 1921 Conference. It appeared from the record of the proceedings that the Governing Body had only been instructed to say when and where those questions should be discussed by the Conference. Therefore the Governing Body was entirely at liberty to take any decision which it saw fit in this connection. On the other hand the Governing Body had officially informed the Governments of the decision which it had taken to include agricultural questions on the Agenda of the next Conference. A further question arose as to whether the Governing Body could, at the request of a Government or of a member of the Governing Body, modify the Agenda of a General Conference after it had been communicated to the Governments.
Article 402 of the Treaty of Peace provided for a case where a Government lodged an objection to the inclusion of one or more subjects on the Agenda of the Session. It was therefore necessary to decide whether that procedure and no other must be followed to modify the Agenda after its communication to the Governments.

The question could be settled in two ways: either it was possible for the Governing Body to take the view that the Agenda could not be modified after it had once been communicated or it could decide that it had the power to alter the Agenda which had been decided upon in the course of a previous Session. In the first case, a danger would be created for the future, since the Governing Body would be bound by the decision taken on that occasion and would not be able to modify the Agenda in any respect which the general interest demanded.

Mr. Pfister proposed that the question should be solved in the second way. If the Governing Body decided otherwise, there was no need for further discussion of the question raised by the Swiss Government.

The Chairman, without replying to the precise question raised by Mr. Pfister, pointed out that if the Governing Body had the power and decided to modify the Agenda, it would be necessary to postpone the date of the Conference in order to conform with Article 401, providing for a period of four months to elapse between the communication of the new Agenda to the Governments and the opening of the Session.

He further drew attention to the fact that if, on the other hand, the Agenda were maintained, and if several Governments (amongst whom probably would be the French Government, at any rate in so far as the regulation of the hours of work was concerned) proposed at the Conference that one or more questions should be withdrawn, it was necessary to define clearly the meaning of the phrase “Item on the Agenda” in order to prevent confusion in the discussions with regard to the application of Article 402.

Mr. Mahaim pointed out that the Articles of the Treaty of Peace which dealt with the drawing up of the Agenda were Articles 400 and 401. Article 400 imposed upon the Governing Body the duty of drawing up the Agenda, but did not fix the length of time before the Session at which the Agenda should be decided nor when the Governing Body should draw it up. Article 401 laid down that the Director should communicate the Agenda of the Session to each of the Members four months before the opening of that Session. If, therefore, the Governing Body frequently modified the Agenda, the date of the Conference would in each case be postponed. Mr. Mahaim further pointed out that the Washington Conference had required the inclusion on the Agenda of the regulation of the conditions of work in agriculture.

The Chairman remarked that in point of fact no decision had been taken by the Washington Conference, since there had not been a quorum present. The Selection Commission asked it to decide upon the question, and two-thirds of the votes cast were in favour of its inclusion; but the number of delegates who voted was small, and the necessary quorum not having been obtained, the final decision was left to the Governing Body.

Mr. Mahaim recognised that in the circumstances the Governing Body was free, but he thought it well to remind the members that the Agenda had already been communicated to the Governments and that the questionnaires themselves had been despatched. The Governments could have recourse to the procedure provided by Article 402 in order to ask the Governing Body to make whatever modification they thought fit in the Agenda. That procedure was extremely clear; the objection could be lodged at the opening of the Conference, and the Conference itself could decide the question by a two-thirds majority. On the other hand the Governing Body was now asked to revise a previous decision and to postpone the Conference. Mr. Mahaim considered that the procedure provided by Article 402, and no other, must be followed in the present case.

The Director wished to add some remarks to those which had already been made. He was of opinion that the Governing Body was properly competent to alter the Agenda which it had drawn up. It was to be remarked that from a practical point of view the postponement of the Conference would give rise to serious difficulties. The Governments had already begun their work, and if the Governing Body decided to alter the Agenda, the work so begun would be wasted. In addition it might perhaps happen that other States besides Switzerland would object to the inclusion of agricultural questions on the Agenda of the Conference. Article 402 provided that the reasons for such objections must be set out in a memorandum addressed to the Director, and communicated by him to the Members of the Permanent Labour Organisation. In the actual case with which the Federal Council was concerned, there was therefore a regular procedure provided to permit the Conference to discuss the reasons alleged. The Governing Body does not appear to be justified in changing the Agenda once forwarded to the Governments without calling upon the Governments to state their views as to whether this question should or should not be maintained on the Agenda, and their reasons in either case.

Apart from the disturbance which would be caused to the work already taken in hand, the Director wished to emphasise the danger to which the Governing Body would be exposed if it adopted such a policy. In future, questions would often be included on the Agenda.
of Conferences a long time in advance, and in the course of the year preceding the opening of the Conference, political or social circumstances arising between its quarterly sessions might influence the decisions of the Governing Body and induce it on more than one occasion to alter the Agenda, in order to conform with the trend of opinion. It seemed to him indisputable that the moral authority and prestige of the Governing Body and the International Labour Office would suffer in such a case.

Finally the Director emphasised the fact that the Agenda of the Third International Conference had been established after mature consideration. The questions were first raised in January 1920, they were reconsidered in March, and the Agenda was only finally decided upon in June. Sufficient time, therefore, had elapsed for any observations which were necessary to be made, and Mr. Rüfenacht should, at one of the three Sessions, have objected in the name of the Swiss Government to the inclusion of agricultural questions on the Agenda. The Director pointed out that there were a large number of arguments which the Governing Body could take into consideration against the modification of the Agenda when Article 402 of the Treaty of Peace provided the necessary procedure.

Mr. de Michelis was of the opinion that the Agenda fixed by the Governing Body could not be modified by it after the Governments had been notified. It might even happen that, after the communication of a revised Agenda, another Government would raise further objections and the date of the Conference would in consequence be indefinitely postponed. The terms of Article 402 were as follows:

"Any of the Governments of the Members may formally object to the inclusion of any item or items in the Agenda."

Mr. de Michelis remarked that it was the Conference and not the Governing Body which had the power to decide. The Governing Body at the present time, therefore, had no power to decide upon the objection raised by a Government, since the Agenda had been communicated in the regular manner, and since it might be assumed that the Governments, by the medium of their representatives on the Governing Body, had agreed to that Agenda as established. The procedure provided by Article 402 alone, therefore, was applicable.

Mr. Pinot thought that the question was a very clear one. The Swiss Government had entered upon a procedure, and had only to continue it in accordance with the terms of Article 402.

Mr. Pfister pointed out that, in its letter to the Governing Body of the International Labour Office, the Federal Government had stated that it did not intend to have recourse to that procedure unless the Governing Body considered it impossible to modify the Agenda. The first question, therefore, to be decided was that of principle. The procedure provided by Article 402 did not appear to be applicable, since the Governments had to nominate their Delegations to suit the questions figuring on the Agenda. It would not therefore be decided whether any given question should be removed from the Agenda until complete Delegations had arrived at the seat of the Conference. The Federal Government had therefore communicated its views to the Governing Body to point out the difficulty which might arise.

The Director remarked that the Delegates would not undertake a useless journey, since they would have an opportunity to show, if necessity arose, the inadvisability of including any given question on the Agenda.

Mr. Pfister stated that Mr. Rüfenacht had voted against the inclusion of agricultural questions on the Agenda, and emphasised the fact that his Government had waited to receive the questionnaire dealing with agricultural questions and prepared with a view to the Conference, before it made its protest. In reply to the Director's arguments, he pointed out that the moral authority of the Governing Body and of the Office was in danger of suffering if questions liable to arouse opposition, and so to prevent good results being reached, were left on the Agenda. The Federal Council wished once more to submit the question to the Governing Body in all good faith, but if the Governing Body took the view that it could not modify the Agenda, the proposal made by the Federal Government fell to the ground.

The Director wished to remind Mr. Pfister that a new method of drawing up questionnaires had been decided upon in full agreement with the Governing Body, and that the despatch had been delayed for that reason. In addition he declared that the moral authority of the Office could not be said to suffer when, in the ordinary procedure of the International Labour Organisation, votes were cast against a proposal. At Genoa, the Draft Convention on the regulation of the hours of work on board ship had not been accepted, yet the confidence placed in the International Labour Organisation by the shipowners and seamen showed that its moral authority had not suffered from the Genoa Conference, as would doubtless have been the case if the Conference had been adjourned or dissolved.

The Chairman announced that he had received a proposal from Mr. de Michelis in the following terms:

"The Governing Body is of opinion that the procedure of Article 402 must be applied to objections raised with regard to the Agenda of the 1921 Conference."

This proposal was put to the vote and adopted by 15 votes to 3.

Mr. Sokal said that he had abstained from voting because he considered the question a legal one which could not be decided by the Governing Body.

The Chairman pointed out that, although Mr. de Micheli's argument had been of a legal character, his proposal had been drafted in such a way that it settled only the practical point at issue; consequently it did not definitely prejudice any future decisions which might be taken, and did not constitute a precedent.

In connection with the discussion of agricultural questions, Mr. Jouhaux drew the attention of the Governing Body to a campaign which was taking place in the press with a view, it appeared, to securing the rejection by the International Conference of the draft convention which might be submitted to it with regard to agricultural questions. Mr. Jouhaux considered that the arguments adduced were based upon a fundamental misconception. An attempt was made to show that the adaptation of the Washington resolutions to agricultural labour meant the exact application of the eight hours' day in the precise form prescribed by the Draft Convention adopted at Washington. The question was therefore treated in such a way that the measures contemplated appeared to be impracticable. The Governing Body might perhaps, in Mr. Jouhaux's opinion, think it well to correct this mistake by re-establishing the exact meaning of the question included on the Agenda.

Unless the Governing Body made the truth known, there was a danger that this press campaign might prevent good results being reached at the Conference.

Mr. Pinot considered that the Governing Body could not meet this campaign with a kind of semi-official press. He asked the Governing Body to leave it to public opinion to form its own conclusions.

The Director agreed with Mr. Pinot that it was not for the Governing Body to appeal to public opinion, but he said that it was within the scope of the Office to publish the documents and the facts in a fair and impartial manner. In the actual questionnaire which had been sent to the Governments, the experience gained and the systems in force in a certain number of countries were described in connection with the question of the regulation of the hours of work. Similarly, in the Studies and Reports, the International Labour Office had set out a certain number of facts. Thus studies had been published dealing with the question of eight hours in Italy, with the agrarian question in Spain, and, in agreement with the Czecho-Slovakian Government, with the effect of the regulation of the hours of work upon the beet harvest in 1919 and 1920. Further, papers would continue to be published in as scientific a form as possible, and in this way the necessary basis for the study of the different questions included on the Agenda of the 1921 Conference could be supplied.

Mr. Jouhaux wished to explain that he had never thought of asking that a semi-official press should be created. All that he desired was the publication of the truth. Part of the opposition to the 1921 Conference was due to a somewhat ingenuous view based on newspaper articles emphasising the practical impossibility of applying the eight hours' day absolutely to agriculture. Mr. Jouhaux only asked that the truth on this point should be made known.

General Baylay expressed the opinion that the two questions included on the Agenda under item 3 (Disinfection of wool infected with anthrax spores, and Prohibition of the use of lead in painting) were entirely different in character and ought to form two separate items on the Agenda.

The Director pointed out that the question raised by General Baylay was similar to that raised with regard to agricultural questions. It was necessary to decide how the Agenda should be divided up with a view to the nomination of technical advisers, and even, if need be, with a view to the excision of questions from the Agenda.

The Director had come to the conclusion that to satisfy certain demands it would be advisable to divide agricultural questions into a certain number of separate items, and in this way to allow the States to appoint a larger number of advisers. On the other hand it had been pointed out to him by a number of persons that the two questions of industrial hygiene included on the Agenda required entirely different technical knowledge, and that therefore it might be advisable to provide two advisers for each question.

The point at issue was the interpretation and not in any way the alteration of the Agenda. It had appeared well to limit the number of advisers, but it was unlikely that the Governments would increase them indefinitely. The Director recalled the precedent created by the Genoa Conference, in so much as it had not grouped together all the questions dealing with the protection of young persons, but had decided to examine separately the questions of the employment of young persons in stokeholds and bunkers and those of the medical examination of young seamen. The Governing Body, therefore, might follow that precedent, and allow Governments complete latitude as regards the appointment of advisers for each item on the Agenda, and a similar procedure might be followed for the excision of items already included. At Genoa no objection had been lodged to items included on the Agenda, but only to the two questions mentioned above which were raised in the course of the Conference. These were treated as fresh subjects and were voted on point by point, although they formed part of the whole regulation of child labour.

The Chairman wished to make it clear that it appeared impossible for a Government
to ask that two questions should be withdrawn because for any reason it was thought that
one of them could not be discussed.

General Baylay declared himself satisfied by the explanation given, but thought
nevertheless that the two subjects which he had mentioned were so distinct from one
another that they should be separated, without the Agenda being thereby altered.

Sir Malcolm Delevingne said that the Director's report appeared to indicate that the
agricultural questions grouped under the same number formed only one item on the Agenda.
He proposed that agricultural questions should be divided into three separate items, and
that the same method should be adopted as regards the questions of industrial hygiene.

The Chairman remarked that matters grouped under the same number might be
distinct, whilst matters grouped under two different numbers might be allied.

General Baylay asked that an amendment in the sense which he had proposed should
be made to the circular letter of the 4th November with regard to the 1921 Conference.
That letter stated that the Agenda contained five items, and that therefore only ten
advisers could be appointed. He thought that the need for division in to separate items was
even more obvious for the questions of industrial hygiene than for those of agriculture.

The Chairman said that the connection between questions such as agricultural education
and the length of the working day in agriculture was no more marked than that between
the disinfection of wool and the prohibition of the use of white lead. In one case agricultural
and in the other industrial workers were affected, but it did not appear that there was
any other connection in the questions under consideration.

Mr. Hodacz said that he agreed with Sir Malcolm Delevingne and General Baylay,
but he wished to point out that the same question arose for the fourth item on the Agenda,
dealing with the weekly rest in industry and commerce. The two were notably different,
and their complete separation was fully justified.

The Chairman put to the vote the following proposal:
"Without making any change in the Agenda, the Governing Body decides that
agricultural questions shall be divided under three numbers". That proposal was adopted
by 20 votes to 1.

The Chairman put to the vote in the same form the proposal to divide the questions
of industrial hygiene under two numbers. That proposal was adopted by 20 votes to 1.

At the request of Mr. Hodacz, the proposal to divide the question with regard to the
weekly rest under two numbers was similarly put to the vote, but was rejected by 9 votes
to 8.

The Chairman reminded the Governing Body that it had to fix the date of the 1921
Conference.

Sir Malcolm Delevingne proposed that the opening of the Conference should be
adjourned until the month of October. He pointed out that the English version of the
questionnaires had not yet been issued by the International Labour Office, and that it
could not possible reach the British Dominions before the end of February. Furthermore,
the agricultural questions included on the Agenda required a lengthy examination. After
that it would be necessary to prepare the reports and the draft conventions. Those
reports had to be despatched to the Governments, and must reach them before the
departure of their Delegates, in order that exact instructions might be given to them.
It seemed obvious that on every ground the preparatory work of the Conference could not
be finished before the end of May. Sir Malcolm Delevingne would have proposed the
month of September as the date of the 1921 Conference if the Assembly of the League of
Nations had not been fixed for that month. On the other hand it was necessary that
there should be a certain interval between the closure of the Assembly and the opening
of the Conference. He therefore proposed that the opening of the Conference should be
postponed until the end of October.

Mr. Sokal supported Sir Malcolm Delevingne's proposal. He agreed that the Delegates
of the Governments, Employers and Workers must be given time to study the reports
drawn up by the Office, and that the Government Delegates must also be able to receive
necessary instructions to vote on behalf of their Governments instead of individually.
On the other hand he expressed the opinion that the Governing Body should be asked
to approve the text of the draft conventions to be submitted to the Conference. It was
not at the moment a question of the Governing Body expressing its opinion upon the
subject matter, but simply of sanctioning the drafts as a basis of discussion: every member
would remain free to vote independently. This procedure would doubtless facilitate the
discussions of the Conference.

The Chairman said that Mr. Sokal's proposal could not form the subject of a general
discussion at that time. He reminded the Governing Body that two proposals had been
made as regards the date of the Conference, one by Sir Malcolm Delevingne, asking for
its postponement until the end of October, the other by the Director, suggesting the 31st
May as the date.

The Director said that the International Labour Office had proposed the 31st May
because it was not thought that the Conference could be postponed much longer than
that. If, however, the Governing Body accepted Sir Malcolm Delevingne's proposal, the preparatory work would be greatly facilitated. He had not himself proposed a date subsequent to the opening of the Assembly of the League of Nations, because it was impossible to foresee how long the Assembly would last, and because there would be a danger that public opinion would follow the proceedings of the Conference with less care if it came immediately after the Assembly; for example, the journalists who come to Geneva for the Assembly would leave it shortly afterwards.

The Chairman put to the vote Sir Malcolm Delevingne's proposal that the Conference should be held at the end of October. This proposal was adopted nem. con.

Mr Lecocq asked what action had been taken as regards the question raised at the previous Session by Mr. Carlier.

The Director replied that it would be included on the Agenda of the next Session, together with the second proposal made by Mr. Sokal.

FIFTH ITEM ON THE AGENDA.

Action required by the decisions of the Joint Maritime Commission.

The Chairman proposed that the Governing Body should take note of the Director's communication as regards the Session of the Joint Maritime Commission. To this the Governing Body agreed.

SEVENTH ITEM ON THE AGENDA.

Scrutiny of the appointments made under Article 412. (Commissions of Enquiry).

It was decided that this question should be postponed until the next Session.

The Director said that he would submit corrigenda to the report, but would not present a fresh one on the subject.

The Chairman reminded the Governing Body that the Committee on Standing Orders was to meet on the following day at 9 a. m. and the Finance Committee at 10 a. m. The next Sitting of the Governing Body would take place on Thursday, 13th January at 4.30 p. m.

The Sitting was adjourned at 7.0 p. m.

ARTHUR FONTAINE.
MINUTES OF THE FIFTH SITTING.

The Fifth Sitting of the Sixth Session of the Governing Body of the International Labour Office took place at 4.30 pm. on Thursday, the 13th January, 1921, at the International Labour Office, Geneva.

The following members were present:—

Mr. ARTHUR FONTAINE, Chairman.
Count de ALTEA, (substitute for Viscount de EZA).
Brigadier-General A. C. BAYLAY, (substitute for Sir ALLAN SMITH).
Mr. G. H. STUART BUNNING.
Mr. L. C. CHRISTIE, (substitute for Hon. G. D. ROBERTSON).
Mr. F. L. COLOMB.
Sir MALCOLM DELEVINGNE.
Mr. J. S. EDSTRÖM, (substitute for Mr. H. VEDEL).
Mr. H. A. HALFORD, (substitute for Mr. P. M. DEAPER).
Mr. F. HODACZ.
Mr. K. INUZUKA.
Mr. J. LECOCQ, (substitute for Mr. J. CARLIER).
Dr. LEYMANN.
Mr. E. MAHALD.
Mr. MARCHESI, (substitute for Mr. A. PIRELLI).
Mr. G. de MICHELIS.
Mr. J. OUDEGEEST.
Mr. H. PFISTER, (substitute for Mr. H. RÜFENACHT).
Mr. F. SOKAL.
Mr. A. THORBERG, (substitute for Mr. H. LINDQUIST).
Mr. WISSELL.

The following members were absent:—

Mr. de ALVEAR.
Mr. L. JOUHAUX.
Mr. R. PINOT.

There were also present:

Mr. ALBERT THOMAS, Director of the International Labour Office.
Mr. H. B. BUTLER, Deputy Director of the International Labour Office.
Mr. LEMERCIER, Mr. PHELAN, Mr. PÔNE, Secretaries to the Governing Body.
Mr. HERBERT, in charge of the London Correspondence Office.
Mr. ROQUES, in charge of the Paris Correspondence Office.
Mr. J. F. ATUSAWA and Mr. S. YOSHISAKA, accompanying Mr. INUZUKA.
Mr. S. BACKLUND, accompanying Mr. THORBERG.
Mr. DREYER, accompanying Mr. EDSTRÖM.
Mr. DROZ, accompanying Mr. EDSTRÖM.
Mr. E. KÜTTIG, accompanying Dr. LEYMANN.
Mr. F. D. LAMB, accompanying General BAYLAY.

The Governing Body proceeded to appoint the following members of the Committee suggested by the Standing Orders Committee for the purpose of determining the data for arriving at the characteristics for the industrial importance of a country: Mr. Fontaine and Mr. Inuzuka (nominated by the Governing Delegates). Mr. Hodacz (nominated by the Employers' Group), and Mr. Jouhaux (nominated by the Workers' Group).

THIRD ITEM ON THE AGENDA.

The 1921 Budget (Report of the Finance Committee).

The Chairman called upon Sir Malcolm Delevingne to speak as rapporteur of the Finance Committee.

Sir Malcolm Delevingne said that the Finance Committee had had to deal with three separate subjects; the accounts for 1920, the new financial regulations, and the budget for 1921.

Dealing first with the accounts for 1920 which had been laid before the members of the Governing Body, the Finance Committee had only two remarks to make. First, the accounts were not final, since some for the first quarter of 1920 were included in the statement; and, on the other hand, a number of accounts still outstanding had had to be estimated, the actual accounts not having yet been submitted to the Governing Body. The statement before the Governing Body was, therefore, only provisional, and the final accounts would be prepared later and submitted by the Office to the auditors of the League.
of Nations. In the next place, it would be seen that the accounts showed an estimated balance of £34,600, of which £7,100 were actually in hand, and the remainder, £27,500, had still to be received from the Secretary-General of the League of Nations. The Committee had interviewed the Secretary-General as to the method of dealing with this balance and it had been agreed that it should be retained by the International Labour Organisation and shown in the receipts of the 1922 Budget. It could not be introduced into the 1921 Budget, inasmuch as the exact total was not yet known and some of the outstanding subscriptions for 1920 might not be paid, and inasmuch, also, as the total of the 1921 Budget had already been voted by the Assembly of the League of Nations. The Committee regarded this arrangement as entirely satisfactory to the International Labour Organisation.

Sir Malcolm Delevingne remarked that, whilst it was satisfactory that the accounts showed a balance, it would yet be seen that the savings were partly illusory, since they were not so much economies as expenditure which it had not been possible to incur, such, for instance, as that on works of reference for the library.

The Director pointed out that the Governing Body, having received the report of the Finance Committee on the accounts for 1921, could give provisional approval, but that they could only give definite approval after the expert auditors of the League of Nations had made their report.

The first part of the report was approved by the Governing Body.

Sir Malcolm Delevingne then dealt with the new financial regulations, copies of which had been circulated. He said that there were two sets of regulations, the first of which dealt with subsistence and travelling allowances, and the second with financial control.

As regards the first, it was sufficient to say that in the main they codified the existing practice of the Organisation. On one point, however, the Finance Committee had thought it necessary to lay down a new rule, namely, on the payment of the substitutes. The payment of allowances to substitutes in respect of meetings of the Governing Body at which the titular member was himself present did not appear to be justifiable. On the other hand some provision in respect of casual vacancies occurring during the period of the Session through sickness or other causes appeared reasonable. A rule, therefore, had been drawn up that the payment of allowances in respect of one substitute for each of the Employers' or Workers' Group should be permissible. Sir Malcolm Delevingne also pointed out that the scales now recommended were not final, but depended on the scales which would subsequently be fixed for all the organisations of the League of Nations. The Secretary-General had been consulted on the provisional scales, and did not regard them as excessive, in view of the loss of time caused to members by attendance at the Sessions of the Governing Body.

The second set of regulations, dealing with the question of financial control, gave effect to the decisions recently taken by the First Assembly of the League of Nations and contained in the printed report of Sir George Foster, which had been circulated. The Finance Committee had considered the question of creating a reserve fund similar to that created by the League, to enable "recoverable advances" to be made; that was to say, to enable the League to finance its operations in cases where the subscriptions of the Members were not paid in sufficient time. The Secretary-General had been consulted and stated that the Assembly had intended the reserve fund of the League to provide for the funds of the Labour Organisation as well of the League itself. No proposal, therefore, was made by the Finance Committee for the creation of a reserve fund in the Budget of the present year; the question would be further considered in connection with the 1922 Budget. Sir Malcolm Delevingne added that the draft regulations circulated to the Governing Body had been amended in one or two minor respects, which did not affect their substance.

Mr. Oudegeest observed that the proposal of the Finance Committee with regard to the payment of allowances to substitutes was unfair upon the Workers' Group.

The Chairman pointed out that the allowances were payable to any substitute who actually replaced an absent member and in addition to one substitute per group, in case a member of it fell ill during a Session.

Mr. Oudegeest said that if the Workers' Group adopted the past practice of the Employers' and Government Groups, and brought substitutes with them, they would be at a disadvantage owing to their not having similar funds at their disposal to pay the substitutes' expenses.

The Chairman pointed out that in the past the workers had never brought more than one substitute in addition to those actually replacing members; on the other hand he emphasized the fact that final arrangements could not be made until the regulations with regard to substitutes generally had been established. Fresh rules could always be proposed if necessary.

Mr. Oudegeest expressed himself satisfied by this explanation.

Mr. Mahaim took note of the Chairman's declaration to the effect that the Finance Committee's decision in no way prejudiced a future regulation with regard to substitutes; he pointed out that the transitory régime in force would continue until the 1921 Conference.

After the Chairman and Director had explained to Mr. de Michellis that the Members' Delegates referred to in Article 399 of the Treaty Versailles were interpreted at the Second
Session of the Governing Body to mean only the Government Delegates, the second part of the Finance Committee's report was adopted.

Sir Malcolm Delevingne said with regard to the 1921 budget that the Finance Committee regretted that they had not had sufficient time to examine the budget as extensively as they would have wished or to present a detailed report to the Governing Body. They considered that in future it would be desirable that they should complete their work before the beginning of the Session, and circulate their report to the members on their arrival.

The Committee, however, thought that the measures they had taken were sufficient to guarantee the control of the expenditure of the Organisation by the Governing Body. Reductions had been effected under all sub-heads except that of salaries, and a new sub-head entitled "Emergency Expenditure" had been created, under which a sum of 143,000 gold francs had been appropriated: this would be available with the consent of the Governing Body for any expenditure which at the time could not be foreseen. The total sum recommended for the budget of 1921 was 6,600,000 gold francs. Sir Malcolm Delevingne read out the total of each of the sub-heads. He remarked that as regards sub-head (A) (Salaries) an increase was shown over the budget already circulated, due to the fact that it had been necessary to provide for an official whom it had been hoped to re-transfer to the Secretariat of the League of Nations. Sub-head (G) had become "Emergency Expenditure" instead of "Reserve Fund". The total of 6,600,000 gold francs did not include sub-head (H), which totalled 10,000 gold francs already approved by the Assembly of the League of Nations in its budget for the expenses of the special Commission of Enquiry. He pointed out that the total was less by 400,000 gold francs than the round figure of 7,000,000 adopted by the Governing Body at its Fifth Session for communication to the League of Nations, and subsequently voted by the First Assembly. The Governing Body had thus carried out their undertaking that, if possible, the Budget would be reduced below that round figure: the balance of 400,000 gold francs would remain in the hands of the Organisation during the year, and it would be possible to vote a supplementary budget should new developments require it. If that did not prove to be necessary, that amount could be shown to the League as the economy effected. It would then be possible to ask for authority to devote the sum to the future work of the Organisation; for example, the purchase or extension of the buildings for the Office, as the Governing Body might think best.

As regards the staff, although certain objections had been raised in regard to the organisation and staffing of some of the departments, the Committee had decided in the present circumstances to recommend no changes of importance. The question would be examined by the special Committee of Experts which the Assembly of the League had requested the Council to appoint, and the whole matter, therefore, would come before the Governing Body at a later Session.

The Committee desired to report that at their interview with the Secretary-General of the League, an agreement was reached as to the need to establish common scales of salaries and allowances for similar grades of staff. This would remove certain difficulties which had arisen in the Office. They also said that in one or two cases they would have wished to recommend changes of personnel or salaries, but were prevented from doing so by the engagements into which the League of Nations and the Office had already entered. Some small alterations in the form of the budget had been made, to which it was not necessary to refer in detail.

The Director explained the constitution of the Commission of Enquiry appointed by the Assembly of the League of Nations, and said that it had been made clear, in reply to him, that the Commission was set up in no spirit of suspicion. It was felt that the size and international character of the Office made it advisable that its organisation should be examined by experts.

The Chairman also drew attention to the fact that, since under the heading "Emergency Expenditure" there was a sum of 143,000 gold francs which could not be touched without the approval of the Governing Body, the total economy was not 400,000 but 543,000 gold francs.

Mr. Christie expressed his satisfaction at the recommendation of the Finance Committee with regard to the reduction of expenditure and to the postponement of the question of a reserve fund until the next Assembly of the League of Nations. He had discussed the point in London with Sir George Foster, who felt that the International Labour Organisation would be in a much better position in presenting its case before the Assembly next September, if it refrained from attempting to set up a reserve fund now, especially as the First Assembly had provided that the reserve fund of the League should take care of the Labour Organisation as well as of the League itself. He wished to make some remarks with regard to Sub-head D (Correspondents and External Collaborators) in connection with the expenditure of the Washington Office. He was not clear as to the purposes of this Office, but a phrase occurred in the explanatory note to the following effect:

"It is only right to say, however, that our correspondent at Washington has rendered invaluable services to the Office by his assistance in dispelling the misconceptions which
were current in America with regard to the International Labour Organisation, and by
the efforts which he has made with a view to securing the adherence of the United States
to the Organisation — efforts which certainly deserve to be encouraged."

In Mr. Christie's opinion this could only mean that propaganda was being carried
on in the United States, supported by the Members of the Organisation. That was a form
of activity which the Canadian Government would never themselves undertake, either
directly or indirectly, and they would resent any participation in such activity, however
indirect. He wished, therefore, to dissociate the Canadian Government in explicit terms
from any approval of such activity. The only means for doing so appeared to him to be
to propose that that item should be reduced by whatever portion of it was devoted to
the support of those activities.

The Director said that Mr. Christie's criticism was directed not against the facts of the
Office's activities but against the terms in which the activities of the correspondent of the
Office at Washington had been described in the Report. There was no question, therefore,
as to whether the Washington correspondent had committed an error which had had a
repercussion in Canada. He pointed out that the question of the Washington correspondent
had twice been discussed and approved by the Governing Body. Tangible evidence of the
value of such a correspondent had been given at the Fifth Session by the rapidity with
which it had been possible to obtain information upon various points, including the enquiry
into production. The Director further pointed out how essential it was for the Office, in
view of its scientific and social needs, to be as universal as possible in its operations, and
how impossible it was in the domain of industry and economics to separate the activities
of the Office from the United States. He also pointed out that the Office was in daily
touch with persons occupying scientific and public positions in America for the purpose
of various descriptions of information, and frequently made use of the Washington Office
in order to accelerate results. The Director was aware of no occasions on which the
Washington correspondent had carried on propaganda in favour of the entrance of the
United States into the International Labour Organisation except the steps taken as regards
the participation of the United States in the Emigration Commission: the Governing
Body had so far approved his action in that connection as to have urged the French
Government to facilitate such participation. The Washington correspondent had
succeeded; that very day a letter had been received from the Secretary of State conveying
official intimation of the nomination of the representative of the United States.

The word "propaganda" was one of the meanings of which it was difficult to define.
In one sense it was perhaps true that the Washington correspondent had carried on
propaganda to remove misconceptions of the character of the Organisation. The Director
felt compelled, however, to point out that the Office received all press cuttings about the
International Labour Organisation, and that, although the United States were extremely
sensitive in such matters, no reproach of any kind had been brought against the articles
or information published. Apart from any question of the entry of the United States into
the International Labour Organisation, he said that in a country in which the International
Labour Office was stigmatised as an organ of revolution and the members who attended
the Washington Conference as bolshevists, it seemed only right to try to dissipate the
mistaken beliefs which were current. He said that when the report on Soviet Russia,
the first enquiry made by the Office, was sent to the United States through the Washington
Office, more than three hundred commendatory press-cuttings were received. He could
find nothing in the untiring but cautious activities of the Washington Office which had in
any way compromised the international organisation: on the contrary it appeared
to be an absolute necessity, and the Director asked Mr. Christie to examine all the material
available in the Office on the question before making a proposal of that nature in the name
of his Government.

Mr. Christie said that he referred merely to the activities of the Washington Office
as described in the explanatory note. He did not refer to the question of providing and
obtaining information. If the explanatory note was not a correct expression of the facts,
he withdrew his proposal; but if it was, he must maintain it.

The Director explained that the words in the Report were not intended to bear the
construction which Mr. Christie put upon them and, so interpreted, did not correspond with
the instructions issued to the Washington correspondent. He gave Mr. Christie, however,
every assurance that the facts were in conformity with the explanation which he had
now given.

The Chairman added that a letter had just been received from the Department of
Labour in Washington confirming the nomination of Mr. Mahany as a member of the
Emigration Commission, which showed that the United States Government associated
itself in some way with work which had been done.

Mr. Haldane urged the desirability of having a correspondent in Canada, in view of
the size of the country and the distance from Washington.

The Chairman said that the Finance Committee would examine this suggestion in
connection with the next budget.

Mr. de Michelin, whilst thanking the Finance Committee for the careful investigations
which they had been able to recommend, explained that he would vote for the budget
only as a mark of confidence towards the Committee and towards the Director. He did not think that the Committee had had at its disposal the elements indispensable for the work which it had to perform, namely the 1921 budget. As regards the enquiries and other activities to be undertaken by the Office, he would like further economies made, but at the same time he wished to state that such economies should not be allowed in any way to hinder the work of the Office. He congratulated the Director on the excellent results already accomplished.

Mr. Mahaim associated himself with Mr. de Michelis's concluding remarks.

The Chairman announced that the Finance Committee joined in congratulating the Director.

Mr. Marchesi also associated himself with Mr. de Michelis's remarks. He made some minor suggestions as regards possible economies in the expenditure, for example, upon stationery and postal arrangements. Upon hearing the explanation given by the Deputy-Director, however, he expressed himself entirely satisfied.

The budget was then put to the vote and was adopted unanimously.

SIXTH ITEM ON THE AGENDA.

Report of the Committee on Standing Orders regarding the Reform of the Composition of the Governing Body.

The Chairman suggested that the report of the Committee on Standing Orders should be postponed until a later Session, in view of the fact that the Governing Body would hold three more Sessions before the next Conference. This proposal was adopted.

SEVENTH ITEM ON THE AGENDA.

Scrutiny of the Appointments made under Article 412 (Commissions of Enquiry).

The Chairman pointed out that the Governing Body had already postponed this item until its next Session.

EIGHTH ITEM ON THE AGENDA.

The Report of the Commission on Unemployment.

The Chairman pointed out that the report of the Commission on Unemployment had not been received.

NINTH ITEM ON THE AGENDA.

Proposals put forward by Mr. Oudegeest.

The Chairman said that the ninth item contained two proposals made by Mr. Oudegeest. He suggested, however, that these also might be postponed until the next Session since they appeared to affect the questions under consideration by the Committee on Standing Orders.

Mr. Oudegeest agreed with the Chairman's suggestion. He wished, however, to point out that the procedure of the Governing Body was not conducive to useful work. He suggested that meetings should be convened one or two days before the beginning of the Session, in order that the various Groups and Committees might be able to meet and discuss the items on the Agenda. He proposed that the report and the printed matter should be sent to the members in time for their proper examination.

This suggestion was generally approved.

TENTH ITEM ON THE AGENDA.

Date of the Next Session.

The Director suggested the 12th April, 1921, as the date of the Seventh Session. He pointed out that Easter fell on the 27th March, and the holidays would be concluded by the 12th April. He also suggested that it might be advisable to change the day of the week upon which the Session began from Tuesday to Thursday, in order to give the first two days of the week to the meetings of committees, etc.

Mr. Mahaim suggested instead that the committees should meet on Saturday and the Session of the Governing Body begin as usual on Tuesday. He said that if Saturday was inconvenient, he would propose Thursday the 7th April as the date of the next Session.

General Baylay consulted the Employers' Group and said that they felt the 7th April to be too close to Easter.

The Governing Body then adopted the proposal that the Seventh Session should take place on Tuesday the 12th April, 1921.

The Session was closed at 6.30 p.m.

ARTHUR FONTAINE.
APPENDICES
APPENDIX I.

AGENDA.

1.—Approval of the Minutes of the Fifth Session.
2.—The Report of the Director.
3.—The 1921 Budget.
4.—Preparation of the 1921 Conference.
5.—Action required by the decisions of the Joint Maritime Commission.
6.—Report of the Committee on Standing Orders, regarding the Reform of the Composition of the Governing Body.
7.—Scrutiny of the Appointments made under Article 412 (Commissions of Enquiry).
8.—Report of the Commission on Unemployment.
9.—Proposals put forward by Mr. Oudegeest:
   (a) Relations between the International Labour Organisation and the League of Nations.
   (b) Standing Orders of the Conference (Committee of Selection).
10.—Date of the next Session.

APPENDIX II.

SECOND ITEM ON THE AGENDA.

The Report of the Director.

The period which has elapsed since its October Session deserves the particular attention of the Governing Body. Important questions have been raised, such as enable the International Labour Office better to understand the situation which it now occupies in international life and such as compel it to determine, with increasing care, its conduct and policy. This report will be made as brief as possible. There are, however, numerous problems on which the Governing Body must be informed or issue its directions.

General Organisation.

The organisation of the Office was established more or less in its present form in the month of October. A certain number of services have been completed to meet immediate requirements, particularly in the Scientific Division.

The Governing Body and its Finance Committee will have an opportunity during the actual discussion of the Budget, to examine post by post and, I might almost say, person by person, the output of the various services. I will, therefore, refrain from reviewing in turn, as I have done in previous reports, the various services of the Office and their activities.

I will only remark that the delicate and somewhat irritating problems raised by our distance from the centre of Geneva appear at the present time to be almost solved. Guided by the instructions given us by the Finance Committee, we have ceased vainly to solicit the aid of the Geneva Authorities for the prolongation of the tramway line. An autobus has been hired: the subscription paid by all the members of the staff who make use of it has made it possible to cover half the cost, and the satisfaction which it has given is such that during the winter period complaints have ceased to be heard as regards the distance of the Office from Geneva.

The Co-operative Society continues. No serious question of material organisation requires to be met, at any rate at the moment.

The question of the raising of the salaries for the intermediate classes (that is to say, the classes between the personnel paid at the minimum rate, as established on arrival at Geneva, and the personnel who were paid in London a salary of £800) has similarly been settled in accordance with the instructions of the Governing Body. It has not been thought possible automatically to grant the increases provided to all the personnel in each class concerned. In putting the measure into force the opportunity was taken also to re-grade.

The Governing Body will recognise that in a new organisation where the recruitment was necessarily hasty, certain mistakes were made which require correction. Naturally protests have been raised, which the Staff Committee brought up for decision; I believe that our decisions have been understood and accepted.

I congratulate myself sincerely on the relations which exist between the direction and staff. The latter on its arrival here set up a Trade Union, which is coming more and more exactly to understand its role, and with which we are in regular relations.

The joint Committee which was appointed to study above all the cost of living in Geneva and to make it possible to fix salaries on a fair basis, has been set up and has commenced its task. Finally, I believe that I can assure the Governing Body that the work of all the Office is regular and fruitful. In certain services it is particularly intense: the publication of the Daily Summary of the Press, and the drawing up of certain reports with a view to Conferences and commissions, with what in spite of all remains an insufficient staff, have really been tours de force.

It is still necessary to attempt to create rather more cohesion and unanimity in the staff. The latter on its arrival here set up a Trade Union, which is coming more and more exactly to understand its role, and with which we are in regular relations.

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It is still necessary to attempt to create rather more cohesion and unanimity in the staff. The organisation and distribution of work between the various services still remains far from perfect. Above all, in spite of constant efforts, it is difficult to secure the rapidity of execution which is essential. The danger of bureaucratic delay is in fact greater in an international institution than in a national administration. Outside control is more distant and more remote, and, no doubt,
for a long time to come no parliamentary discussion, political incident or need for immediate action will make itself felt with that sharpness which galvanizes national administrations.

Therefore, the staff can only become imbued with the qualities which will assure the maximum output, by a sincere desire to accomplish the great task imposed on the Office, by a proper appreciation of its duty and by a wish to feel the satisfaction of work well performed.

This is the reason for which I am anxious to develop more particularly throughout all the staff, from the highest to the lowest class, both devotion to the daily routine of the Office and faith in its future. My lectures to the staff have unfortunately taken place at somewhat irregular and wide intervals of late. I shall attempt to resume them during the forthcoming quarter.

**General Assembly of the League of Nations.**

The most important event of the past three months, or the one in any case which has caused us the greatest amount of preoccupation and work, has been the first General Assembly of the League of Nations, which took place at Geneva from the 15th November to the 18th December. Its work interested the Office in more than one respect.

The members of the Governing Body are aware that by its actual constitution the Office is an autonomous organ of the League, in terms of Article 427 of the Treaty, is "associated to that of the League of Nations" (associé à celle de la Société des Nations), (this phrase indicates its autonomy beyond any possible doubt) but which, in the terms of Article 329 "fait partie de l'ensemble des institutions de la Société". The English text is even clearer, as it says that the Office is to be established at the seat of the League of Nations "as part of the organisation of the League". In the absence of any representation of the Governing Body within the Assembly itself, it was necessary at one time to see that the interests of the Offices were not to be delegated to other organisations in accordance with these two rules; respect for its autonomy, and its position as a unit within the general body of international institutions.

It was all the more necessary to see that these essential principles were respected, in that certain delegates to the Assembly, with the best intentions, adopted as their programme the complete incorporation of the Labour Organisation in the League of Nations properly so-called.

Every effort has been made on the one hand to overlook the important question in which the interests of the Organisation were concerned, and on the other to conform to the general rules set out above. The results were as follows:

1. **Report of the Council.** — In the report on the work of the Council presented by the Secretary-General, a phrase was detected which appeared to threaten some danger for the future. "The Council", the report stated, "has recognised the International Labour Office as constituted by the first labour conference held at Washington in November 1919...". A letter was addressed to the Secretary-General to the effect that the Council should not have "recognised" the International Labour Organisation, but should simply have taken cognisance of the decisions of the Conference. From the explanations which were furnished, it appeared that this phrase was inserted in the report by an editor, without any particular purpose.

2. **Technical Organisations.** — On the proposal of the Executive Council of the League of Nations and in spite of some opposition in the Assembly, technical organisations have been set up for Health and for Communications and Transit. A consultative Economic and Financial Commission sat during the session of the Assembly, and the Assembly decided to create definitely an Economic and Financial Organisation.

The Governing Body will remember that negotiations have already taken place with the Secretary-General as regards the division of duties between the International Health Organisation and the International Labour Office; they will also remember the attempt made to secure the representation of the Office, from a technical point of view, in the Organisation of Communications and Transit. The Assembly has made no alteration in the decisions originally taken in this respect. It is still understood that the Office will be invited to attend the Transit Conference at Barcelona. Actually during the Assembly, Dr Pottevin came here to settle, for the Health Organisation, certain questions with regard to the first projected Conventions.

The relations of the Office with the Economic Section are set out later in connection with raw materials.

As regards, however, the White Slave trade, it was originally provided that our Emigration Commission should be represented on the Commissions of Enquiry set up by the League. The clause to that effect contained in the Commission's text has disappeared from the text adopted by the Assembly. This may perhaps be due to inadvertence: an explanation, however, has been asked for.

3. **The Indian Claim.** — The correspondence on this matter and the resolutions passed by the Committee of the Assembly have been published in Bulletin No. 15-16 of the 22nd. December. The Assembly has made no alteration in the decisions originally taken in this respect. It is still understood that the Office will be invited to attend the Transit Conference at Barcelona. Actually during the Assembly, Dr Pottevin came here to settle, for the Health Organisation, certain questions with regard to the first projected Conventions.

The relations of the Office with the Economic Section are set out later in connection with raw materials. As regards, however, the White Slave trade, it was originally provided that our Emigration Commission should be represented on the Commissions of Enquiry set up by the League. The clause to that effect contained in the Commission's text has disappeared from the text adopted by the Assembly. This may perhaps be due to inadvertence: an explanation, however, has been asked for.

4. **Passports.** — The question of passports concerns the Staff of the Office and the members of the International Labour Organisation in a similar way as it concerns the League. It will be remembered that the Assembly gave up the idea of having some kind of diplomatic passports issued by the Secretary-General, for the granting of diplomatic passports is considered as a prerogative of national sovereignty. However, the Members will authorise their representatives at Geneva to give diplomatic visas to the passports of the personnel of international organisations travelling on official business.

5. **Mandates.** — As the Governing Body will remember, the Office wrote to the Secretary-General on this question (see Bulletin No. 12, of the 24th November) taking as a basis Article 22 of the Treaty of Versailles, and asking that it should be represented on the Permanent Commission set up in accordance with this Article: it was also asked that the Office should be consulted in all cases when, in virtue of Article 22, Mandates might be entrusted by the Council of the League.
The Council during its Sitting of the 25th November, set up the Commission of control on Mandates and gave partial satisfaction to the request of the Office by deciding that “the International Labour Organisation shall have the privilege of appointing to the Permanent Commission an expert chosen by itself; this expert shall have the right of attending in an advisory capacity all meetings of the Permanent Commission at which questions relating to labour are discussed”.

At the same time, attention requires to be drawn to the problems which may be raised from the point of view of labour by the actual terms of the Mandates. The representation granted to the Office on the Commission could not ensure any real influence being exerted as regards labour conditions in countries administered under Mandates, and it is therefore a matter of urgent concern for the Office to know the terms of the draft Mandates submitted to the Council.

Article 22 provides, of course, for three kinds of Mandates. As far as the C class is concerned, it does not seem that any difficulty arises. The Mandatories are authorised to apply their own national legislation to the territories entrusted to them. Consequently, the provisions of Article 405 apply automatically. The terms of this C class of Mandates had already been drawn up in principle by the Allies in August 1919, and they were approved by the Council on the 17th December, the representative of the Bolsheviks being present. The further consideration of his Government the right to introduce the principle of racial equality.

As regards the B mandates, most of which apply to African Colonies, the English League of Nations Union put forward unofficially a draft scheme of Mandates for this class which formed the basis for the general discussion in the Sub-Committee of the Assembly. This draft included clauses interdicting slavery and affirming the principle of racial equality. I understand that the draft Mandates of the B class submitted to the Council by the different Governments concerned were not entirely explicit as regards the question of slavery. The Council refused to communicate these documents to the Sub-Committee, but it felt obliged to give some satisfaction to the representations which were made to it, and it has, in consequence, charged the Secretariat of the League with the task of harmonising the draft Mandates with the provisions of the Covenant.

Other questions arise in connection with the A class of Mandates, which apply to Syria, Palestine, Mesopotamia and Lebanon. In the first place, the Sub-Committee was led to consider whether these States, although not sovereign States, might not be authorised to take part in the technical organisations of the League. If they did not take any such part, how could they be made to respect Conventions conducted by the Mandatory without their collaboration? It also needs to be considered what are the responsibilities and duties of these States, and with which international organisations would have to deal. The Committee appointed by the Assembly studied these questions but did not arrive at any decisions with regard to them.

It is clear that, if the Office is to continue the action initiated in this matter, it requires to know the exact texts of the mandates. These have been asked for from the Secretariat. The matter is naturally of a delicate nature and difficulties may perhaps be created by the action of the Office, but I think that it would be to fail in our duty if we did not make efforts to protect the interests of countries under a Mandate. Special provisions are laid down to safeguard workers in favour of Colonies and Protectorates, and the Treaty in several places has carefully made special mention of the conditions of labour peculiar to certain climates and certain races. This shows that it is the duty of the International Labour Organisation to leave out of account no class of workers suffering from “injustice, hardship and privation”. That this is one of the most essential and most legitimate tasks of the Office is also endorsed by public opinion.

(6) Admission of New Members. — The decisions of the Assembly admitting new Members to the League affects also the International Labour Organisation. No opposition was raised to the admissions of Austria, Bulgaria, Costa Rica, Finland and Luxembourg. Committee No. 5 reported that the admission of Austria and Luxembourg was more definitely established, but the Assembly voted in favour of her becoming a Member.

Austria was already a member of the International Labour Organisation. Finland has sent delegates in a consultative capacity to the Washington and Genoa Conferences, Luxembourg has also entered into relations with the Office and has given proof of its readiness to take certain measures for the application of the Washington Conventions before being actually bound to do so. Following upon the vote of the Assembly, the League of Nations has opened relations with representatives of the other new Members. The Washington Conventions have been sent to them, and enquiries have been made as to which Ministry correspondence should be addressed. A considerable number of questions have been put to the Office by Mr. Boek, a special delegate from Finland, and the Office has sent an answer to them.

Four States applied unsuccessfully to the Assembly for membership: Lichtenstein, Armenia, Azerbaijan, and the Ukraine. The last two are at the moment occupied by the Bolsheviks. They have no territory, nor do they have any representative in the present Republic of Russia. The situation of Armenia is analogous. Further, the League of Nations has not abandoned the hope of finding a mandatory for Armenia and does not wish, therefore, to pre-judge the matter by admitting her as a Member. The proposal of Committee No. 5 to accord to Armenia the right to participate in the technical organisations of the League was rejected by the Assembly as being unrealisable.

The requests for the admission of four other States (Estonia, Georgia, Latvia, and Lithuania) were also rejected, but with reservations. The Assembly did not think it possible to guarantee their integrity under the terms of Article 403, as in the case of the presence of Bolshevism in Bolshevik and no one wishes to commit himself with her: no one knows what the future of Russia will be nor what she will want. At the same time, there was unanimity in appreciating the efforts of the organisation already made with considerable success by these countries in particular the difficult circumstances, and the Assembly expressed its desire to show its sympathy and to allow such participation in the League as is possible by deciding that “it is desirable that (these) States should, if it is possible, participate on the same footing as the other Members of the League so far as concerns the obligations of the Technical Organisations of the League”.

The first formula proposed by the Committee did not appear to accord sufficient recognition of the rights of the International Labour Organisation. This was pointed out to the Committee and the following formula was adopted:— “the Committee suggests to the Assembly that the
International Labour Conference should be requested to devote favourable consideration to any applications for admission made by these States. Thus the rights of the Conference are entirely preserved and the question raised by the participation of these States in the International Labour Organisation, e.g. especially their financial obligations and their position in respect to the Conventions which have been adopted.

Relations have also been opened up with representatives of this third category of States. The Office is, at their request, drawing up a short memorandum on the working of the International Labour Organisation and on the chief measures which should be taken with a view to their requests being favourably received by the Conference.

The whole question of these States involves clearly enough important problems for the future of the Organisation given by the Treaty of Versailles and the corresponding articles of the other treaties of peace. "the members of the Court possess the qualifications required", but also that "the whole body should represent the main forms of civilisation and the principal legal systems of the world". Two judges will also be nominated to take the place of those judges who may find it impossible to sit. The technical assessors will act as a special section to deal exclusively with disputes concerning labour, and, in the second place, to secure that the judges composing this section should be chosen from a special list and should provide every guarantee of impartiality, as required by the interests at stake. At the same time it is beyond doubt that the universal character of the International Labour Organisation, which has been sought after since its inauguration, is of essential value. If weighty political reasons have prevented the admission into the League of certain new Members, these can at least gain by their admission into the International Labour Organisation, some guarantees and a modicum of the moral authority for which they are so anxious and wherewith they may assure their peaceful development.

With the reservations given above, I think that it is of real importance for the future of the Organisation to prepare for the admission of these new States, as recommended by the League of Nations.

(7) The Permanent Court of International Justice. — The Governing Body is aware that even prior to the meeting of the Committee of Jurists, convoked at the Hague in the spring of 1920, the Office carefully considered the conditions in which the Permanent Court of International Justice might be required, under the terms of the Treaty of Peace, to decide upon international disputes concerning labour (letter to the Secretary-General, 20th February, 1920).

Inspired by the same ideas, the Office laid before the Assembly a summary with suggested amendments to the different articles adopted by the Council, and I also asked that I should be allowed to explain the amendments put forward before Committee No. 3. The Office desired, in the first place, to obtain the creation of a special section to deal exclusively with disputes concerning labour, and, in the second place, to secure that the judges composing this section should be chosen from a special list and should provide every guarantee of impartiality, as required by the interests at stake. In the third place, the Office was anxious to reserve its right, as guardian of the Conventions, to intervene before the Court so as to secure the practical application of Conventions and Recommendations adopted by the Conference and ratified by the Members. Although the Office has not gained all that it wished, it has been accorded a large measure of satisfaction by the Assembly.

The special section which would have ensured the selection of special judges, chosen particularly in view of their acknowledged impartiality in social affairs, has not been created, but a "special chamber" has been provided for, which is to be composed of five judges, holding office for three years, and appointed with the President of the Court, and pledged that "the members of the Court possess the qualifications required", but also that "the whole body should represent the main forms of civilisation and the principal legal systems of the world". Two judges will also be nominated to take the place of those judges who may find it impossible to sit. The judges will be assisted by four technical assessors, sitting with them but without the right to vote, and chosen with a view to ensuring the just representation of the competing interests.

Certain points were made clear during the discussion which took place in the Committee after I had made my explanation. The four technical assessors will act as a special section to deal exclusively with disputes concerning labour, and, in the second place, to secure that the judges composing this section should be chosen from a special list and should provide every guarantee of impartiality, as required by the interests at stake. In the third place, the Office was anxious to reserve its right, as guardian of the Conventions, to intervene before the Court so as to secure the practical application of Conventions and Recommendations adopted by the Conference and ratified by the Members. Although the Office has not gained all that it wished, it has been accorded a large measure of satisfaction by the Assembly.

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Article 26 says:—"The technical assessors shall be chosen for each particular case in accordance with rules of procedure under Article 36 from a list of assessors for labour cases composed of two permanent members of the League of Nations and two special members of that organisation, to be appointed by the Governing Body of the Labour Office. The Governing Body will nominate, as to one half, representatives of the workers, and as to one half, representatives of the employers, from the list referred to in Article 412 of the Treaty of Versailles and the corresponding articles of the other treaties of peace".

As soon as this text was made known, I tried to make it clear to Committee No. 3 that the dual method of appointing technical assessors was not without inconveniences. The result will be that there will be two classes of assessors, the one nominated directly and unconditionally by the Governments, and the other by the Governing Body, in accordance with the guarantees set out in Article 412: i.e. absolute equality in the representation of employers and workers, and careful scrutiny of the panel. If the persons chosen by the Governments in virtue of Article 412 did not provide every guarantee of impartiality, the Governing Body would, of course, take exception. But as regards the other class of assessors, the same guarantee is not provided. The Committee drew up its text in some haste after it had heard my explanations, and it did not do justice to this point, which was considered to be one of pure detail.

On the other hand I insisted strongly on the amendment proposed as regards the action of the Office. I asked that, as Director of the International Labour Office, in the case of a dispute...
arising as to labour matters or to the Organisation, I should receive all the necessary documents and should formulate in writing my observations. I also asked that I might attend the proceedings in person, or by a delegate, and might set out my observations and should, in addition, have the right of placing on record the considered point of view of the Office.

Committee No. 3. did not agree to go so far as that, but it felt the necessity for someone being able to defend the resolutions taken by the International Labour Organisation and accepted by the Members. Consequently it did not give me, as Director, the right, in the strict sense of the word, of making an address to the Court and of defending it, it adopted the suggestion put forward by Mr. Alfonso Costa, to add a paragraph to Article 26. This was adopted by the Assembly, and the text of the paragraph is as follows:— "in labour cases the International Labour Office shall be at liberty to furnish the Court with all relevant information, and for this purpose the Director of that Office shall receive copies of all the written proceedings."

Assurances have been given me by Members of the Committee, well qualified to judge, that this right would not be given to the International Labour Office. In particular, it is considered as envisaging the possibility of the Director appearing in person before the special chamber of the Court of Justice. That being so, it can be said that full satisfaction has in fact, if not in form, been given to the Office.

There might, indeed, have been some danger if the Organisation had assumed the responsibility for the judicial proceedings as provided for by the Assembly. There will, too, be a very considerable lapse of time after the application of Conventions before these various regulations are put into practice. I think, however, that the amendments made on my request give considerable guarantees of competence and impartiality in the judicial decision of labour disputes.

(8) Budget. — The General Assembly of the League of Nations had to set up all the pieces, so to speak, of the budgetary framework of the League. One single Article regulated its financial procedure, namely Article 6, which in its last paragraph indicates that the expenses of the Secretariat are divided between the Members of the League in the proportions laid down for the procedure, namely Article 6, which in its last paragraph indicates that the expenses of the Secretariat are divided between the Members of the League in the proportions laid down for the International Office of the Universal Postal Union.

The problem of the allocation of expenses amongst the States was brought up before the Assembly. That of the special contributions paid to the International Labour Organisation by the States which are not Members of the League of Nations has not yet been raised, and it will be necessary to revert to it later. This problem, moreover, is bound up with one which must be examined when the budget is discussed: namely, the creation of a reserve fund or a working capital fund.

As regards, in particular, the budget of the International Labour Office, the members of the Governing Body are familiar with the brief Article (namely, Article 399), which governs us:—

"Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be."

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

"The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article."

These are the only clauses in the Treaty of Peace which have regard to the finances of the two organisations.

During the past year the Office has proceeded in conformity with a certain number of rules originally given to it, and dictated by common-sense or current practice. The Governing Body voted the first budget for the year 1920, and this the Director followed chapter by chapter. On the other hand, the Secretariat paid over at regular intervals the sums required to cover the expenditure inscribed in the Budget.

The Assembly of the League of Nations considered itself properly charged with the voting of the sums necessary for the expenses of the League itself, as well as of the International Labour Organisation. It took the view that it had to draw up rules, for both organisations, for the presentation and adoption of the budget, for the control of expenditure and for the auditing of accounts.

Before actually considering the discussions which took place in the Assembly and the decisions which were reached, it is necessary to recall the fact that, even before the meeting of the Assembly, two important decisions had been taken in agreement with the Secretariat and that those decisions have been neither criticised nor invalidated, and still exist.

(1) It was understood from a letter from the Secretary-General dated the 6th October last, that the contributions paid by States should comprise thenceforward two distinct parts; namely, on the one hand the payments intended for the League of Nations and the Secretariat-General, and on the other those intended for the International Labour Organisation and the International Labour Office.

(2) It was definitely promised by that same letter that the Office should receive its proportional part of each payment made by the States.

It is now necessary for us to consider the rules which have been laid down for the approval of the budget of the International Labour Office by the General Assembly of the League of Nations. The Governing Body will remember that before the meeting of the Council at Brussels in the month of October, the Secretary-General asked us to vote the "round figure" representing the total of the sums shown in the budget for the year 1921. The Secretariat wished, in fact, to include that "round figure" in the general budget which it was presenting to the Assembly.

It must be frankly stated that repeated criticisms were made, both in the Commissions and in the Plenary Sessions of the Assembly, of the fact that we were presenting a "round figure" without a detailed explanation of the expenses, chapter by chapter. In the Commission where our case was heard we constantly emphasised the fact that a round figure was all that the General Secretariat asked the Governing Body to supply.

It was explained repeatedly to the Commission that if the Secretariat had insisted on receiving a detailed budget, to meet the needs even of a special sitting, the Governing Body would have made arrangements to provide it. Certain Members, however, were obstinately attached to their
preconceived opinions, and would listen to no explanation; but the rapporteurs and all the other members of the Commission understood that our Governing Body had raised no objection in principle to the detailed examination of our budget by the Assembly. The Assembly which votes the budget must have the right of controlling expenditure: this elementary democratic principle cannot be called in question. In that spirit a special pamphlet, containing certain of the documents previously submitted to our own Budget Committee was presented to the Assembly, and in that spirit too our proposals for the 1921 budget were also submitted, always with the reservation of the right of the Governing Body to vote the budget in its final form.

It was finally recognised:

1. That the budget of the International Labour Office must be voted entirely by its own Governing Body.

2. We undertook that it should be voted in such a way that it could be sent to all the Governments at the same time as that of the Secretariat-General, that is to say, three months before the Assembly, which will be held henceforward on the 1st September in each year. We are, therefore, under an obligation to vote the budget in March or April, so that the Council of the League of Nations may incorporate it in April or May in its own budget and despatch it forthwith to the Governments before the 1st June.

I would once more emphasise the point that the Executive Council of the League of Nations will only incorporate the budget, without modifying it in any way, in the general budget submitted to the Assembly of the League. Neither the Secretariat-General nor the Council have any right to examine or to control the budget of the International Labour Organisation. The rule laid down by the Council at St. Sebastian continues unchanged.

3. Finally, the General Assembly will vote the budget on the report of its Commission. Naturally the Assembly reserves the right to propose any amendments to the actual chapters of our budget. These will have even more importance when a first report has been made by the Auditors.

As regards the question of salaries, general criticisms were made which the attitude and spirit of the delegates require should be regarded as applying as well to the International Labour Office as to the League of Nations.

If it is difficult to contest the right of the Assembly, nevertheless the exercise of that right raises two serious difficulties.

The first is, that the General Assembly of the League of Nations may find itself in direct opposition and contradiction to the General Labour Conference which, though it does not vote the budget, yet decides on the needs of the International Labour Organisation, and imposes on the Office tasks which often involve considerable expenditure.

The second and yet more serious observation is that at the Assembly, which is going to control and discuss in detail the budget which our Governing Body has exercised its autonomy to draw up, there will be no person present authorised to speak and justify the expenditure of the Office, or even the decisions of the Governing Body.

In the last General Assembly, only one single member of the Governing Body, Sir Malcolm Delevingne, happened to be present, as technical adviser on a stated question. It is true that we received the support of a certain number of persons who took account of the efforts we were making and the propriety of our decisions (generally speaking, we received only sympathy), but the fact none the less remains that it was apparently impossible for a budget to be defended through the medium of persons who had had no share in the decisions in connection with it.

It would appear necessary either that the States should nominate, as members of the General Assembly of the League of Nations, delegates who belong also to the General Labour Conference, or else, as Mr. Oudegeest suggests in a proposal which is included on the Agenda of the present Session, that the States should provide a regular delegation in the Assembly.

4. It is further to be noticed, as regards the actual form in which the Budget is to be presented, that we have given an undertaking to Sir George Foster to draw up our Budget in Gold Francs similarly to the League of Nations, to draw it up in the same form as that of the League of Nations and to adopt also the League's models for the various "tabular statements", for example the list of staff and of salaries.

There remain the questions of budgetary control and auditing of accounts.

Article 8 of Recommendation II voted by the Assembly as regards the Budget, at the beginning of each year, the Council shall engage the services of the Auditors of a Government chosen by the Council from the Members of the League.

"The Secretary-General (Article 9) shall at the latest three months after the close of the budgetary period, submit to the Auditors all documents necessary for their reports.

The Auditors shall present to the Council (Article 10) a report on the correctness of the accounts and book-keeping. These Reports shall be circulated to all members of the League."

This text was submitted without any provision being made in it as regards the International Labour Office. We pointed out that the Secretariat was hardly qualified to present and explain the documents required by the Auditors and that, on the other hand, the Council was not itself qualified to give its advice on the report of the Auditors so far as the financial conduct of the Office was concerned. We pointed out that if the autonomy of the International Labour Organisation was recognised in so far as the drawing up of its budget was concerned, that autonomy must be respected as regards the control and auditing of that same budget. However, to ensure unity of working, we saw no objection to the three Auditors appointed by the Council of the League of Nations being at the same time the Auditors charged with the verification of our budget; thus, a certain unity of method could also be introduced in the general budget of the international organisations.

The 4th Commission, after a discussion of some length, accepted our arguments. It was decided that the auditing of our accounts should take place within the International Labour Organisation in a manner parallel to the auditing which would be made of the budget of the League of Nations.

Thus, the three Auditors appointed by the Council will audit the accounts of the International Labour Office. The Director of the Office will provide them with all the documents necessary for their reports at latest three months after the close of the budgetary period. Three months at least before the next Session of the Assembly, the Auditors will present a report for submission to the
Governing Body on the correctness of the accounts and book-keeping. The Governing Body will give its opinion thereon. Next, the reports will be communicated to all the members of the League simultaneously with those of the League of Nations.

There remains one last point, which was raised by the rapporteurs. They pointed out that by virtue of Article 399, the Director was responsible to the Secretary-General of the League of Nations for the proper expenditure of all funds paid to him in pursuance of that Article. The rapporteurs inquired how that Article could be maintained if complete autonomy were given in this way to the budget and financial administration of the Office.

I admit that I was responsible to the Governing Body for the budgetary administration, and that the Governing Body could, when the report of the Auditors was before it, make all the observations it wished, but that, on the other hand, I receive the funds intended for the payment of the expenses of the Office from the Secretary-General and from the League of Nations. The verification which the Secretary-General has to make to the Assembly consists in comparing our effective expenses as admitted by the Auditors with the payments made to the Office by himself. In the case of the International Labour Office which allocates to the responsibility, can be made to harmonise with the budgetary organisation agreed upon by the Assembly for our Organisation.

The 4th Commission was convinced by this line of reasoning, and Article 11 was accordingly conceived in the following terms:

"The Director of the International Labour Office will transmit the audited statement of his accounts, together with a copy of the Auditors' report, to the Secretary-General of the League (Article 399 of the Versailles Treaty), who will submit the same, with his own, to the Assembly. The Assembly will then be in a position to pass finally the accounts for expenditure and income as Article 12 requires.

The financial arrangements of our Organisation are thus complete. It would seem that the decisions of the Assembly, after the discussions which took place in the Commissions, at the same time, preserve the recognised autonomy of the International Labour Organisation and ensure unity and uniformity throughout all the international financial services. A brief résumé of all these rules has been presented elsewhere to the Budget Committee.

A special question has been raised. The Assembly voted a Recommendation (No. III) in the following terms:

"The Assembly of the League of Nations requests the Council to take the necessary steps to appoint as soon as possible a small Committee of experts to consider all factors connected with organisation, methods of work and the efficiency, number, salaries and allowances of the staff, and with the general expenditure of the organisation as well as with all other points necessary to enable the Assembly to form a fair judgment in respect thereto, both as regards the Secretariat and the International Labour Office. The report of this Commission should be in possession of the Members of the League by June 1st, 1921."

This decision was taken at a meeting of the Commission at which representatives of the International Labour Office were not asked to state their case. We were informed of it at a subsequent meeting. I then asked whether any facts or appearances had led to any idea that the administration of the International Labour Office called for criticism. If any such criticisms had been made, I asked to be informed of them. A decision was then taken whereby the rapporteurs stated that the suggestion had been made in no spirit of suspicion as regards either the Secretariat or the International Labour Office, but that in a growing international organisation it was well to compare methods and to assist those responsible for the administration to overcome the difficulties inherent in the international character of their staff, and that the proposal had been made solely in order to produce a good administration.

In these circumstances, we had no objection to make and we await without anxiety the arrival of the Committee appointed by the Council of the League. Moreover, Sir George Foster has taken account of this discussion in his report and has clearly stated that "we have solely in mind the idea of guaranteeing to the League of Nations an organisation as efficient and economical as possible without desire thereby to give expression to any unfavourable judgment regarding the work of the administration up to the present time."

The 4th Commission also discussed the question of staff on several occasions. The attention of the Governing Body is drawn to the two following points:

1. That the Commission decided that the Staff of the Secretariat must be renewed at the end of every period of five years. Although the actual text proposed by the 4th Commission did not actually state that this rule was to apply to the Office, such application was in accordance with the attitude of its authors, who never wished to make distinctions between the two Organisations. This text, in its arbitrary form, was withdrawn. It was understood that the list of the Staff should be reviewed every five years.

I venture to consider such a rule ridiculous. International organisations meet with difficulties of recruitment which are without precedent, and the engagement of a technical staff in the divisions engaged upon scientific work, or of a staff in some degree informed of the difficulties presented by relations with Governments, will be extremely complicated if we are required every five years, as the spirit of the Recommendation demands, to consider that certain members of our Staff have been long enough in enjoyment of salaries said to be so profitable, and must be replaced by others. If that rule is to be maintained. In any case, I shall ask the Governing Body to assist in preventing its application in a dangerous manner.

2. Again, as regards staff, the Assembly voted that, in order to give a guarantee to all officials, they should, in case of dismissal, have a certain right of appeal to the Council. This rule would hold good for the Governing Body in the case of members of our Staff.

I was unable to express any opinion as regards this to the 4th Commission, since the amendment in that sense was introduced in a Plenary Session: I had no opportunity, since I had not the right, to speak in the Plenary Session.

Guarantees can be given to the Staff against any arbitrary treatment: they have already been given by me, but it would be entirely impossible to maintain authority of the Director, if it were admitted that the Governing Body had to give judgment on the dismissal of every official.
This is evidently a gift which, I am sure, the Governing Body will not wish to put into use. Experience gained in other international institutions shows the grave objections to a regulation of that kind: in any case, so far as we are concerned, it would be contrary to the spirit of the Treaty of Peace.

I have outlined generally the decisions taken from a budgetary point of view. I will not revert to the figure approved by the Assembly. I will only call attention to the fact that after the intervention both of myself and of the Deputy-Director, the Commission and the Assembly have adopted the round figure put forward by the Governing Body. It is the task now of our Finance Committee to decide how that round figure is to be divided over the various chapters.

I am glad to say that in this connection, in spite of a certain number of criticisms of detail and very proper requests for explanations, the Commission and the Assembly as a whole have evinced an undoubted sympathy with our efforts.

(9) Raw Materials. — It will be remembered that the great question of raw materials came up before the Governing Body during their October Session, when they authorised the Director to conduct negotiations with the League with a view to the institution of an international Office of Statistics of prices and stocks, this Office to be attached to the Financial and Economic Section of the League.

This problem was brought before the Council of the League by Mr. Tittoni during its Brussels Session and a little later before the Assembly; in both cases very important discussions took place.

The introductory report of the Committee utilised as one of the essential and, one might say, as the principal of its arguments the letter of the International Labour Office, asking that the above-mentioned Office should be set up. The Committee decided to send to the different Governments questionnaires, asking them what were their requirements as regards raw materials, and Sir Llewellyn Smith, a member of the Committee, was instructed by it to enter into relations with the International Labour Office on this matter. I strongly regret, however, that the Committee saw fit to send the questionnaires without previous consultation with the Office, and I have protested against this omission to the Secretary-General.

This will not, however, prevent the Office from continuing in the same spirit as before to associate itself faithfully and entirely with the work of the Economic and Financial Section. It has already asked the Office to supply labour statistics for its Bulletin and we shall comply with its request, provided that the statistics given appear first of all or simultaneously in the Monthly Review of the Office.

The Office will abide by the spirit of the decisions taken by the Governing Body and will keep in close touch with the development of this question, and it will not fail to maintain steadily the right of the International Labour Office to be associated in the work undertaken.

The above are the questions which have required the attention of the Office during the Session of the Assembly. I think that the action taken has been in the full interests of the Labour Organisation, and very considerable satisfaction has been accorded on a large variety of points. The due position of the International Labour Office has been assured in the ensemble of institutions set up by the first Assembly.

It is unnecessary to add that great efforts have been made to ensure that the distinguished Government Delegates taking part here in the Assembly should have knowledge of and appreciation for the work of the Office. The various sections of the Office have made frequent visits to the Assembly and to the various Delegations, and have followed the proceedings closely. I think I can say that a large number of the Delegates have correctly appreciated the general plan upon which the Office is developing and the systematic character of its organisation, as well as the simplicity of the building and its equipment.

Relations with the Universal Postal Union

The exposition of the relations of the Office with other international organisations requires to be completed by mentioning the negotiations pursued with the Universal Postal Union.

The resolution taken on the question of postage by the Governing Body during their last Session was transmitted on the 13th October to all the Members of the International Labour Organisation, together with a request that it should be favourably entertained and that their representatives at the Madrid Congress should receive such instructions upon the matter as might seem to fit the case (see Bulletin No. 87, of the 20th October, page 12). A letter in the same sense was also sent on the 18th October to the Chairman of the Congress of the Universal Postal Union (see Bulletin No. 10 of the 10th November, pages 24 and 25).

On the 29th October the Chairman of the Congress informed the Office that the question of franching its postal matter had been referred to the first Commission of the Congress, which did not, however, a member of the Committee, was instructed by it to enter into relations with the International Labour Office on this matter. I strongly regret, however, that the Committee saw fit to send the questionnaires without previous consultation with the Office, and I have protested against this omission to the Secretary-General.

This Commission put forward by the Universal Postal Union.

It will be remembered that the great question of raw materials came up before the Governing Body during their October Session, when they authorised the Director to conduct negotiations with the League with a view to the institution of an international Office of Statistics of prices and stocks, this Office to be attached to the Financial and Economic Section of the League.

This will not, however, prevent the Office from continuing in the same spirit as before to associate itself faithfully and entirely with the work of the Economic and Financial Section. It has already asked the Office to supply labour statistics for its Bulletin and we shall comply with its request, provided that the statistics given appear first of all or simultaneously in the Monthly Review of the Office.

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This resolution received support from the Delegations of Equador and Nicaragua, but it was rejected by the Conference by 39 votes to 4 in its sitting of the 22nd November.

Meanwhile, correspondence was exchanged on the matter between the Swiss Government and the Office, following upon the receipt by the former of the above-mentioned letter of the 13th October. The Swiss Government, in a letter dated the 5th November, expressed their keen regrets that they could not entertain favourably the resolution adopted by the Governing Body, and later, in a letter added the 16th December, they further stated that the postal autonomy of the Office appeared to be incompatible with the postal autonomy of Switzerland, and that in consequence they, for their part, could not support it.
In general, the arguments used, by both the Madrid Postal Congress and by the Swiss Government, lead back to the tendency, which is becoming more and more pronounced, to restrict postal franchise of an international character, and even, in the case of Switzerland, of a national character. These arguments are based solely on tradition and precedent, and I do not think that they carry very much weight, since they cannot but leave out of account the novel and special character of the work of the Office and of its obligations and expenses. In this way they burke the root of the matter. Efforts must, I think, be continued to be made in finding a solution which can be accepted by the interested parties, particularly by the Swiss Government, and which will at the same time allow of the International Labour Office fulfilling the functions attributed to it without incurring heavy expenditure.

Conferences and Ratifications

It will be readily understood that these various tasks which I have sketched have taken up much time, but alongside of them the different Sections have continued to push on with their routine work.

As regards the two previous Conferences, the Final Record of the Genoa Conference, which is being brought out on the new model discussed in my October report, will shortly be completed, and will certainly be ready in a few weeks. The Minutes of the Eight-hour Commission have already been printed, and will prove of great value for the discussions which will take place at Brussels.

No mention is required here of the 1921 Conference, which is dealt with in the special report on the various questions raised in connection with the preparatory work for it.

The last few months have seen energetic efforts put forward by the Office to obtain the ratification of the Washington Conventions. The delay of one year provided for by Article 405 of the Treaty of Peace expires on the 28th January; by that date the Draft Conventions and Recommendations have to be laid before the competent authorities. Two different circulars have been communicated to the Governments reminding them of this obligation, but, besides this, I have neglected nothing that might assist in securing that the Members keep the engagements they have undertaken and also ratify the Conventions. Thus, personal letters have been written to acquaintances made at the Washington and Genoa Conferences who are loyal supporters of international legislation, and I have charged members of the Staff, who have been sent abroad on different missions, to get into touch with Members of Parliament or other persons who can give assistance.

Since the last meeting of the Governing Body I have made another journey to various European Capitals. At Berlin I saw Mr. Brauns, the Minister of Labour, and discussed with him and with officials of his Ministry, the question of the ratification of the Conventions. I have also obtained from the Polish and Czecho-Slovak Governments explicit assurances that most of the Conventions will very shortly be ratified by both countries.

These efforts have not been in vain, as will be seen by the note annexed to this Report. It is true that in certain countries questions of procedure continue to cause trouble. The French Government, without waiting for the legal opinion of the League, have replied directly to the letter which the Office had addressed to the Secretary-General, as requested by him, and a copy of which had been sent to the French Government (see Bulletin No. 10 of the 10th November). The French Government maintain their position, but it appears, in reality, that, even where, as in France, this question of constitution of procedure has been raised, delay need not necessarily take place, and it should be remarked that no other country has officially opened this question with the Office. Even in France the Chamber of Deputies quite lately passed the Bill authorising the ratification of the Draft Convention on maternity.

I do not think I need ask the Governing Body to intervene on this matter, since, as the annexed note shows, it is not, at least at the present moment, of vital importance in obtaining ratifications. Still the results so far obtained prove that the greatest efforts must be made to obtain them, and the Governing Body may perhaps consider it advisable to renew in some form the appeal addressed by them during their last Session to the different Governments.

Distribution of Information and Publications.

The rôle of the Office in disseminating information increases daily. Requests from industrial organisations and national departments — even official requests from Governments — have been made to the Office asking for information and documents on various questions. Mr. Pirelli, for instance, has been supplied with a number of documents on Workers' Control; again, the South African Government have asked for information as to insurance laws against unemployment; while the other day, in the House of Commons, Dr. Macnamara, at question time, gave it to be understood that he was going to ask the International Labour Office for information with regard to unemployment in Canada and the United States. I feel sure that this side of the activities of the Office is bound to be very greatly extended.

The publications now appear in regular sequence; the experimental stage has been passed, and they are improving steadily in the direction of a form which may be considered finally satisfactory. Since the beginning of the Assembly of the League, the Daily Review of the Press has been published in both French and English. Less and less use is being made of news taken from the daily newspapers, which, naturally, are rather out of date by the time they reach the recipients; instead, we are aiming at giving news taken from technical journals and trade union reviews, and, in particular, at publishing the special information received daily by the Office. This information is growing fuller and fuller. Thus, official notes are supplied by our Polish assistant; documents are sent to us by the Japanese Mission, now at Lausanne; the Unemployment Section follows the daily course of unemployment in the different countries; the Russian Section provides original documents which are reproduced in French and English economic and financial papers. I think that when the Daily Review of the Press is brought out in this manner it has a real and indispensable value.

At the moment there are seventy-four subscribers from different parts of the world, and I hope that, by sustained efforts, the subscriptions will shortly reach a satisfactory total.
The **Studies and Documents** are published as rapidly as possible, and thus, covering as they do the main questions of urgent and general concern, serve to provide material of immediate interest. None the less they have not, up to the present, been seriously criticised even from the strictly scientific point of view, and I think that they are being more and more utilized and increasingly appreciated.

The weekly *Bulletin* was already appearing at the time of the last Session of the Governing Body. It is now also being printed in German, thus providing the Office with a means of receiving in exchange some hundreds of trade union publications in German.

Besides this series of publications there will appear within a few weeks the *Scientific Review*, upon the preparation of which Dr. Royal Meeker has employed great energy and care. The Governing Body will be pleased to hear that all the different publications of the Office are meeting with considerable success in the world at large. One thousand copies of the French edition of the Report on Labour Conditions in Russia have been printed, and the first three hundred copies sent to Paris were taken up almost at once, while one or two copies a day are still being sold. In England three hundred copies have been sold. Two hundred copies have been sent to America and requests have been made for more.

It is hoped shortly to publish a very complete Annual Directory. This requires the collection of very full information from Governments and Organisations, and when it appears it will be an indispensable work of reference, both for international labour requirements and for scientific works.

**Commissions.**

Much work has been done by the Commissions set up in the Office or in connection with it since the last Session.

The Joint Maritime Commission which met on the 8th November is dealt with in the report on the fifth item of the Agenda. The Unemployment Commission held meetings in Paris on the 30th November and 1st December and it will doubtless draw up a report for the Governing Body.

The Office was represented by Dr. Meeker and Mr. Nixon at the International Statistical Commission which met on the 11th October last, (see Bulletin No. 9 of the 3rd November), together with this, progress has been made in the great amount of work entailed by the Commission on Emigration which has to meet immediately before the next Conference. Without going into detail, the results already obtained as regards its preparatory work may be outlined. Fourteen of the eighteen States, which are members of the Commission, have appointed their representatives; the other four are non-European States. A number of replies to the *questionnaire* had already by the 1st January, 1921, been received. Full answers have been given by the Governments of Austria, France, Great Britain, Greece, Norway, the Netherlands, Poland, Jugo-Slavia, Czecho-Slovakia, India, South Africa, Brazil, Canada and Finland. Replies to the first two parts of the *questionnaire*, containing the requests for information have been sent by Belgium, Denmark, Spain, Italy, Switzerland and Luxembourg, but the Office has not yet received from these Governments their views as to what action should be taken by the commission.

The United States has appointed as its representative Mr. Mahany.

The Chairman, Vice-Chairman, and Secretary of the Commission, together with the Director, will meet here on the 17th January to examine the preparation of the work.

**Enquiries.**

The Office has pursued methodically and actively the enquiries which it has undertaken. The permanent enquiry which has been instituted into the conditions of work and of life of the working classes in Soviet Russia will notably increase the scientific reputation of the Office. The reception of the Report so far has, on the whole, been very appreciative. The delegates to the League of Nations were much impressed with our effort. At the present time, thanks to the untiring efforts of Dr. Pardo, the Office undoubtedly possesses the most important collection of reports and unpublished documents on Russia. The Mission of the British Labour Party has communicated its documents to us, and we have also been promised the documents obtained by the Czecho-Slovakian Missions. Negotiations have been opened with other enquirers. It is intended to publish shortly a second volume containing selected reports and documents of a characteristic kind.

Mr. Edgard Milhaud is carrying on with intense energy and unflagging acumen the enquiry into production. It is intended to complete this in a few months. The documents so far collected and the preparatory work will be of a really characteristic kind.

As the result of the brief enquiry made by one of our colleagues in Upper Silesia, a study of the conditions of production in that basin has been published; this forms a sequel to the study of the Ruhr Basin, which, some months ago, was very well received. It is hoped that the apprehension expressed by certain members of the Governing Body with regard to this enquiry have been put to rest by the care shown by Mr. Chappey to remain impartial. The confidential report made by Mr. Chappey on the general situation, has been printed for the special use of the members of the Governing Body. One final incident in this connection is noteworthy. A journalist, perhaps too well informed by certain services charged with maintaining relations with the League of Nations and with the International Labour Office, wrote that this enquiry had been undertaken by the Office without justification, contrary to the wishes of the French Government and with the intention of controlling the military mission. Mr. Chappey set out with official French instructions from General Labouren, which have been communicated to the French Ministry, which has replied by a note to our communication. There is therefore no foundation for the criticism levelled by this indiscreet journalist.

The task of elaborating the very numerous documents produced by the enquiry in Hungary has caused a certain delay. Our Mission presented a long and very careful and intelligent report, but it appeared that a publication of that kind might exceed the function of the Office. Our colleagues have been instructed to draw up merely a collection of documents with explanatory notes. This is a task of some length and has not yet been completed, but it will be submitted in proof form to
Various measures.

It is necessary to cut short the enumeration of the many useful activities of the Office. It is desired to neglect no opportunity for useful service, in order to develop the moral authority of the Office. We are still far from the time when all the Conventions will be applied in the great majority of the States, and when the Office will have to watch over their proper observance; in the meantime, no opportunity must be neglected to prove its value.

It is true that we must take pains to avoid offending national susceptibilities by intervening, at inopportune moments in the struggles of individuals of parties or interests. Already, however, the value of our intervention has been evident on numerous occasions.

The Office has been the channel of certain complaints or claims recognized to be well-founded which the trade unions have addressed to the Entente Governments.

It has drawn the attention of the League of Nations to the danger of the declarations with regard to assistance of unemployment which were formulated by the Brussels Conference.

The Technical Service set up for the men disabled in the war has entered into relations with the permanent Inter-Allied Commission on the care of Disabled Man. Certain Governments are thinking of asking us to undertake part of the tasks originally imposed on that Committee. Disabled men in all countries are becoming more and more preoccupied with labour questions, and have sent to us requests aiming at the institution of a Commission containing a certain number of members which could meet under the auspices of the Office during the second half of the year. Further, the French Government, recognizing already the value of the measures which we have taken, has decided that the Consultative Commission (Office des Mutuelles et Réformés de la Guerre) the constitution of which was modified by Decree of the 12th October, 1920, shall include a representative of the International Labour Office, etc...

The Governing Body is aware of the difficulties which have arisen, in consequence of measures of reprisal taken by States in the movement of restaurant and hotel waiters from one State to another. The Office has taken, and is continuing to take, various measures usefully to approach several Governments.

There are three points of particular importance on which the direction or decision of the Governing Body must now be asked:

1. The application of the Treaty of Peace as regards social insurance. — The Governing Body is aware that the Treaties of Peace provided a number of measures to prevent territorial readjustments caused by the war from harming special interests of workers subject to a stated system of social insurance.

Article 77 of the Treaty of Versailles provides that a special Convention shall fix the conditions and method of the transfer by Germany to France of such proportion of all reserves accumulated by or by public or private enterprise dependent on it for the purposes of social and State insurance in Alsace and Lorraine.

Article 312 generalizes the measures prescribed by Article 77 and adds:

"The conditions of the transfer will be determined by special conventions to be concluded between the German Government and the Governments concerned.

"In case these special conventions are not concluded in accordance with the above paragraph within three months after the coming into force of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the German Government, one by the other interested Government and three by the Governing Body of the International Labour Office from the nationals of other States. This Commission shall by a majority vote within three months after appointment adopt recommendations for submission to the Council of the League of Nations, and the decisions of the Council shall forthwith be accepted as final by Germany and the other Government concerned.""

It must be noticed at once that this question is not confined to the relations between France and Germany as regards Alsace and Lorraine. It arises for all the territory taken from Germany; for the territory taken from Austria, by virtue of Article 275 of the Treaty of St. Germain; for Hungary, by Article 238 of the Treaty of Trianon; and for Bulgaria, by Article 203 of the Treaty of Neuilly. As regards Turkey alone, no stipulation in this connection exists.

It was my intention to submit to the Governing Body this problem as a whole, and to undertake an intervention with the Governments concerned for the application of the relevant article. The Diplomatic Division had prepared a work to that end when, quite recently, the Office was approached by the French Government. The Minister of Foreign Affairs in France addressed the following letter, dated 18th December, 1920, to the Office, where it was received on the 28th:

"The French Delegation for the application of the Treaty of Versailles in Alsace-Lorraine has endeavoured to negotiate with the Germans at Baden-Baden the special Convention contemplated by Article 77 of the Treaty of Peace. That Convention was to fix the conditions and methods of the transfers connected with the winding-up of the accounts of the social insurance offices of Alsace-Lorraine. The efforts of our Delegation have not succeeded in more than the elaboration of a draft Convention in a Sub-Committee.

"The Draft, of which a copy of the French text is attached herewith, only partially disposes of the questions raised by Article 77; in particular it does not deal with the important question of the resumption of the German titles held by social insurance institutions which have now become French, nor with the question of the rate of exchange at which sums in marks, with which the institutions of Alsace-Lorraine have been credited by the German Offices, should be repayed.

"The French Government are therefore compelled to require the application of Article 312 of the Treaty of Versailles. That article stipulates that, if the special conventions required to regulate the transfer of funds for social insurance offices are not concluded within three months after the coming into force of the present Treaty, the conditions of transfer shall be referred to a Commission of five members, of whom three shall be appointed by the Governing Body of the International Labour Office and the other two by each of the two Governments concerned. I should be greatly
obliged if you would lay the matter before the Governing Body of the International Labour Office in order that the three Members of the Commission who are to be chosen from the Nationals of States other than France and Germany may be nominated as soon as possible. I should be glad if, in notifying me of these nominations, you would inform me of the date and place of the meeting.

The Ministry of Foreign Affairs have informed the German Peace Delegation of the French Government's decision, and have invited it to consider the nomination of a delegate by its Government. The name of that delegate no doubt will be communicated to you directly by the competent German authorities. Should that not prove to be the case, I should be glad if you would take whatever measures appear to you possible to hasten the nomination of that delegate; it is of real importance to the progress of social insurance that the Commission should be in a position as rapidly as possible to submit any recommendations it sees fit to adopt, to the Council of the League of Nations. The French Government has nominated Mr. Guyot, Director of the Social Insurance Office at Strasbourg, to represent it on the Commission.

I think the Governing Body will agree with me that it would be well to appoint forthwith the three delegates whom it is its duty to nominate, and to fix the time and place of the meeting. I will wait until a later meeting to make such proposals as, after consultation with the Chairman and the members of the Governing Body, appear to be advisable.

2. Russian Refugees. — The Deputy-Director has recently been approached by the International Red Cross Committee, in the persons of Mr. Lucien Brunel, Secretary General of the department of the Red Cross responsible for their missions, and of Mr. Frick, general delegate, with reference to the conditions of Russian refugees in the Near East; an official letter has also been sent to the Office on this subject.

In view of the military events of the last months, the International Red Cross Committee consider that these refugees no longer have any legal nationality and that the question of the help to be given to them is of international urgency. It has therefore asked the Office to assist it and to take into consideration the following suggestions:

(a) Would the International Labour Office assist the International Red Cross Committee in the creation of an Emigration Office, giving it the necessary information as regards the creation of an emigration office and the names of the international organisations in Europe which might concern themselves with the ever-growing number of out-of-work refugees?

That a very large effort indeed would be required is shown by a note appended to the letter, which says that there are from 40,000 to 45,000 persons for whom ‘it would be necessary to supply not help, but an opportunity of gaining a useful livelihood and of thus assuring themselves of a normal existence, which at the present moment is not possible for them’.

Points (a) and (c) raise no difficulties and do not require to be considered by the Governing Body. The Red Cross Committee can, of course, be given the necessary information as regards the creation of an emigration office and the names of the international organisations in Europe which can be of assistance. The second question, however, is a delicate one. It seems to me that it is the duty of the Office to help in solving a great labour problem such as this which would be one of immediate practical action, which it ought not to shrink from assuming.

On the other hand, three points must be noted:

(i) The Office cannot make itself responsible for the daily work of an emigration office or for its creation and organisation.

(ii) I think that it is impossible to alter the Budget so as to make the required appropriations, and it would be required in my opinion to have recourse to contributions from Members, as has been done in the case of typhus in Poland, and of assistance given to the children of Central Europe.

(iii) The necessity of prompt action is obvious.

I would ask the Governing Body to grant authorisation for action in the matter to be carefully studied in conjunction with the Governments interested, more particularly with the French Government, and for this action to be co-ordinated with that undertaken by the International Red Cross Committee. If the Office took the initiative in this question it would certainly draw sympathetic attention to itself in many quarters.

3. Complaint put forward by the General Union of Workers of Spain. — Mr. Largo Caballero, Secretary-General of the Spanish General Union of Workers, has written me a letter which raises a very important and difficult question. Last October Mr. Caballero paid me a visit when I was in Paris, and he explained to me as to the way in which the Spanish Government were violating the right of association. It was explained to him that it was not within the competence of the Director to intervene in the matter and take action, and that, if he desired to have recourse to the International Labour Office, it would be necessary to lay the question formally before the Governing Body.

Mr. Caballero, in a letter dated 10 December 1920 communicated to the Office a memorandum "on the outrages committed against the workers' organisations by the Spanish Government".

"I may add that since the period covered by the report the persecutions have increased. Without any reason more than thirty of the most moderate workers have been deported to Mahon, and a considerable number of trade unions have been suppressed in Valencia."

This constitutes a clear breach of the undertaking entered into by our Government when it adhered to the League of Nations created by the Treaty of Versailles, which, in Part XIII declares that among the essential principles of the international regulation of conditions of labour, whose object is the moral and material improvement of the conditions of the workers, is the principle of freedom of association. As, then, recognition of freedom of association for all purposes not contrary to the law is one of these essential principles, the General Union of Workers of Spain approaches your organisation with a view to securing that, within the limits of the powers recognised
by its constitution, it may draw the attention of the Government of Spain to the matter, in order that that Government may fulfil the undertaking which it gave in adhering to the League of Nations’.

The gravity of the problem confronting the International Labour Organisation cannot be disguised. Several times already in previous sessions the question of the right of association has been raised, in particular by Mr. Jouhaux, whose interventions have been truly valuable in which the workers’ organisations attach to the principles set out in the Preamble to Part XIII and in Article 427 of the Treaty of Peace. Mr. Jouhaux laid renewed insistence on this point at the time of the request of the Hungarian Government for a mission of enquiry. That was certainly a less delicate problem, for it was the Hungarian Government themselves which asked for an enquiry in order to dissipate the prejudicial accusations which had at that time been widely circulated against them.

Mr. Caballero’s letter raises two different classes of difficulties:

(a) In the first place there are difficulties of a juridical nature, as to whether it is legally possible to rely on the provisions of Article 425 to create a new proceeding. It would certainly seem that these Articles refer to the ineffective observance by a Member of the Treaty, for the due observance of which no special provisions have been made.

(b) The second class of difficulties is of a political nature and is clearly of a still graver kind. It is a matter of the utmost necessity to judge in such cases precisely at what moment trade union action ceases and political action begins. This is a problem which has been met with not only in Spain but also in Hungary, and perhaps also in other countries. But further than this, among the recent public pronouncements on this matter is one by the Spanish Government, issued through one of the Ministers, which apparently shows that the Government considers this matter to be purely one of internal policy, and that they would consider the sovereign rights of Spain infringed, if intervention were attempted from abroad, even if it were of an international character.

The fact is that in the present circumstances of the International Labour Organisation an intervention of such a nature does not seem to be possible, except with the consent of both parties, when it would be undertaken, as it were, as a response to a joint appeal from national public opinion. It is, as President Wilson strongly emphasised during the initiation of the League of Nations and Lord Robert Cecil at the end of the Assembly, essentially and especially upon educated and organised public opinion that the strength of the International Labour Organisation depends. The interests at stake and the future of the Organisation make it especially desirable that this spirit of public opinion should be predominant. It is from this standpoint alone that an agreement can be attained.

Whether the formula of such an agreement can be found depends upon the decision of the Representative of the Spanish Government and of the Governing Body. In any case it can only be so found by mutual consent.

Conclusions.

The last question which it is necessary to lay before the Governing Body is, so to speak, of a symbolical kind; it is the expression of the serious difficulties which await us in increasing numbers, and which we must not hesitate to face.

The campaigns of moderate violence which have been started against the International Organisations, both the League of Nations and the Labour Organisation, by the implacable enemies of all such-institutions, do not after all threaten any danger. They can only delay public opinion in all countries from according its necessary support to the work which must be accomplished.

But with the passage of the months the situation may change. The general situation in Europe requires all my attention.

In any case, as has been said in the special Memo-

randum regarding the 1921 Conference, a clear distinction must be drawn between the precise question of the regulation of the hours of work and the general protection of agricultural wage earners. It would appear essential for the future of civilisation that the workers in the country and in the towns should recognise that their interests are, if not identical, at least similar.

The fact none the less remains that the spontaneous alacrity with which the campaign has been undertaken in agricultural circles against the work of the International Labour Office is a sign which requires attention. It cannot be doubted, too, that this movement of resistance on the part of the agricultural world is based upon a movement of resistance, if not of reaction, in industrial circles. Such resistance will become yet more vigorous when the possibilities of fresh production make the reduction of
the working day yet harder to tolerate. Those employers who are in favour of progress, and who support the International Labour Organisation, are themselves aware of the objections and prejudices which they encounter.

No one can deny that the days when the Treaty was negotiated at Versailles were days of faith in possible conciliation and of universal good-will. That enthusiasm has lasted for a considerable time; it gave birth to the International Labour Organisation. The Organisation recognises the change that has come about, without surprise but with serious attention and with anxiety to overcome the increasing difficulties before it.

In this connection the reaction in the opinions of the Workers' Associations, the aid of which is so essential for the application of all social legislation, whether national or international, requires to be watched with particular care.

I was recently invited, as Director of the Office, to attend the Congress of the International Federation of Trade Unions in London. On two occasions the Associations which met there evinced their confidence in the Office. They declared that they demanded "the immediate recognition and application of the decisions of Washington". They undertook to support the Organisations in their struggle to obtain the eight-hours day, but the International Federation of Trade Unions also declared that "the working-class movement will cease to support the International Labour Office if the ratification of the Washington decisions is not concluded within the permitted period of delay".

Again, the International Federation addressed also to the International Labour Office a demand for the organisation of the distribution of raw materials. But it would be childish to deny that the sustained attacks of the extremists against the International Labour Organisation and the League of Nations cause a danger, in the long run, that at times of unemployment or difficulty the sympathies of the workers may be shaken and disturbed.

After the War, and during the Armistice, the Labour Parties and the Trade Unions did much to promote the creation of the League of Nations and the International Labour Office. The campaign of propaganda of the Third International and others can delay the important task of reconstruction in which the Office is required to take part; but, whatever the resistance and the obstacles which we encounter, we still contemplate the future with confidence. Day by day the activity of the Office shows that it can both hold the sympathy which it has won, and win fresh sympathy elsewhere.

The establishment near the Office of the powerful Japanese Mission under the direction of the distinguished Minister, Mr. Inoue, is a fact of great importance in our history. A number of States also contemplate the establishment of social attachés at the Office.

Month by month we are addressed by fresh officials and representatives; lately they have come from Norway, Yugo-Slavia and Finland, to enquire into the work which we have in hand.

The development of the organisation of employers can only serve yet more to assist in making our work complete in the scope of its information. Its participation in our tasks is growing increasingly greater.

The various appeals which have been enumerated above evince the scientific and moral confidence which an increasing number of people place in the Office. No better proof, however, could be cited than the confidence shown to the Office, in the person of its Director, by the Seamen and Ship-Owners: they decided during the Session of the Joint Maritime Commission in November to resume the attempt at agreement and conciliation which broke down at Genoa, and to begin it afresh between themselves, with no Government participation; yet they asked the International Labour Office to preside over their deliberations at the end of this month in Brussels.

The world of labour may, as has been suggested above, be harassed and distracted by the propaganda of those who denominate the Office as an institution set up by "Capitalist States" to dupe the workers, or as a "red-herring" drawn across the path of labour. When, some months from now, the results gained hitherto are better known, there may perhaps be a temptation to compare them as they really are with the caricature of socialism and the fiction of civilisation which Bolshevism claims to have set up. If that is to be so, the International Labour Organisation must remain faithful to the principles which gave it birth. It must bring it to pass that the Conventions adopted in its Conference become in every State real and tangible legislation. It must, from this year onwards, now that its organisation is complete, show itself forthwith with capable, in the words of the Charter of Labour, of "confering lasting benefits upon the wage-earners of the world".

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ANNEXE A - TO APPENDIX II.


(The following notes are intended to complete the information laid before Governing Body during its Fifth session held at Geneva, the 5th October, 1920.)

I.

Countries whose Parliaments have voted one or more laws ratifying the Draft Conventions or giving effect to the Recommendations, and which have addressed to the Secretary-General of the League of Nations a notification of formal ratification.

Greece. —The Greek Government communicated, by letter of the 19th. October-1st. November, 1920, to the Secretary-General of the League of Nations, the formal ratification by Greece of ten Draft Conventions adopted by the International Labour Conference at Washington. It has thus fulfilled, in regard to these Draft Conventions, the obligations imposed by Article 405 of the Treaty of Versailles.
The Greek Government has further incorporated in its Labour Code, in order to give effect to the Washington Recommendations, the International Convention adopted at Berne in 1906 concerning the prohibition of the use of white phosphorus in the manufacture of matches.

As regards the other Recommendations, the Greek Government has informed the Office that it will be necessary to take legislative measures to give effect to them. As the newly-elected Chamber will have to give its special attention to the question of the revision of the Constitution, and as the time limit fixed by Article 405 of the Treaty of Versailles has nearly expired, the Government proposes in respect of the above-mentioned Recommendations, to take advantage of the extended time limit of eighteen months provided for in the same Article.

II.

Countries which have informed the Office that their Parliaments have voted one or more laws ratifying the Draft Conventions or giving effect to the Recommendations.

Belgium. — The Bill N° 200, the provisions of which relate to the Draft Conventions concerning hours of work, the minimum age for admission of children to industrial employment, the employment of women during the night and the night work of young persons employed in industry, and which had already been voted by the Chamber of Representatives, has passed its second reading in the Senate after amendment in certain respects. The Bill has been referred back to the Chamber of Representatives.

France. — A Bill authorising the ratification of the Draft Convention concerning the employment of women before and after childbirth, which had been referred to the Commission on Insurance and Social Welfare, came up for discussion in the Chamber of Deputies during the sitting of the 30th. December, 1920, and was voted without discussion.

As regards the procedure to be adopted in the matter of ratification, some difficulties have arisen, and the text of a letter addressed by the Ministry of Foreign Affairs to the Secretary-General of the League of Nations, concerning this question, appears in Bulletin of the 19th. November, 1920. It should be added, however, that the four other Bills, which were introduced into the Chamber of Deputies on the 29th. April, 1920, and referred back to the Labour Commission, have not been withdrawn, and that they are still before the Commission.

Great Britain. — (a) The Bill giving effect to the Draft Conventions concerning the minimum age for the admission of children to industrial employment, the employment of women during the night and the night work of young persons employed in industry (Women and Young Persons and Children (Employment) Bill), and the Bill incorporating the provisions of the Recommendation concerning the protection of women and children against lead poisoning (Women and Children (Employment in Lead Processes) Bill) have been passed by Parliament.

(b) The Minister of Labour made the following reply to a question which was addressed to him in the House of Commons on the 1st. December, 1920:

“Of course, as regards legislation on the subject of a forty-eight hours week, the exact form of the Bill has been continuously under discussion with the Provisional Joint Committee of the National Industrial Conference in the hope of arriving at an agreement with that Committee on the precise form which legislation should take. In addition, it has been necessary to consider the Washington Hours Convention... The Government fully intend to carry through the necessary legislation”.

III.

Countries whose Governments have informed the Office that Bills have been presented to Parliament.

Argentina. — By letter of the 5th. October, 1920, the Minister of Foreign Affairs of the Argentine Republic informed the Secretary-General of the League of Nations that the executive authorities of the Republic gave their approval on the 8th. September last to the Draft Conventions and Recommendations adopted at Washington. On the same day the Draft Conventions and Recommendations were submitted to the National Congress for consideration.

Italy. — The discussion of the Bill ratifying the six Washington Draft Conventions, which was introduced into the Chamber of Deputies on the 24th. July, 1920, has been delayed by the re-organisation of the Parliamentary Commissions. However, the Ninth Commission, which is concerned with questions relating to labour legislation, embarked upon a preliminary examination of the Washington Conventions at its first meeting. During the short discussion which took place, several members of the Commission intimated that it might be desirable to modify the provisions of the Convention concerning the minimum age for admission of children to industrial employment, in order that this question might be co-ordinated with the connected question of primary education. The Commission invited two of its members, Messrs. Turati and Fino, to submit a detailed and analytical report on the question at the next sitting of the Commission which should take place in the second half of January, 1921.

Switzerland. — On the 10th. December, 1920, the Federal Council addressed a Message to the Federal Assembly, in which, after examining the legal questions which arise in Switzerland as regards the presentation of the Washington Draft Conventions and Recommendations to the competent authorities, and their possible execution, from the point of view of Swiss public law, it recommends the measures which it considers should be taken with regard to each of these decisions.

The Federal Council proposes that Switzerland should adhere to the Draft Convention concerning the minimum age for admission of children to industrial employment, the night work of young persons employed in industry and the employment of women during the night, and further that effect be given to the Recommendation concerning the protection of women and children against lead poisoning.

The adaptation of existing legislation has already taken place as far as the undertakings covered by the Federal Factory Act are concerned. As regards other groups of undertakings to which these Conventions apply, the Federal Council submits, in an Appendix to its Message, a Bill “the object of which is to establish for Switzerland the basis of adhesion to the three Conventions mentioned above and to give effect to the Recommendation concerning the protection of women
and children against lead poisoning.” This Bill, the text of which is given in the Message, is recommended to the Federal Assembly for adoption. It is entitled “Federal Act concerning the Employment of Young Persons and Women in Workshops.”

The Federal Council also recommends the adhesion of Switzerland to the Draft Convention concerning unemployment, and proposes to the Federal Assembly the adoption of a decree ratifying this Draft Convention.

As regards the Draft Convention concerning the employment of women before and after childbirth, the Federal Council declares that the financial means necessary for the immediate execution of this Convention are wanting, and that the “only way of procuring the necessary resources is by the creation of maternity insurance.”

It adds that “the whole question will be made the subject of a thorough examination when the revision of sickness insurance decided upon by the Federal Council on the 27th. September, 1920, is carried out.” For these reasons the Federal Council proposes: “(1) that the Convention should not be adhered to; (2) that the declaration to the Federal Council to the effect that the introduction of a system of maternity insurance is being considered should be noted and approved.”

As far as the Draft Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week is concerned, “Switzerland has already carried out the principle of the eight hour day as regards undertakings covered by the Federal Factory Act, by the Federal Act concerning hours of labour in factories of the 27th. June, 1919 and for railways and other transport undertakings and systems of communication by the Federal Act concerning hours of labour on railways and other transport undertakings and systems of communication of the 6th. March, 1920, accepted by the people at the Referendum of the 31st. October, 1920. Further, the eight hour day has been adopted in a large number of workshops not covered by the Federal Factory Act by agreement between employers and workers.”

The adaptation of the Federal Factory Act to the Conventions does not appear to present any serious difficulties. On the other hand, the Federal Council considers that it is impossible to adapt the message concerning the hours of labour in transport undertakings and systems of communication to the Washington Convention. The Council considers, further, that the provisions of the Convention “are not applicable to workshops.” It does, however, consider that these groups of undertakings should be subject to regulation, and the Department of Public Economy is at present engaged in preparing a Bill for this purpose.

As a result of these considerations the Message proposes: “(1) that the Convention should not be adhered to; (2) that the declaration to the Federal Council, to the effect that the above-mentioned hours of labour in workshops and commercial undertakings, which will take into account the general interests of these groups, which will be submitted to the Federal Assembly, should be noted and approved.”

With regard to the Recommendation concerning unemployment, the Message proposes “that the Federal Assembly should take note of the declarations of the Federal Council that Bills concerning unemployment insurance and employment agencies will be submitted in due time, and further, that no other steps be taken.”

The Federal Council considers that the question dealt with by the Recommendation concerning reciprocity of treatment of foreign workers, has not as a whole been sufficiently studied up to the present for it to be decided to proceed to an immediate reform of Swiss legislation. It therefore proposes for the time being to take no further action with regard to this Recommendation.

As regards the Recommendation concerning the establishment of National Health Services, the Message points out that “effective supervision is exercised over undertakings covered by the Federal Factory Act,” and adds that measures of supervision may be provided for in the future Federal Act concerning employment in workshops. It considers “that it is neither timely nor necessary to take special legislative measures.”

The Message indicates, in respect of the question of the creation of a special health service in direct relationship with the health service of the International Labour Office, that, if the Federal decree instituting a Federal Labour Office comes into force, this Office would probably assume that function.

The Message concludes by proposing to the Federal Assembly to note and approve the declarations of the Federal Council on this point.

It is proposed to take action to give effect to the Recommendation concerning the prevention of anthrax, as this Recommendation has no bearing in Switzerland.

Finally, the Council does not propose to take any action as regards the Recommendation concerning the application of the Berne Convention of 1906 on the prohibition of the use of white phosphorus in the manufacture of matches, as it has already been carried out by Switzerland.

**Czecho-Slovakia.** — The Government of the Republic submitted to the National Assembly on the 4th. September, 1920, a motion for the ratification of the Washington Draft Conventions concerning the limitation of the hours of work in industrial establishments to eight in the day and forty-eight in the week, the employment of women during the night and the minimum age of admission of children to industrial employment.

In the days following the 13th. November, 1920, these three Draft Conventions were presented to the Chamber of Deputies in accordance with the procedure adopted by Czecho-Slovakia in the matter of ratifications. They will next go to the Committee on Political and Social and Foreign Affairs of the Senate. As these three Draft Conventions do not entail any modification in existing legislation, it is only of advice of them, it may be hoped that they will be ratified in the near future.

As regards the other three Draft Conventions, it is intended to follow the same procedure, but their ratification is in a less advanced stage. They were laid before Parliament in the days following the 13th. November, 1920, and the following measures have been taken with regard to them:

The Government has introduced into the National Assembly of the Republic a Bill concerning the organisation of employment agencies and unemployment insurance. This bill has met with some opposition by the Ministry of Agriculture, which desired that the supervision of employment agencies for agricultural labourers should be placed under its charge, whilst the Ministry of Social Welfare is in favour of a uniform organisation for all classes of workers.
The ratification of the Draft Convention concerning the employment of women before and after childbirth necessitates modifications to two existing Acts:

(1) Sickness Insurance Act.
(2) The Eight Hour Day Act of the 19th, December, 1918.

As regards the first of these Acts, the Minister of Social Welfare has brought a series of new provisions modifying the present system of sickness insurance before the National Assembly.

As regards the second of these Acts, the Government intends to bring into Parliament very shortly a special Bill modifying its provisions, and the text of this Bill is at present being prepared. The provisions of this proposed legislation, which relate to the Washington Conventions, do not appear to give rise to any opposition. But, since other provisions contained in these measures are of a controversial character, their passage through Parliament will doubtless be delayed.

In spite of these difficulties there is reason to believe that the ratification of both the Draft Conventions mentioned above is certain.

With regard to the Draft Convention concerning the night work of young persons employed in industry, the Government is at present engaged in drafting the final form of a Bill prohibiting the night work of young persons under the age of eighteen years. The ratification of this Draft Convention is to some extent imperilled by the action of the Czecho-Slovakian employers who have requested certain exceptions not provided for in the Draft Convention. These exceptions concern the night work of young persons in the enamel and porcelain trade and in coal mines.

The employers appear to have promised to withdraw their objections to the first of these if they could be assured that other countries, and especially Germany, would adopt this Draft Convention. More importance is attached by the Government to the second objection, and it has asked whether the provisions of Article 7 of the Draft Convention which allow the prohibition of night work to be suspended, “when in cases of serious emergency the public interest demands it”, Czecho-Slovakia could be authorised, whilst adhering to the Convention, temporarily to suspend its application.

The Government has taken the following measures with regard to the Washington Recommendation:

(a) It has proposed to the National Assembly that Czecho-Slovakia should adhere to the Berne Convention concerning the prohibition of the use of white phosphorus in the manufacture of matches.

(b) It is preparing regulations with a view to the protection of the workers against anthrax and lead poisoning, which will be completed in the near future.

IV.

Countries which have informed the Office that the Washington decisions are under examination with a view to the preparation of Bills to be laid before their respective Parliaments:

South Africa. — The Secretary for Mines and Industries of the Union of South Africa has informed the International Labour Office that the Draft Convention limiting the hours of work in industrial undertakings has been accepted in principle by the Government. An Hours of Work Act, including transport by sea and the fishing industry and other industrial undertakings, has been prepared for consideration by Parliament.

Germany. — The Washington Draft Conventions and Recommendations were examined in the first place by the Ministry of Labour which prepared the necessary legislative measures. These measures, with the exception of those relating to the three Draft Conventions concerning the limitation of hours of work in industrial establishments the night work of young persons employed in industry, and the employment of women before and after childbirth, have already been examined by the Federal Cabinet and are to be sent to the Federal Council in the near future.

The three Conventions above-mentioned were laid before the Federal Cabinet during December 1920. When the draft legislative measures have all been examined by the Cabinet, they will be sent to the competent authorities, which are, according to the reports received by the Office, the Federal Economic Council, the Federal Council and the Reichstag.

Canada. — In Canada the Draft Conventions and Recommendations have been examined by the Minister of Justice, who reported on them to the Committee of Privy Council on the 2nd November 1920. This report was approved by the Governor-General on the 6th November.

The report examines the respective competence of the Federal and Provincial authorities in respect of each of the Washington decisions. As regards the five following Conventions: (1) limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week; (2) concerning the employment of women during the night; (4) fixing the minimum age for admission of children to industrial employment; and (5) concerning the night work of young persons employed in industry; and the Recommendation concerning the protection of women and children against lead poisoning; these “involve legislation which is competent to Parliament in so far as Dominion works and undertakings are affected, but which the Provincial Legislatures have otherwise power to enact and apply generally and comprehensively”.

The Draft Convention concerning unemployment does not, in the opinion of the Minister of Justice, raise any question of legislative competence, “because legislative sanction would not seem to be essential to the attainment of the objects in view”.

With regard to the Recommendation concerning unemployment, the report examines the four paragraphs in succession:

(a) As to No. 1, the Minister is disposed to think that the suppression of private employment agencies carried on for profit and the licensing of such agencies pending the adoption of measures for their abolition, is properly competent to the Provincial legislatures alone.

(b) With regard to paragraph 2, the Parliament of Canada, which is the paramount authority to deal with the matter, is also the competent authority mentioned in the Treaty of Versailles.

(c) The establishment of a system unemployment insurance, recommended in paragraph 3, is competent to the Dominion.

(d) With regard to the provisions of paragraph 4, the Minister thinks that they are “proper to be dealt with and carried out by the Dominion and Provincial Governments each for itself, unless indeed by agreement some joint plan of co-ordination can be arrived at”.

— 56 —
The recommendation concerning reciprocity of treatment of foreign workers is within the competence of the Dominions according to the opinion of the Minister.

The Recommendation concerning the prevention of anthrax is also within the competence of Parliament.

The Recommendation concerning the establishment of Health Services falls equally within the competence of Parliament.

The Minister observes that the Parliament of Canada has already legislated comprehensively upon the subject matter of the Recommendation concerning the application of the Berne Convention of 1906 on the protection of the rights of authors in the manufacture of matches.

After approving the report of the Minister of Justice, the Committee of Privy Council advises that a copy of the report, together with authenticated copies of the Draft Conventions and Recommendations, should be transmitted to the different Lieutenant-Governors for the consideration of their respective Governments with a view to such legislative action, in line with the proposals of such of the Draft Conventions and Recommendations, as are within the provincial sphere, as each Government may be advised to take.

More lately the Deputy Minister of Labour has informed the Office that the next session of Parliament will in all probability meet at the beginning of February, and the Washington decisions, which are within its competence, will be examined during that session.

Denmark. — The Minister of the Interior has informed the International Labour Office that the Draft Conventions and Recommendations adopted by the Washington Conference have been submitted for examination to the Central Council, the Ministry of Justice, the Labour Council, and the Commission on Hours of Labour. It is hoped that these several Departments will make their reports to the Ministry of the Interior in sufficient time to allow of the presentation to Parliament of the Draft Conventions and Recommendations before the expiry of the time limit provided for in Article 405.

The Office has further been informed that Denmark invited Sweden, Norway, and Finland to take part in a Joint Scandinavian Conference which was to be held on the 4th and 5th January at Copenhagen, with the object of considering the practical means of carrying out the Washington decisions.

Spain. — An unofficial note, which appeared in the press on the subject of the deliberations of the Cabinet at its meeting on the 22nd September 1920, intimates that the Minister of Labour reported on the preparatory work done by the Ministry of Labour and by the Institute of Social Reform with regard to the ratification of the Washington Draft Conventions by Parliament.

It was decided that the Minister of Labour should introduce a Bill for this purpose, and that subsequent adaptation of the Conventions to existing Spanish legislation should be undertaken by the Ministry of Labour.

According to unofficial information received by the Office, it is believed that the Washington decisions will be presented to the Chambers before any other measures dealing with social welfare.

India. — The Government of India, after consultation with the Provincial Governments, has completed its examination of the Washington Draft Conventions and Recommendations. There is reason to believe that the Government intends to submit proposals to the Legislative Council at an early date. It is probable that the Government will not be in a position to indicate the decisions which may be taken with regard to the Draft Conventions and Recommendations within the time limit of one year provided for in Article 405, but this communication will be made before the Geneva meeting of the Conference in 1921.

Japan. — Some legislative measures will be necessary to put the Washington decisions into force. For this purpose Bills have been prepared and are to be laid before the Legislative Office of the Japanese Cabinet for examination. There is reason to hope that Japan will ratify the Washington Draft Conventions within the extended period of eighteen months provided for in the Treaty of Versailles.

Norway. — The Office was informed in November that the Department for Social Affairs was engaged in examining the question of the ratification of the Draft Convention concerning unemployment. No further information has been received from Norway since this date, but this country was invited by Denmark to take part in a Scandinavian Conference which was to meet at Copenhagen on the 4th and 5th January, 1921, for the purpose of considering the practical means for the carrying out of the Washington decisions.

Roumania. — The International Labour Office is advised, under date of the 12th November, that the Roumanian Government intends to present, at an early date during the course of the next session of Parliament, the following Draft Conventions, adopted by the Washington Conference, for ratification:

1. Draft Convention limiting the hours of work in industrial undertakings to eight in the day and forty-eight in the week;
2. Draft Convention concerning the employment of women before and after childbirth;
3. Draft Convention concerning the employment of women during the night;
4. Draft Convention concerning the night work of young persons employed in industry;
5. Draft Convention fixing the minimum age for admission of children to industrial employment.

The Roumanian Government adds that, with regard to the Recommendations concerning unemployment, owing to the difficulties which have arisen with regard to the modification of existing law and the necessity of making it agree on the one hand with the Draft Convention and on the other hand with the wishes of the Riksdag, it is probable that progress will be slow and not without difficulty. The Government
has, however, instructed the Department of Social Welfare to proceed with an enquiry as to the amendments necessary to adapt the Eight Hour Act more completely to the needs of practical life. Although Sweden has not yet ratified the Draft Convention concerning unemployment, the Government has taken steps to apply the provisions of Article 1 of the Draft Convention. It should be added that Sweden was invited by Denmark to take part in a Joint Scandinavian Conference which was to be held at Copenhagen on the 4th and 5th January last, in order to consider the practical means of carrying out the Washington Draft Conventions.

**Venezuela.** — The Congress of Venezuela has authorised the executive power of the Republic to proceed with the examination of the Washington Draft Conventions and Recommendations and with the preparation of the Bills relating thereto. There is reason to hope that these Bills will be submitted to Congress in the near future, and that Venezuela will be in a position to fulfil the obligations imposed by Article 405 of the Treaty of Versailles.

**V.**

*Countries whose Governments have expressed their intention to submit the Washington Draft Conventions and Recommendations to Parliament.*

**Kingdom of the Serbs, Croats and Slovenes.** — According to unofficial information which has been received by the Office, the approval of the Draft Conventions and Recommendations adopted at Washington is probable. The Government is not at present in a position to present the decisions to Parliament within the time limit of one year fixed by the Treaty of Versailles, because the new Constituent Assembly, which was elected on the 28th November 1920, will be concerned with the single question of the Constitution of the Realm. If, however, the opening of the ordinary session of Parliament is long delayed, the Government is disposed to consider the possibility of ratification by royal decree after consulting the workers' and employers' organisations.

**VI.**

*Countries which, as far as the information received by the Office goes, have not yet taken any steps with regard to the ratification of the Draft Conventions or the adoption of the Recommendations.*

**Salvador.** — The Minister of Foreign Affairs has informed the Office, in the matter of the procedure to be adopted with regard to ratification, that the Draft Conventions must in the first instance be presented to the National Congress. When they have been approved by Congress, the executive power will give its sanction and publish them together with the decree of ratification by the legislative power in the official Journal.

In a more recent communication the Minister informs the Office that no Bills have yet been taken with regard to ratifications, and that no Bill for this purpose has yet been presented to Congress.

**VII.**

Following upon the admission by the First Assembly of the League of Nations of the following new States, Albania, Bulgaria, Costa Rica, Finland, and Luxemburg, to Membership of the League, and, in consequence, of the International Labour Organisation, the Office has requested the Secretary-General of the League of Nations to communicate the authentic texts of the Draft Conventions and Recommendations adopted at Washington and Genoa to these new Members. The Office has received no further information concerning the measures which may have been taken in these countries. The following note, however, gives certain information with regard to Finland.

**Finland.** — The Office has been informed that Finland was invited by Denmark to take part in the Joint Scandinavian Conference which was to be held on the 4th and 5th January 1921 at Copenhagen, in order to consider the practical means of carrying out the Washington decisions.

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**ANNEXE B. TO APPENDIX II**

*Note on the Measures Taken in various countries in pursuance of the draft Conventions and Recommendations adopted by the Genoa Conference.*

(The following note is compiled from information received up to the present by the International Labour Office, as a result of the communication of the texts of the Genoa decisions to the Members of the Permanent Labour Organisation.)

**I.**

*Countries which have informed the Office that their Parliaments have adopted measures giving effect to the Genoa decisions:*—

**Great Britain.** — On the motion of the Government a series of amendments was incorporated in the Women, Young Persons, and Children (Employment) Bill, extending the provisions of the Bill to cover the Genoa Draft Conventions fixing the minimum age for admission of children to employment at sea. This Bill passed through all stages before the prorogation of Parliament on the 23rd December 1920.

**II.**

*Countries which have informed the Office that their Governments are examining the Genoa decisions with a view to the preparation of Bills to give them effect.*

**South Africa.** — The Secretary for Mines and Industries of the Union of South Africa has informed the Office that a Bill, to be known as the "Hours of Work Act", has been prepared for consideration by Parliament, which will include transport by sea and the fishing industry, with other industrial undertakings. With regard to the Recommendation concerning national seamen's codes, a Shipping Bill has been drafted by the Government of the Union with a view to presentation to Parliament at an early opportunity. It will be possible under the regulations to this Bill to provide for a seamen's code. The matter is receiving the attention of the Government.
The Draft Convention for establishing facilities for finding employment for seamen is already applied, in so far that shipping masters, who are Government officials, register applications for seamen and endeavour to find employment for them. There are no private agencies in South Africa performing this duty.

As far as the other Draft Conventions and Recommendations adopted at the Genoa Conference are concerned, the Government of the Union points out that almost all ships trading in South Africa are registered in other countries and that very few seamen are recruited in South Africa. Practically no children under 14 are employed at sea in the Union vessels. For these reasons, whilst agreeing with the general principles of the Draft Conventions and Recommendations the Government does not at present consider that these questions need attention in South Africa.

Germany. — The Minister of Labour informs the Office that the texts of the Genoa decisions have been distributed to the Departments competent to deal with them for examination and the preparation of measures to give them effect.

Belgium. — The Belgian Government hopes to introduce into its legislative Chambers during the next session a Bill ratifying the three Draft Conventions adopted by the Genoa Conference. Further, the question of the adaptation of existing legislation to the Draft Conventions and Recommendations is being studied by the competent Departments.

Canada. — The Deputy Minister of Labour has informed the Office under date of the 25th October, 1920, that the Minister of Labour, who is engaged in examining, together with the other members of the Dominion Government, the Genoa decisions, will have completed this examination very shortly.

Spain. — The Ministry of Labour informs the Office that the texts of the Genoa decisions are being examined by the competent Government Departments, and that the Spanish Government hopes to be able to forward further information in the near future.

Switzerland. — The Federal Department of Public Economy informs the Office that the Genoa decisions have been submitted to the competent services.

III.

Countries which have informed the Office that the Genoa decisions have been presented to the competent authorities.

Greece. — The Minister of National Economy informs the Office that the ratification of the Draft Conventions adopted at Genoa will take place by means of legislative enactment, according to the same procedure as was adopted in the case of the Washington Conventions. The new Greek Chamber, which was elected in December, 1920, will not be in a position to proceed to the ratification of the Genoa decisions at once, in consequence of the constitutional questions which will occupy most of its attention. The Minister hopes, however, that the presentation of the decisions to Parliament will have taken place before the expiry of the time limit provided in Article 405 of the Treaty of Versailles.

Roumania. — The Minister of Labour and of Social Welfare informs the International Labour Office that the Draft Conventions and Recommendations adopted at Genoa will be submitted to the competent authorities within the period fixed by Article 405 of the Treaty of Versailles. This is more easy for Roumania as the number of Roumanian seamen is relatively small.

Kingdom of Serbs, Croats and Slovenes. — The Government intends to submit the Genoa decisions to Parliament during its first ordinary session, which should be held during the first half of the year 1921. An earlier presentation is impossible as the Constituent Assembly, which has recently been elected, will be occupied with the single question of the revision of the Constitution of the Realm.

Venezuela. — The Government of Venezuela informs the Office, under date of the 4th November 1920, that the Draft Conventions adopted at Genoa will be submitted to Congress during this next session, which will open in 1921.

IV.

Countries from which Office has received certain information with regard to the Genoa decisions.

France. — The Ministry of Foreign Affairs has suggested to the Labour Ministry that the same procedure should be followed in the case of the Genoa decisions as was followed in the case of the Washington decisions. The Ministry of Labour has concurred in that proposal.

Haiti. — The Secretary of State for Foreign Affairs informs the Office that he proposes to give the Genoa decisions serious consideration and to communicate the results thereof to the Office in due time.

India. — The India Office informs the International Labour Office that as soon as the authentic texts of the Genoa decisions have been received from the Secretary-General of the League of Nations, they will be transmitted to the Government of India with a view to the adoption of the measures provided in Article 405 of the Treaty of Versailles.

Luxemburg. — The Government informs the Office that the Genoa decisions have no application in the case of Luxemburg.

The Netherlands. — The Minister of Foreign Affairs informs the Office that the Royal Government will not fail to keep it informed as to the procedure to be adopted with regard to the Genoa decisions as well as to any measures that may be taken with the object of giving them effect.

Czechoslovakia. — By letter of the 17th December, 1920, the Minister of Social Welfare informs the International Labour Office that, as Czechoslovakia possesses no mercantile marine, the only Genoa decision concerning it is the Recommendation limiting the hours of work in inland navigation. Since inland navigation in this country is almost confined to international waterways, the Government is disposed to await, before giving effect to this Recommendation, the initiative that may be taken by High International Commissions set up by the Treaty of Versailles.

V.

Countries which have only acknowledge receipt of the texts of the Genoa decisions addressed to them by the Office:

Japan.
I. Letter from Mr. Largo Caballero, General Secretary of the General Union of Workers, Spain, to the Director of the International Labour Office.

Madrid, the 10th December 1920.

Sir,

I forward herewith a report on the outrages which the workers' organisations of our country have suffered at the hands of the Spanish Government.

I may add that since the period covered by the report the persecutions have increased. Without any reason, more than thirty of the most moderate workers have been deported to Mahon, and a considerable number of trade unions have been suppressed in Valencia.

This constitutes a clear breach of the undertaking entered into by our Government when it adhered to the League of Nations created by the Treaty of Versailles, which, in Part XIII, declares that among the essential principles of the international regulation of conditions of labour, whose object is the moral and material improvement of the conditions of the workers, is the principle of freedom of association. As, then, recognition of freedom of association for all purposes not contrary to the law is one of these essential principles, the General Union of Workers of Spain approaches your organisation with a view to securing that, within the limits of the powers recognised by its constitution, it may draw the attention of the Government of Spain to the matter, in order that that Government may fulfil the undertaking which it gave in adhering to the League of Nations.

I trust that our request will receive favourable consideration, for it has justice on its side.

Yours very truly,

Francisco CABALLERO.


The General Union of Workers of Spain addresses the following statement to the workers of the world:

Madrid, the 14th November, 1920.

Suspension of the Guarantees.

On the 18th October 1917, the constitutional guarantees were restored. This took place after the general strike, as a result of which the representatives of the strike committee, who had been sentenced by the War Council to imprisonment for life, were sent to prison at Cartagena. They were subsequently set at liberty because the people named the four members of this committee as deputies to the Cortes.

On the 23rd January of the following year the constitutional guarantees were suspended. They were restored on the 5th April.

On the 31st August they were again suspended and again restored on the 15th October.

On the 23rd June they were again suspended and again restored on the 15th October.

On the 1st March, 1919, he declared martial law at Madrid and on the 18th of the same month at Barcelona.

On the 24th March he suspended the guarantees throughout the whole of Spain and since that time, that is to say for more than a year and a half the guarantees have not been restored.

In Spain the constitutional guarantees are never respected by the authorities. It is, therefore, easy to imagine what excesses the authorities have considered themselves free to commit during the twenty months in which they have been able to act without any legal restraint.

It may be noted that as soon as the slightest difficulty occurs martial law is declared and that the Government hardly possesses the necessary power to impose its authority on the military jurisdiction.

In spite of all that took place, the country did not allow itself to be governed in this way without protesting, and more and more serious strikes took place. General strikes occurred of postal workers, and of telephonic and telegraphic officials; and in the large towns there were general strike movements of great importance, which almost always proved victorious.

The Union of Citizens.

A civil militia armed by the Government and by the military was organised at Madrid and in the provincial cities to take action against strikes and to secure their failure. On various occasions violent collisions took place, and at last Madrid an engineer belonging to the citizen's committee was killed. Several workers of the Maison du Peuple of Madrid were arrested in connection with this, and were wrongly accused of being responsible for the death of the man.

The armed organisation of the citizen's committee was denounced in Parliament by the Socialist members.

The Government and the bourgeoisie in reply legalised this type of organisation. They authorised the formation of similar committees in the various provincial cities where strikes were most frequent. In these places the committees were put under the protection of the Commandant General of the district.

The Military Junta.

The officers of the army, of the gendarmerie and of the customs officials organised juntas for the defence of their interests. These juntas are illegal, according to the Constitution.

The juntas on various occasions took public action against the Government, and constitute a menace to the Throne, which at present employs them for its advantage in opposition to the people.

The military juntas are reactionary and militaristic in tendency and entertain a supreme contempt for labour organisation.

On various occasions the Government considered itself obliged to persecute the labour movement in a cruel manner, and even, in consequence of the action taken by these bodies which control Spanish politics, to resign its own powers.
In Parliament the leaders of the monarchical parties did not dare to deny the existence of these juntas which they both fear and flatter. The only Socialist members of the Chamber demanded that they should be completely suppressed.

Censorship of the Press.

The Government, when it considers it desirable, suspends the publication of labour papers. The procedure consists in proclaiming the articles and in entering upon a legal prosecution of their authors. This procedure was employed as a general rule and the prosecutions which took place were not determined by the character more or less legal of the contents of the text proclaimed but by arbitrary Government action.

In Spain justice is an instrument of the Government, which employs the Courts in accordance with its own good pleasure without making any attempt to conceal the fact.

The political monarchical parties publicly admit this.

Further, on many occasions the Government imposed a censorship on the press before the publication of articles. This censorship was usually exercised by the military.

Parliament.

Parliament does not function in a normal manner. The Socialist minority is very small. It consists only of 6 members out of 408. The other members do not in general enjoy sufficient political independence to oppose the Government from which they receive official favours and to which they often owe their election.

The Government is responsible to Parliament only in appearance. Constitutional rule is a mere fiction. The Liberal leaders who were not consulted by the King with regard to the question of dissolving the Chamber published a semi-official note in which they ask for a modification of the constitution with a view to checking the operation of certain royal prerogatives which make Parliament almost powerless.

Naturally a considerable section of public opinion has no confidence in the solutions of problems which may be reached by Chambers constituted as are those in Spain. This opinion favours among the workers the development of a tendency opposed to political action. This tendency is opposed by the Socialist party and as far as possible also by the General Union of Workers.

Suspension of Trial by Jury.

The present Government has suspended the operation of trial by jury at Barcelona, so far at least as social offences are concerned. The pretext for this action has been the indulgence which, according to the bourgeoisie, juries show to those who commit crime. Crime is common at Barcelona, but the labour organisation has refused to show any sympathy with this type of action which is frequently the work of the police, and of bodies organised by the employers for purposes which are not very evident.

It may be noted that a Socialist member denounced in Parliament the existence of these bodies organised by Bravo Portillo, a germanophile agent, who was assassinated at Barcelona in spite of the protection of the Commandant General and in spite of the high place which he occupied in the police force of this town.

Some members of the Government also accused Bravo Portillo of being an agent of the Catalonian employers by whom it was stated he had been paid to bring about a system of terrorism.

The Government and the Strikes.

Strikes became almost endless in Spain because of the protection which public authority grants to the great capitalist undertakings.

With regard to those of Penarroya the Government intervened only when the strike extended to the other coal mines and threatened to extend to all the Spanish mines.

With regard to those of Rio Tinto, the Government has done nothing effective up to the moment of writing, that is, five months after the strike broke out. Thousands of workers are without work and their children without food.

The lock-outs at Barcelona and that at Madrid have been supported by the authorities. On the other hand, when the workers strike, their executive committees are arrested and the workmen’s clubs are closed.

The strike of building trades workers at Madrid which lasted four months ended in victory for the workers in spite of the fact that the Government did not intervene.

In Spain the Ministry of Labour is no longer a responsible or effective body in relations between capital and labour.

The Hunger Strike in Prisons.

On various occasions, particularly at Valencia and at Barcelona, people detained in prison pending investigation of their cases in connection with social matters, declared a hunger strike, in view of the arbitrary prolongation of their detention which is not determined by any regular procedure. As a result of this protests have taken place in the more advanced press. In the end the authorities of Government, certain number of the people who were detained without due cause.

The working class population, particularly at Barcelona, manifested extreme sympathy when it heard of the refusal of those who were detained in prison to accept the food that their families sent to them. A stay-in strike was declared as a protest in a considerable number of factories in this town.

Suspension of Meetings.

The General Union of Workers considered it desirable to organise a propaganda campaign throughout the whole of Andalusia in order to show its solidarity with the Andalusian people who had been so severely persecuted by the Government.
The campaign was due to open on the 13th July, 1919, but by order of the Government it was suspended and since then no authorisation has been granted to hold meetings under free conditions. Naturally in many districts the organisation is not in operation.

At the present time our comrades in many Andalusian villages, among them Cazalla de la Sierra, Campillos, Casarabonela, Gastor, etc., have sent information that they have not been able to meet at the workers' club because they have been prevented by the mayor who acts in agreement with the Prefect of the province.

The meetings in question had been called to deal with the election of the members of the Executive Committee of the Institute of Social Reform. This is an official body whose duty it is to secure social harmony.

The Spanish Government has a good way of securing respect for social legislation.

The Electoral Procedure of Mr. Maura's Government in the Province of Cordova.

Two speeches were made in Parliament, one by Indalecio Prieto and the other by Teodomiro Ménendez, who denounced the excesses, impossible to repeat, which were committed by the Executive Committee of the Institute of Social Reform.

The Government did not settle any dispute, and, on the other hand, it has left behind it evidence of the measures which it took.

Following the appointment of General La Barrera y Villagrá, Secretary of the General Union of Workers, the whole body of detectives and police and the civil guard, and even gran-

The General La Barrera was in reality assassination. Yet the assassins were not punished, thanks to the protection accorded by the Marquis de Comillas, a clerical in politics, and a protector of "yellow" unionism, the Catholic Asturias in order to obtain an increase in wages.

This matter has been mentioned in the Spanish Parliament. We shall do our utmost to distribute the complete text of the speech which was made on this occasion by Mr. Besteiro.

The Arrest of Besteiro at Villacarrillo.

On 30 December, 1919, Mr. Andres Ovajero, a professor at the Central University at Madrid went to Villacarrillo in the province of Jaen where he was due to represent the Socialist party and make a speech.

The captain of the civil guard entered the workers' club on horseback, violently expelled those who were in it, isolated Ovajero from the workers and made him leave the district. He cruelly persecuted the most representative workers and closed the club. The Government placed at the disposal of all this was to prevent the workers taking any part in the elections of the members of the municipal council. This result was secured as the captain of the civil guard, the mayor and the "cacique" were not interfered with.

The Tragedy of Moreda.

The Miners' Trade Union of the Asturias declared a general strike in the mining area of the Asturias in order to obtain an increase in wages. The strike was settled, but it was still necessary to overcome the resistance of an employer, the Marquis de Comillas, a clerical in politics, and a protector of "yellow" unionism, the Catholic workers' clubs, the "somatenes" (the Catalan militia), and everything opposed to progress and liberty. This Marquis, who enriched himself at the expense of Spanish emigrants, refused to sign a collective agreement with the workers of the miners' trade unions affiliated to the General Union of Workers. He wished to increase the strength of the Catholic union which is under the protection of the civil guard. The civil guard, accompanied by a group of Catholics threatened the workers affiliated to the red trade union, and a collision took place which resulted in the death of a catholic and ten reds, and also in the wounding of a number. The murder of these comrades was in reality assassination. Yet the assassins were not punished, thanks to the protection accorded to them by the Marquis de Comillas and his "camarilla".

Once more one sees the civil guard in the service of capitalism.

The Activity of General La Barrera.

The Government of Mr. Antonio Maura came into power on the 16th April, 1919. On the following day the official journal announced the appointment of General Manuel de la Barrera y Caro to be in charge of everything relating to maintenance of public order in Andalusia. For this purpose, generous powers were granted to him.

Such an appointment was unprecedented in Spain. The Government placed at the disposal of General La Barrera the whole body of detectives and police and the civil guard, and even granted him authority over the eight prefects of the district.

He was also provided with ample financial and other resources. The Government did not spare itself in order to give as much prestige as possible to the post which had just been created in order to crush the workers' movement in Andalusia. As soon as General La Barrera entered upon the duties of his appointment, he began to make arrests and deportations. He closed the workers' clubs and he initiated judicial proceedings against associations which were formed to resist the measures which he took. These associations were favourable to the General Union of Workers and to the Socialist party.

The following facts may be quoted to show what happened in Andalusia while General La Barrera was Viceroy. General La Barrera, who was retired by the Government on the 4th July 1919, did not settle any dispute, and, on the other hand, he has left behind him evidence of the martyrdom and sufferings which he forced the Andalusian workers to endure.
Cordoba. Mr. Francisco Azorin, municipal councillor, Socialist, State architect and candidate for election as deputy to the Cortes, who had obtained 8,000 votes at the election, was deported to a village in the province of Albacete. The civil guard took him there on foot, although he was sick. Juan Palomino, president of the Socialist group at Cordoba, and 14 other representative members of the workers' movement, were also deported by the civil guard.

Penarrubia (commune in Malaga province) has four Socialist municipal councillors. The municipal council does not meet and the Socialist councillors are not able to exercise any control.

The workers' club is closed. Two of these comrades were beaten by the civil guard.

Maracena. Ten arrests took place in this town in order to overawe the trade unionists. A family which possesses property and which has shown sympathy for us was persecuted by the sergeant of the civil guard.

The same sergeant threatened the two brothers, Manuel and Jose Castellano, that he would "grind them to powder".

Medina Sidonia. The executive committee of the workers' association was arrested without any cause.

As a protest, the herds left their work and 200 pigs were drowned.

The Marquis de Negron was obliged to go to Madrid and to protest against the measures taken by General La Barreras. This is why the Government was obliged to hasten the dismissal of the general.

Fuentevieja. In spite of the collective agreements that had been made with the workers, the employers secured from the political "caciques" an order to arrest 35 workers who were imprisoned in a room of four square metres without ventilation.

Villanueva de Cordoba. Comrades Luna and Mejia were brutally ill-treated by the civil guard.

One was wounded on the head. The public authorities, in agreement with the mayor, made game of these good people by having their heads shaved by a hairdresser who was a friend of theirs.

In Parliament, Indalecio Prieto denounced what had happened and obliged the Government to intervene.

Adamas (commune in the province of Cordoba). Here the father of the president of the workers' association was arrested. When he appeared he was struck with a baton.

Prado del Rey (province of Cadiz). Comrades Francisco Lopez Rodriguez and Francisco Menacho were deported from this place. They were obliged to go through various villages on foot.

Pozoblanco (an important town in the province of Cordoba). A dispute broke out in this town between employers and workers. The civil guard aimed their rifles with the intention of opening fire on the workers. Comrade Francisco Meya advised the workers to go away and advised the civil guard not to open fire. Later, the members of the executive committee of the workers' union were summoned to the barracks of the civil guard. There they were threatened and arrested.

The same sergeant threatened the two brothers, Manuel and Jose Castellano, that he would "grind them to powder".

Los Morlles (province of Cordoba). Comrade Juan Servian was arrested thrice and thrice set at liberty without any other reason than that he was not well-disposed to the "cacique" of the village.

A little later, the same "cacique" was assassinated by another "cacique" in connection of his sympathy with the workers' organisation.

Monturque (also in the province of Cordoba). Comrades Joaquin Rodriguez Osuna, Francisco Lopez and Jeronimo Ortiz were arrested. They were taken on foot by the civil guard to Aguilar de la Frontera.

Encineras Reales. Comrade Francisco Largo Caballero, Secretary of the General Union of Workers, was expelled from this village by the civil guard. The carriage in which he left the village was escorted by several civil guards on horseback.

Cazalla de la Sierra. The workers' clubs of the eleven villages of this district which belong to the province of Seville, were closed. Several of these clubs have remained closed more than a year and others, in spite of complaints, are still closed.

Teba. Largo Caballero, Secretary of the Union, was arrested at the station and taken by the civil guard, which did not allow him to speak to anyone, to the hotel. There he remained under the surveillance of the civil guard, who forced him to leave the village by the next train.

The workers' organisation of Teba was forced to submit to a large number of excesses at the hands of the authorities.

Seville. As Seville is one of the most important towns in Spain, a large number of disputes have taken place there. There are always a number of people detained pending investigations, and a number of deportations and other excesses have taken place. The workers' clubs of this province, in particular those with Socialist tendencies have been closed.

On the 1st February 1919, the civil guard attacked the workers' club and destroyed all the furniture. The executive committee were arrested. As a protest against these proceedings, a general strike took place.

Grenada. On the 12th January 1919 the civil guard killed the students Ramon Ruiz de Peralta and Jose Cuellar, the worker Ramon Gomez Vazquez and a women, Josefa Gonzalez Viver, who had gone out on to her balcony to see what was taking place in the street.

Porcuna (Jaen). The land workers declared a strike on the 29th November 1919. In order to intimidate them, the mayor ordered the arrest of 114 of them, and imprisoned them in a place which could only hold about a score of people. A considerable number of workers fell sick, half separated, and had to be taken to hospital.

The civil guard opened fire several times. Many of the workers were sentenced by the municipal judge, and others were struck with a baton in the barracks of the civil guard.
Villafrauca de Cordoba. On the 29th May 1919 a strike of land workers took place. When an agreement had been reached, on all but one point, and when the whole matter was practically settled, the civil guard went to the workers' club and told the agricultural workers Francisco Jurado and José Navas to follow them. These workers were imprisoned and when they protested, the civil guard opened fire and killed a pregnant woman, Pura Perez Torrés.

The civil guard then made a plot to avoid being held responsible for what had happened. They arrested seventeen workers who had been indicated as dangerous by the "caciques". These had not been on the spot where what had happened took place.

The workers were the following: — Carlos Perez Ferrer, Pedro Gallardo Casan Juan Alcade Dios, Francisco Perez Ortiz, Pedro Caballero Lopez, Antonio Hidalgo Crisostomo, José Sanchez Redondo, Antonio Calas Chofle, Francisco Gonzalez Fernandez, Juan Antonio Perez Fernandez.

They were detained at Cordova more than seven months. Those who were responsible for the murder of the pregnant woman were not disturbed.

Lopera (Jaen). The women of this commune made a peaceful demonstration before the "mairie". Although no expression of protest was made fire was opened from the houses of the bourgeois and from the positions in which the civil guard were.

A young girl was killed: 16 women were wounded and 60 workers were arrested. Some of these were deported and a considerable number were prosecuted.

The bourgeois who were responsible for the death of the little girl and for wounding the women, remained at liberty.

Antequera. The land workers declared a strike in September 1919. The civil guard attacked the workers' club, threw into the street the porter's furniture and struck and maltreated all the workers whom they found in the street. They also arrested Francisco Montero, José Montero and José Perez Canas, who on the following day were imprisoned, their bodies covered with weals produced by the blows which they had received.

The following workers were also arrested and judicial proceedings were taken against them: — Augustín Arcas, Francisco Provedano, Antonio Duran, José Campos Ortiz, Francisco Lopez Veredas, Juan Navas, Juan del Pozo, Joaquin Santos, Teresa Cortés, Angeles Fernandez and Rosario Ramos.

The captain of the civil guard who was responsible for the worst excesses is called Domingo Vidal.

Rute. The worker Andrés Garcia Tirado, seventy years of age, was arrested on the 31th May on the eve of the parliamentary elections. He was kept in prison without any cause assigned for several months.

Santafe (province of Grenada). On the 15th May 1919 there was a religious procession in this village. A worker refused to take off his hat and the authorities arrested him. A riot took place and the result was that a worker was killed and several were wounded.

Instead of punishing those who were responsible, the following workers were arrested: — Antonio Ruiz Rodriguez, José Martinez Soriano, José Gonzalez Jiménez, José Lopez Santos, Juan Gonzalez and Julian Jiménez Vilches. Several of these workers are still detained and there is no way of securing their escape from the grip of "caciquismo".

Montilla. During the propaganda which took place at the elections in the month of May 1919, serious occurences took place at Montilla. Propaganda in favour of the candidature of Professor Manuel Hidalgo Ayuso had been sanctioned by the Mayor. Mr. Ayuso had meanwhile been arrested by the civil guard in order to prevent him from speaking. Protests were made in the village and a collision took place the result of which was the death of the agricultural workers, Manuel Garcia, Francisco Garin and José Serrano Arcos. The following workers were seriously wounded: — José Jaen Bellido, Antonio Martinez Cruz, Pablo Priego and Manuel Jiménez.

The mayor who was responsible for the whole business has not been prosecuted. On the other hand, several of the workers against the following workers: — José Sanchez Ortiz, Lis Léon Espejo, Miguel Martinez Cruz, José Pliego Delgado, Miguel Barbaro Baena, Rafael Moreno Morales, Antonio Recio Redondo, Nicolas Cerezo Luque, These workers have been detained for several months in order to pacify the "caciques", who were beaten in the elections.

Puente Genil. The employers were anxious to avenge themselves on those whom they regarded as responsible for a strike of land workers which had paralysed their work. An employer, a "senorito", to use the Andalusian expression, killed a worker. Several other comrades were wounded. Bourgeois justice was not disturbed by these events.

On the other hand, several workers of El Palomar, a hamlet in Puente Genil, who had been accused of entering the village armed in order to assist those who were engaged in a struggle with the public authority, were subjected to judicial proceedings. This formed a pretext for threatening the electors of the village and arresting the following citizens: — Manuel Gonzalez, José Herreras Ferrer, Eladio Hildago, Carlos Hildago Herrero, Antonio Cabello Munoz, Rafael Pozo Diaz, Antonio Rivas Pozo, Francisco Pastor Cejas, Manuel Varcon Arjona, Francisco Prieto Miqueles, Diego Caceres Galvez and Antonio Trenas Carmona.

In consequence of an unimportant fire, which could not have been intentional, more than twenty workers were arrested, among them the Councifor Manuel Gonzalez and other less representative workers.

Because of this fire, the authorities arrested, interfered with and subjected to judicial proceedings all the most representative persons who took part in strikes and in the recent elections.

One evening, four municipal employees, servants of the "cacique" seized Gabriel Moran who was known as a Socialist and ill-treated him. A little later, they denounced this comrade to the judge on the ground that he had committed a crime.

Although the truth of this accusation had not been proved, the court of appeal at Cordova sentenced this comrade to four years' imprisonment.

The "cacique" and the member for this district is the Due de Almodovar del Valle, a protégé of the King.
Penarroya. The executive committee of the Santa Barbara branch of the miners' trade union of Penarroya was imprisoned for three months as an electoral reprisal, on the instigation of the "caciques."

The executive committee of Pueblonuevo del Terrible were also imprisoned for a month and a half.

Santisteban del Puerto. On the 1st June 1919 the general elections took place. The Socialist candidate obtained in this village the same number of votes as the monarchist candidate. This enraged the "caciques." In order to avenge themselves, the mayor on the 2nd June decreed an increase in the price of bread of ten centimes a kilo. The people opposed this measure, but our comrades understood that its purpose was to give effect to the wish of the "caciques" to provoke a "day of mourning," and in order to avoid it they passed the matter over.

On the 26th June, the sergeant of the civil guard, Francisco Olmo Cabezas and the guard Francisco Nadal ill-treated at the barrack gates Alfonso Olid and Sebastian Armijo, municipal councillors, and also Manuel Perez Simon, Juan Manjon Estevez, Antonio Garcia Sevilla, Luis Giron, Pena, Manuel Hernandez Moreno and Juan Antonio Perez Llano.

Mr. Manuel Castro has given an account of the wounds which Alfonso Olid received. He was struck with a revolver by the sergeant who has been mentioned already.

On the 29th August a colonel, who had been on a tour of inspection, left Santisteban and on the 28th August the ill-treatment began again.

On the 20th August the sergeant above mentioned struck the worker Andres Ruiz. On the 30th August Olid again left the commune.

Enquiries were made during the months of September and October by a judge, and the "caciques" secured a verdict against one of the heads of the civil guard who used to protect impartially the rights of the comrades of the workers' clubs.

On the 1st November the lieutenant of the civil guard insulted the workman Miguel Armijo in the village square.

The chief of police of Santisteban was degraded for not having committed excesses against the workers, in accordance with the desire of the bourgeois politicians.

On the 9th November the Deputy Julian Besteiro visited the Government with a Committee of workers from Santisteban for the purpose of protesting against this systematic persecution.

On the 10th November the deputy above mentioned struck the worker Jesus Baro.

On the 27th August the ifi-treatment began again.

On the 24th November 1919, Lieutenant M. Francisco Chacon of the civil guard assaulted the workman Moreno Chacon in the public street.

As a result of enquiries which have been instituted, these repressive measures, which lasted for more than seven months, have been partly corrected.

Jerez de la Frontera. On the 24th June 1919 at day-break, by order of General La Barrera, the civil guard compelled the following agricultural workers to leave their beds and deported them from the town: José Ballesteros, Juan Duenas, Miguel Caro, Diego Martinez, Miguel Rodriguez, another called Pizarro, Francisco Vallo, José Garcia, Francisco Olmo, Francisco Lopez, Sebastian Oliva, Antonio Corrales, Juan Braulio, Luis Romero, Francisco Fernandez, Antonio Padilla, José Guerrero, Juan Motan Miguel Zarzuela, and a worker called Moreno.

These workers went on foot in groups of three from prison to prison during a period of several weeks, paying for their subsistence half a peseta a day, which was given them by the authorities in the form of a note of account.

One of these deported men lost his mother and another his daughter during the time of their persecution.

El Carpio. On the 16th November 1919, at El Carpio (Huelva) the armed forces took aggressive action against the miners on strike. As a result two workmen were killed and three wounded.

Serious Incidents in Other Districts.

Alcoy. In the course of a strike nine comrades who were condemned to banishment were dragged from prison to prison during a period of several weeks.

Puebla Larga. The local authorities, in agreement with the bourgeoisie, caused a tragedy in this village. A peaceful demonstration against the high cost of living was used as a pretext by the armed forces, assisted by private individuals, to open fire and to kill several workmen, a number of other workmen being wounded.

These incidents provoked so much feeling that the U.G.T. (General Union of Workers) commissioned a Socialist deputy, Fernandez de Los Rios, to go to Puebla Larga and prepare a report setting out all the details of this new crime.

Murcia. The civil guard seriously wounded the workmen Jose Navarro Carrasco and Daniel Vicente Garcia, who they considered had committed a misdemeanour. It should be noted that, even if they had been the persons for whom the police were seeking, the law does not authorise the public forces to fire without previously giving the prescribed warning by bugle call.

Soller (Balearic Islands). A strike took place in October 1919; the civil guard struck the workwomen, Maria Noguera, Maria Castaner and Eulalia Nevada.
By way of protest against this brutal act a general strike was declared; on the day of the general strike the lieutenant in command of the armed forces struck with batons all workmen found in the public streets.

The public forces opened fire several times and seized several comrades, closed the workers' club, prosecuted the most representative workmen, and the sergeant of the civil guard struck the workman Manois, president of the working men's club, with his fists. In this way the employers were able to terminate the strike in their favour.

**Barcelona.** On the occasion of a strong nationalist agitation of a bourgeois and peaceful character, the militarists demanded and obtained from the Government the institution of a policy of persecution against the members of the organisation and against the workers.

On the 19th January 1919, a decree was published proclaiming that all persons arrested by the police would be conveyed to the fortress of Montjuich or on board the warship "Pelayo", which had just arrived at Barcelona for the purpose of being used as a prison for workmen. More than a thousand persons were detained for a considerable time, and the bullrings were even adapted for use as prisons.

This policy is still being followed at Barcelona, and it was the Government persecutions which made possible the agreement between the General Union of Workers and the National Federation of Labour which represent different tendencies.

**Corunna.** On the 16th January 1919, a civil guard killed two women and wounded three in a parish near the town.

**Tarragon (province of Cuenca).** A peaceful demonstration of women was organised in connection with the cost of living; the Prefect, arriving from the capital, assembled the traders and the authorities, and published a decree specifying the decrease in prices which had been secured in necessary commodities. The women refused increases of wages, considering a reduction in prices preferable. The women called upon the Prefect not to go away before being satisfied that the reduced scales were received.

This reduction was never carried out; the population was deceived.

**Canalpino (province of Salamanca).** The civil guard arrested the most representative members of the executive committee of the workers' organisation in this commune. The persecutions have lasted several months, beginning in February, 1720, the date of the commencement of reprisals.

**Cerrecinos (province of Zamora).** The employers having refused to accept the conditions of work approved at a provincial congress, a strike was declared. The civil guard, without previous notice, opened fire on a group of persons, and, as a result, a youth of sixteen was killed and three townsmen were wounded; one of the latter was an employer.

An inhabitant of Revellinos went to see what was happening, and was barbarously beaten; he was kept for twenty days in prison.

Eighteen persons, including four women, were arrested at Cerrecinos, although in no way responsible for what had happened. When they arrived at Aspariegos, in the neighbourhood of Zamora, they passed the night in chains and iron collars.

The president of the workers' association of Villalpando wished to send a telegram to the committee of the General Union of Workers to inform them of what had happened. He was prosecuted on this ground, and is still detained at the moment of writing. The lieutenant of the civil guard threatened him with death.

**Calatayud (province of Saragossa).** The workers organised a meeting to consider certain resolutions which had been passed at a congress in Madrid; the mayor gave his consent, but later, for reasons unknown, ordered the suspension of the meeting and summoned the civil guard by telephone. The latter arrived under the command of a captain, and forcibly ejected all persons from the theatre, while firing was heard in the street. Result: three killed and eleven wounded, three seriously.

One of these, while lying on the ground, was killed by the captain with his pistol. There were wounded among the armed forces. The townsmen did not even throw a stone.

The bourgeois gave a banquet to the civil guard and their captain after these proceedings. On the next day, as a final outrage, the bodies were taken to the cemetery in a rubbish wagon.

**The Incidents at Sueca.**

One morning in June 1920, at sunrise, the civil guard of this locality, divided into three groups, under the command of a lieutenant, forcibly entered the house of the workers Mariano Escriva, Camilo Albert and José Franquesa. They found no compromising documents; the workmen had no arms. They were searched, bound, and carried outside the village. Shots were heard; the workmen had attacked the townsmen from behind, and they were left on the ground, one dead, the two others seriously wounded. This tragedy was of so serious a character that at the Congress of the General Union of workers it was decided to send a special delegate to Sueca with instructions to prepare a report on the result of his visit.

The Executive Committee of the Union nominated Largo Caballero, Secretary of the Union, to carry out this enquiry, and the result, embodied in a report, supported by abundant evidence, has been transmitted to the Government. We have no knowledge whether the guilty persons have been handed over to justice.

**The Incidents in Extremadura.**

The two provinces of Extremadura and the eight Andalusian Provinces have suffered the severest persecution at the hands of "caciquism". If we were to relate in detail the outrages which are known to us, this report would extend to a great many more pages than the time at our disposal permits. The following is a summary of these incidents:

At Barcarrota a lieutenant of the civil guard victimised a number of workmen. Some of these have been detained in prison for several weeks.

At Olivenza, during a strike, a collision with the armed forces took place. A number of persons were wounded, and arrests and banishments took place.
At Valencia del Ventoso a peaceful and legally authorised demonstration took place. The population was fired on in cold blood. A pregnant woman was killed and also a youth of sixteen and more than twenty persons were wounded.

The insatiable “caciques” prosecuted the most representative workmen and procured sentences of two years’ imprisonment against several of them from a court martial.

At Burguillos a justice of the peace prosecuted the Workers’ Association for the purpose of obtaining its suppression.

At Higueruela Real several workmen were struck with batons by the civil guard. A Socialist advocate, a candidate for the municipal council, was deported. Those who did not submit to the “caciques” suffered from hunger and persecution.

At Fregenal de la Sierra the tradesmen who sympathised with the organised workers were threatened with the closing of their shops. A doctor who placed himself at the service of a Workers’ Mutual Aid Association was suspended from practice, and his diplomas were provisionally cancelled. The scandal was so great that the Minister had to put an end to it. Later on, the “caciques”, by means of money, induced the doctor to abandon the workers. Many acts of violence have been committed by the armed forces.

At Bodonal, the Comrade Gallardo, a Socialist municipal councillor, was prosecuted. The justice of the peace conducting the enquiry procured his liberation and that of a number of other workers who were unjustly detained, but when the proper examining magistrate returned he procured his re-arrest. This magistrate has committed a great number of outrages in the service of the political party which supports him.

At Alconchel the civil guard killed a workman.

At Fuentu de Cantos the Peoples’ Assembly Hall, the property of the workers, has been closed. Judicial proceedings have been in progress for a year and a half. The workers are not allowed to use the property which they had legally purchased.

At Valverde de Burguillos two comrades were arrested because they were supposed to be responsible for a fire which was of very little importance and with which they had nothing to do. The “caciques” were perfectly well aware that they were not responsible for this fire, but it served their purpose to frighten the organised workers, and they tried to do it by these means.

At Caceres there was a rising of women on the ground of the high cost of living. This was not the work of the workers associated with the movement, to whom in fact, the Prefect had recourse for the purpose of re-establishing order because the police force was not obeyed. When, however, a new Prefect took charge of the province, he ordered a prosecution before the military tribunals, and at the present time a great number of workmen and comrades, among them the Secretary of the Workers’ Federation at Caceres, the comrade Acero, who was detained for twenty days, are being prosecuted.

The civil guard is instructed not to permit meetings to be held, and the magistrates are instructed to order prosecutions and to have recourse to all the necessary proceedings to prevent the workers’ organisations being victorious.

Serious Incidents in Guipuzcoa.

When the workers of Leza in the province of Guipuzcoa were in the factories, a private motor car passed through the village, and the children followed it with cries. The civil guard pursued these children, and two of them were struck. This greatly incensed the population, and the feeling of the inhabitants against the military forces became so general that the civil guard fired several shots, as a result of which one workman from Irun was killed and several others were wounded, one of them, who belonged to Renteria, very seriously.

At San Sebastian a general strike was declared by way of protest. This strike was supported in the whole province. The municipal council of San Sebastian, in which the parties of the right are in a majority, placed itself at the head of a public demonstration which was to call upon the Prefect to satisfy the demands of justice and to prevent the civil guard from interfering in social disputes. A bivouac was formed, several revolver shots were fired at the demonstrators, and this was the signal for a fresh attack. Three persons were killed and several wounded. Such was the reply given to the municipal council and to the population.

All the associations of the Basque country protested. The strike became still more general. Martial law was proclaimed and force alone was able to subdue the popular will, which called for the dismissal of the Prefect and the punishment of the authors of these murders.

The Vinuela Affair.

During the general strike of August 1917, Corporal Pinedo, of the Railway Regiment, who had served during the strike on one of the locomotives working on the section of Puerto de Pajares, was found dead at Busdongo. Days and months passed, but no one gave any information regarding the author of this murder.

An anonymous letter received by the military judge accused José María Vinuela of this crime, and without further evidence he was brought before a court martial. His counsel, Captain M. Rivero Echevarria, maintained before the court martial the necessity of referring the Vinuela affair to the civil jurisdiction, on the ground of the incompetence of the military jurisdiction. This procured him a severe public reprimand from the president of the military tribunal. It is said, moreover, that this gentleman was punished by his military superiors.

The court martial condemned Vinuela to death. The case was reviewed by the Supreme Military and Naval Tribunal, but the sentence was upheld, although there was not the slightest proof of the guilt of the accused before such tribunals. The case cited is an example of this.

Another example is that of Villalonga. The persons affected by sentences of this nature are very numerous.

Villalonga.

Villalonga was a Catalonian workman condemned to death by a court martial. The case having been reviewed by the Military and Naval Council, the sentence was confirmed, although
there was no evidence of the guilt of this workman. The sentence was not carried out, thanks to an agitation which lasted for several months.

**Agricultural Conciliation Committees.**

The Government has promulgated a Decree ordering the formation of conciliation and arbitration committees in relation to work upon the land. These committees have been so constituted as to favour the participation of non-union elements, and the workers have consequently received them with marked distrust. Nevertheless, in a great many districts they have taken part in the work of these bodies without obtaining the execution of their awards when these ran counter to the employers' interests.

The following is a very brief résumé of cases of this character.

At Valencia del Ventoso (province of Badajoz) fourteen workers were arrested in consequence of the failure of the workers and employers on the committee to agree.

At La Algaba (province of Seville) the decisions of the committee have not been carried out. Ten peasants were arrested.

At Arjonas (province of Jaen) an agreement has been signed by the two parties.

At Mancha Real (province of Jaen) an agreement has been signed, but has not been carried out.

At Canete la Real (province of Malaga) the facts were the same; a strike has been declared and the usual outrages have been committed.

At Villanueva de Cordoba the employers refused to give work to the organised workers.

At Teba (province of Malaga) an agreement was signed but the employers declined to carry it out.

They secured the deportation of the most representative workers, and the civil guard committed the worst excesses in order to please the "caciques".

At Santa Cruz de Paniagua (province of Caceres) the Mayor gave work to non-unionists with the intention of destroying the organisation.

At Calera de Leon (province of Badajoz) the commander of the civil guard arbitrarily fixed the rate of wages and compelled the carrying out of his orders by force.

At Puebla de Cazalla (province of Seville) where the workers' club has been closed for a year and a half, that is, since the time of the commence ment of the persecutions, the mayor advised the workers to attack the employers and sabotage the machines, and at the same time advised the employers to resist the demands of their workers by force.

At Campillos (province of Malaga) and at Sentenil (province of Cadiz) the employers failed to fulfil the undertakings which they had signed. Notwithstanding this, no proceedings have been taken against them, nor have they been molested, as the workers have been. The workers' clubs are still closed at the time of writing. The president of the workers' association of Campillos has been deported.

At San Sebastian de los Ballesteros (province of Cordoba) the employers having failed to observe the contracts into which they had entered, incidents took place and the civil guard killed several workmen.

**A Martyred Workman.**

The newspaper Solidaridad Obrera of Valencia published the photograph of a workman martyred by the public forces. El Socialista of Madrid, in its No. 3622, reproduced this statement which has not been officially denied.

The case indicated is not the only one of its kind.

**Melilla, Africa.**

At Melilla there are no civil authorities. As its population has increased the workers have organised themselves. The military commander of the station has ordered the banishment of the members of the executive committee, and has used every means to prevent the organisation of the workers.

**The Dato Ministry.**

A résumé has been published by El Socialista respecting the work of the Cabinet under the presidency of Don Eduardo Dato. We give the following paragraphs of this résumé, as we think that will convey an idea of the conditions governing labour organisations in Spain.

1 May.—At Vigo demonstrators were attacked with rifle fire and the mayor suspended meetings, as well as the annual outing to the country, and, further, imprisoned the victims of these repressive measures.

At Fregenal meetings and demonstrations were prohibited. The workmen's club (casa de los obreros) was attacked by the civil guard, who carried off all papers.

Meetings were prohibited in two villages in Aragon.

2 May.—Household raids by police in Madrid.

At Valencia a sub-lieutenant of the civil guard killed two workmen and the general strike increased in intensity. The workers' club was closed.

5 May.—A general strike was proclaimed at Salamanca. This strike was supported by the tradespeople.

At Valencia several arrests were effected.

A lockout was declared at Soria.

At Cortes de Peleas two Socialist propagandists were illtreated and arrested.

8 May.—One of the persons wounded by the civil guard died at Valencia.

9 May.—At Crevillente certain disturbances due to deportation were suppressed with much violence.

The mayor and several citizens were wounded by the civil guard. The workers' club was closed and many persons were arrested.
At Tortosa the women created a disturbance and clamoured for bread at cheaper prices. The deportation of strikers at Penarroya continued.

11 May.—A general strike at Merida. Demonstrations by women.

13 May.—Very serious riots at Palencia as a protest against the high cost of living.

15 May.—General strike proclaimed in Mairena. Women held a demonstration against the high cost of living at Avila. They were dispersed by rifle fire.

19 May.—Hunger-strike declared by persons detained in Barcelona.

20 May.—The disturbance due to the bread riots continued in Madrid. A child of twelve years trampled on and seriously wounded by the horse of a soldier. A woman was struck by a bullet. Many arrests were effected.

21 May.—Martial law was proclaimed at Salamanca and Bejar as a consequence of the riots due to the high cost of living.

22 May.—The deportation of strikers from Penarroya increased.

23 May.—Three women were ill-treated by the civil guard at Pueblonuevo del Terrible (province of Cordova).

25 May.—General strike recommenced at Valencia.

27 May.—The civil guard killed and wounded five persons at San Sebastian. General strike declared.

28 May.—General strike at Montijo.

29 May.—Thirty workmen arrested at Torredonjimeno.

30 May.—Police fired on and killed a workman at Valencia.

3 June.—The strike at Penarroya ended, but a number of workmen were detained in prison, deported or banished.

5 June.—The Socialist professor, comrade Esbri, at Jaen was arrested and taken to Madrid.

7 June.—A Socialist meeting was suspended at Quero.

9 June.—The civil guard killed a miner at Maeres. General strike in the candle-making industry was declared in the whole of Spain.

19 June.—Riots caused by the high cost of living broke out in several villages in the neighbourhood of Merida.

22 June.—The civil guard fired on some workmen whom they had arrested and whom the population was endeavouring to liberate. Three workmen killed.

2 July.—The workmen employed at the Rio Tinto mines for the extraction of pyrites called a general strike; about 5,000 strikers in all. At Bodonal de la Sierra several workmen were put in prison.

4 July.—It was discovered that twenty-three workers, four of whom were women, had been detained for five months in prison.

6 July.—Comrade Rodriguez Capitan was deported from Campillos.

12 July.—At Los Santos riots took place against the high cost of living. The bakers on strike at Madrid were replaced by soldiers.

13 July.—The Socialist mayor of Barfim was insulted by the police.

14 July.—At Don Benito serious incidents took place because of the high cost of living. Several inhabitants were arrested and several wounded. At Valverde del Camino a Socialist was wounded and imprisoned.

15 July.—At Martos the executive committee of the Masons' Union was arrested.

18 July.—Two members of the editorial staff of El Socialista were subjected to legal prosecution.

20 July.—At Corunna, Santander and Bilbao, violent conflicts took place between the police, the strikers and the "yellow" workers. In consequence, several workers wounded and one man killed.

21 July.—At Alcantarilla the civil guard killed one workman and wounded another. At Caceres the organised workers were insulted.

22 July.—At Madrid several persons were wounded while lining up in a queue for the purchase of oil.

At Fuente la Miguera one workman was deported.

28 July.—At Zamora twenty-five workmen were arrested.

At Teruel serious disturbances took place because of the high cost of living.

4 August.—At Palma de Majorca a twenty-four hours' general strike was declared as a manifestation of solidarity with imprisoned tramway employees. It was discovered that two Brazilians had been kept in prison at Vigo for over two months, though no accusation had been brought against them.
At Madrid a police corporal wounded an old man.

At Torrememada a recruit was killed by the police.

5 August.—At Villanueva in the province of Murcia, a workman was killed by the civil guard. The Government decided, through the Royal Procurator of the Supreme Court, that the collection of contributions to trade union funds was to be considered illegal.

8 August.—At Huelva the inhabitants looted the merchants’ stores.

10 August.—El Socialista was again denounced. At Gijon a sailor was killed by a corporal of the civil guard. A general strike was declared at Villagarcia. The police intervened and fired on the mob: result — one man wounded and several arrested.

14 August.—The “yellow” worker, Madera, was acquitted at Oviedo, although guilty of murdering a member of the miners’ trade union. At Azuaga, organised workers were chased and beaten with sticks.

At Cuatro Caminos, a child was killed and six persons wounded by the police.

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31 August.Two Ministers were dismissed from the Cabinet: Mr. Ortuno, Minister of Public Works, because he did not like to accept his relatively moderate social policy. In spite of this, Mr. Bergamin is one of the best hated “caciques” in Andalusia.
The lieutenant of police, José Mendez, entered the workers' club and committed several outrages.

Excesses committed by the civil guard.—The civil guard has threatened, persecuted and insulted the workmen for reasons connected with their organisation in the following places:

On account of their Socialist tendencies workmen were threatened at:


At Torrecampo, a lieutenant of the civil guard forced the workmen to sign the conditions of the labour agreement which he imposed on them.

At La Rinconada the civil guard forced the workmen of the union to burn their books. As soon as the books had been burnt the guard obliged them to sign a document which was sent to the Prefect. In this document the union was declared dissolved.

At Ponferrada a comrade was obliged by the civil guard to leave the country and was threatened with death if he did not obey this order.

Expelled.—The following are the figures or the number of workmen expelled from the following places:—Villafranca 1; Rey Fuencaliente 1; Lora del Rio 3; Saragossa 2; Jaraiz 11; Vilaseca 7; Encinas Reales 1.

Deported.—The total of persons deported is as follows:—from Lora del Rio, 4; San Juan de Aznalfarache, 2; Crevillente, 8; Cordoba, 17; Burriana, 1; Galves, 1; Alcoy, 9; Navalvillar de Pela, 1; Seville, 20; Talvan, 9; Prado del Rey, 2; Badajoz, 1; Jerez de la Frontera, 21; Montijo, 7.

Workmen ill-treated.—The following is a list of persons ill-treated:

- At Montalban two workmen were summoned to the barracks by the civil guard for having commemorated the death of their comrades killed by the military on the eve of the elections. They were thrashed until they fell fainting to the ground. They were then beaten with the butt ends of revolvers by the civil guard.

- Santisteban del Puerto. On leaving the workers' club, seven workmen were searched. They carried no arms. After having been searched, their faces were struck and one of them was hit in the chest with a revolver by a civil guard.

- Pueblo de Cazalla. A workman was beaten. The serious nature of his wounds was testified to by a local doctor.

- Encinas Reales. Because his son had quarrelled with another man, a sergeant of the guard entered the house of the latter and ill-treated a woman and a little girl, the mother and sister of the young man with whom his son had quarrelled.

- Adamuz. The police after several unsuccessful attempts arrested the president of the workmen's union and thrashed him to such an extent that his whole body was covered with weals.

- La Pedriza. Two workmen were covered with blows because of their Socialist tendencies.

- Villanueva de Cordova. A shepherd aged seventeen was arrested for carrying the identity card of a trade union. He was handcuffed, taken to the barracks of the civil guard, and thrashed.

- Biel. A workman was arrested for carrying a letter from his co-reigionist Azorin. He was hit in the face, then thrown against a chair and trampled on.

- Consuegra. A workman was struck in the face, then thrown against a chair and trampled on.

- Isotomar. Electric rings were applied to prisoners, who were then struck in the face.

Killed and Wounded.—In connection with various incidents of social character, the following numbers of workmen were killed and wounded through the illegal intervention of the police forces:

- at Valencia del Ventoso one pregnant woman and one young man killed, and 24 wounded; at Villafranca de Cordoba, one woman killed; at Luque 2 men killed; at Tarancón, 4 men and 5 women killed and 18 persons wounded; at Pueblo Larga 5 men killed and 20 wounded; at El Carpio (province of Huelva) 2 killed and 3 wounded.

These figures are far more eloquent than any words of ours.

General and Partial Strikes in Spain.—In conclusion we will give the briefest possible account of present conditions in Spain.

The suspension of the constitutional guarantees continues. "Caciquismo", i.e., the influence of unofficial political agents, is rife in Andalusia and in Extramadura. These leaders are already influencing the elections of deputies to the Cortes, which should take place in December of the present year, and are resorting for this purpose to measures of the basest and most violent nature. The persecuted workers' organisations have no rights and no means of defence. In many places the workers' clubs have been closed for months, and even workers' meetings of a purely routine nature are no longer authorised.

On the other hand, the bourgeoisie are meditating a policy of aggression and dream of realising their ambition. It is true that murderous attacks were made at Valencia, Barcelona and Saragossa, but for these the bourgeoisie are alone responsible. The workers' movement has repudiated all solidarity with this policy of violence, which is after all of a purely local character. But the cold and premeditated aggression of the bourgeoisie is of a national character and is intended to exasperate the masses, to encourage them to adopt violent measures and to hasten the defeat of the workers in this country.
The Governor Body. It is the Government, therefore, which is preparing a declaration of war.

A Ministry of Labour has been constituted, but its intervention is a mere matter of form.

The present position in Spain is indicated in these notes collected at random. And these give only a pale reflection of the miserable realities in our country.

APPENDIX III.

THIRD ITEM ON THE AGENDA.

Speech of Sir Malcolm Delevingne as "Rapporteur" of the Finance Committee: fifth sitting, 13th January 1921.

"The Budget Committee have had to deal with three separate subjects: the accounts for 1920, the new financial regulations, and the budget for 1921. I will take first the accounts for 1920. The accounts have been laid before the members of the Governing Body, and the Budget Committee have only two remarks to make with regard to them. In the first place the accounts are not final. Some accounts from the first quarter of 1920 are included in the statements which have been laid before the Governing Body, and on the other hand, a number of accounts which are still outstanding have had to be estimated, the actual accounts not having yet been submitted to the Governing Body. The accounts which have been laid before the Budget Committee are provisional only. The final accounts will be prepared later and will be submitted by the Office to the auditors of the League of Nations. That is the first remark. The second remark is this — The Governing Body will see that the accounts show an estimated balance of £34,600, of which £7,100 is actually in hand and £27,500 has yet to be received from the Secretary-General of the League. The Budget Committee have had an interview with the Secretary-General as to how this balance should be dealt with. It has been agreed that the balance should be retained by the Labour Organisation, and that it should appear in the receipts of the budget for 1922. It is not possible to bring it into the budget for 1921, first, because the exact total is not yet known, and it is possible that some of the subscriptions which are still outstanding for 1920 will not be paid; and in the second place the total of the budget for 1921 has already been voted by the Assembly of the League.

The Budget Committee regard the arrangement which has been come to with the Secretary-General as entirely satisfactory to the Labour Organisation. That is all the Budget Committee have to say with regard to the accounts for 1920.

It is satisfactory that the accounts show a balance, but as the Governing Body will have noted from the remarks of the Director which have been circulated to the members, the savings are partly illusory. They are not so much economies as expenditure which it has not been possible to incur, for instance such expenditure as works of reference for the Library.

The second part of the report of the Finance Committee deals with the new financial regulations, of which copies have already been circulated to the Governing Body. There are two sets of regulations, the first of which deals with subsistence and travelling allowances and the second with the question of financial control.

As regards the regulations for subsistence and travelling allowances, it is sufficient to say that in the main they codify the existing practice of the Organisation. There is one point, however, on which the Finance Committee have considered it necessary to lay down a new rule, that is, as to the payment of substitutes. The Committee do not think they can justify the payment of allowances to substitutes in respect of meetings of the Governing Body at which the original or titular member is himself present. It has been pointed out to them that some provision in respect of casual vacancies, which have occurred during the period of the session through sickness or other cause, would be reasonable, and they have accordingly laid down the rule that the payment of allowances in respect of one substitute for each of the Employers' or Workers' Groups shall be permissible. They do not think it right to extend it.

I must also point out that the scales which are now recommended by the Finance Committee are not final, but are dependent on the scales which will be presently fixed for all the organisations of the League. I may add that the Secretary-General of the League has been consulted on the provisional scales which are proposed, and that he does not regard them as excessive, having regard to the loss of time which is involved to members by attendance at meetings of the Governing Body. The nature of regulations refers to the question of financial control, and give effect to the decisions which were recently taken by the Assembly of the League of Nations, and which will be found in the printed report of Sir George Foster, which has been distributed to the Governing Body."
The Finance Committee have considered the question of the creation of a reserve fund similar to that created by the League for the purpose of making what Sir George Foster calls in his report "recoverable advances"; that is a fund which will enable the League to finance its operations in case the subscriptions of the members are not paid in sufficient time. The Secretary-General, whom we consulted on the subject, informed us that it was the intention of the Assembly that the reserve fund of the League should provide for the needs of the Labour Organisation, as well as for those of the League itself, and the Finance Committee, therefore, do not make any proposal in the budget for the creation of a reserve fund. The question will come up for further consideration in connection with the budget for 1922.

In concluding this part of the report I may add that one or two amendments have been introduced in the draft regulations which have been circulated to the Governing Body, but they do not affect the substance of the regulations.

The third portion of the Report of the Finance Committee deals with the budget for 1921. The Committee regret they have not had sufficient time to examine the budget as exhaustively as they would have wished and to present a detailed report for the consideration of the Governing Body. There has been a considerable amount of work to do and they have held three long meetings during the Session of the Governing Body itself. It would be desirable, they think, in future that they should complete their work before the commencement of the Session of the Governing Body and have their report in the hands of the members at the time of their arrival.

The Committee, however, have taken measures which they think will be adequate to ensure sufficient control by the Governing Body over the expenditure of the Organisation.

They have effected reductions under all sub-heads with the exception of Sub-head A, and they have appropriated under a new Sub-head entitled "Emergency Expenditure" the sum of 143,000 gold francs, which will be available, with the consent of the Governing Body, for any expenditure which cannot at present be foreseen. The total sum for the budget which the Committee recommend is 6,600,000 gold francs. It is made up as follows:

<table>
<thead>
<tr>
<th>Sub-head A — Salaries</th>
<th>3,070,000 gold francs</th>
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<tr>
<td>Sub-head B:</td>
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<td>C</td>
<td>318,000 gold francs</td>
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<td>D</td>
<td>1,560,000</td>
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<td>E</td>
<td>455,000</td>
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<td>F</td>
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<td>384,000</td>
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Sub-head G will become "Emergency Expenditure" and the figure will be 143,000 gold francs. There will be no Reserve Fund for the reasons which I explained just now.

The total, excluding the cost of the League of Nations Enquiry is, as I said 6,600,000 gold francs, which is less by 400,000 gold francs than the round figure of 7,000,000 which was adopted by the Governing Body at its last Session for communication to the League of Nations and which was subsequently voted by the Assembly of the League.

It will be remembered by the Governing Body that in giving this round figure we stated that the budget would be prepared with care and that, if possible, it would be brought below the sum of seven million gold francs. We have carried out that undertaking. The balance of 400,000 gold francs will remain in the hands of the Labour Organisation during the year and, should new developments of the work of the Organisation become necessary, it will be within our power to vote a supplementary budget for them.

Should it not prove to be necessary to do so, we shall be able to show this amount to the League as the saving we have effected and to ask them to authorise its being devoted to the future work of the Labour Organisation: as, for example, the purchase or extension of buildings for the Office, as the Governing Body may consider best.

The question of the staff has engaged the attention of the Committee. Certain objections have been raised in regard to some questions of organisation and to the staffing of some of the departments, but the Committee have decided that in present circumstances they will not recommend any changes of importance.

The organisation and staffing of the Office will be examined by the Special Commission of Experts which the Assembly of the League has requested the Council of the League to appoint, and the whole question will therefore come before the Governing Body at a subsequent meeting.

The Committee desire to say that at their interview with the Secretary-General of the League, they came to an agreement with him as to the necessity of establishing common scales of salaries and allowances for similar grades of staff. This will remove a difficulty which has caused some trouble to the Labour Office. They also have to note that in one or two cases they would have wished to recommend changes in personnel or salaries, but they were prevented from doing so by the engagements into which the League of Nations or the Office had already entered.

The Finance Committee have made some small alterations in the form of the budget to which it is not necessary to refer in detail, but the members of the Committee will be glad to answer any questions that the Governing Body may wish to put to them.

ANNEXE A TO APPENDIX III.

Notes on statement of accounts for 1920.

Receipts.

It will be remembered that some fears were expressed that the amount which the League were prepared to pay during the last quarter of the year, namely £75,000, instead of the £102,500, which was due in order to complete the amount to which the Office was entitled under the budget
of the League, would not be sufficient to meet our expenditure. Fortunately, these fears have not been realised, and the statement even shows a balance of nearly £20,000 on the money we have actually received. Against this, however, have to be set the outstanding liabilities, which are estimated at £12,565 (see column 6, Table II). There should, therefore, be a balance of about £7,000 on the amount which we have actually received from the League during the nine months' period covered by the Budget. If to this is added the further £27,500 to which we are entitled, as well as the balance of £3,800 brought forward from March, there will be a total unexpended balance of about £34,600.

Expenditure.

As regards expenditure, it will be realised that the figures both of the expenditure already actually incurred and of the outstanding liabilities, are necessarily to some extent approximate, as it has not been possible to arrive at complete accuracy in the short time available since the 31st December, 1920. As regards the various items:—

1. Salaries.—The amount spent on salaries shows a balance of about £3,000 on the nine months, even taking into account the inevitable loss on the exchange and the increases given to meet the cost of living during the last four months.

2. Rent, light, etc.—The excess of £1,201 on three-quarters of the budget does not fairly represent the position, as rent has been paid to June 10th next and there is a sum of about £250 due for coal delivered in December for the use of the staff. When these two factors, plus outstanding accounts for coal, light, etc., are taken into account, there is a net saving of about £250 on the budget.

3. Correspondents, and collection of information.—The saving of £3,581 shown under this heading is to some extent illusory, as the correspondents were not in operation during the whole of the nine months.

4. Printing.—A large saving of £13,630 is shown under this heading. Here again it should be remembered that publications were only begun on a large scale in the month of September.

5. Postage.—For the same reason the expenditure under Postage should be regarded as below normal.

6. Travelling Expenses.—There is a large excess under this heading, as was anticipated in the report presented at the last meeting of the Finance Committee. The excess is mainly accounted for by the expenditure incurred by transferring a large portion of the staff from London to Genoa and from Genoa to Geneva, and the payment of their subsistence allowances while at Genoa. It also includes the transfer of the remainder of the staff from London to Geneva. The expenditure for these purposes, together with the allowances for the first week at Geneva, amounted to £9,619.

7. Stationery.—There is a very large excess amounting to £5,352 under this heading. As was forecasted in the report presented in September, the bills now received on this account have been exceedingly heavy, and the original estimate has proved quite inadequate in view of the greatly increased cost of paper and writing materials, and the rapid growth of the Office.

8. Library.—The amounts spent under these headings are much smaller than the estimates. The library is already overburdened with the task of re-cataloguing the Basic collection, and it has not, therefore, been thought advisable to make new purchases on an extensive scale. Moreover, no expenditure at all was possible until the Office took up its quarters in Geneva, where there was sufficient space available for storing books.

9. Emergency.—Against this has been charged the installation of the telephone, which was estimated at £750, but which in fact has only cost £580.

Non-recurring Expenditure.

10. Repairs to Office.—Although there has been a larger expenditure for this purpose during the past quarter than in the previous one, the total amount spent up to date is less by £2,700 than the three-quarter estimate. There are still, however, a considerable number of outstanding repairs which must be done before the Office can really be regarded as in a satisfactory condition.

11. Typewriters, etc.—There is a small excess under this heading owing to the increased cost of machinery and the expansion of the staff, which necessitated the purchase of the necessary mechanical appliances.

12. Transfer of the Office to Geneva.—Under this heading an excess of £3,652 is shown on the three-quarter estimate. It will be understood, however, that the whole of the expenditure for this purpose necessarily falls within the year 1920. If the total amount provided in the budget for the transfer, namely £10,000, had been available, the excess would have amounted to £1,152.

13. Enquiry in Russia.—The total expenditure in respect of the Russian Section and the publication of its report, to which the cost of the mission to Hungary (£380) has also been charged, is £3,087, as compared with the three-quarter estimate of £18,750. There is, therefore, a large saving under this heading.

14. In view of the above statement, the Finance Committee is called upon to make recommendations to the Governing Body on two points:—
1. As to the disposal of the balance, the Secretary-General of the League is understood to take the view that under the present arrangement, by which the expenses of the office are borne as part of the general expenses of the League, he is not entitled to pay to the Office more than the actual amount of its expenditure. In support of this view he quotes Article 399 of the Treaty, which states “all the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General out of the general funds of the League”. If this view is accepted, it would follow:—

(a) that we should make no claim to the £27,500 not yet received in respect of the 1920 budget.

(b) that the anticipated balance of about £7,000 on the actual amount received should also be surrendered to the League in some shape or form.

It would seem to be a very much fairer arrangement that the saving effected by the International Labour Office on its 1920 budget should either be carried to a reserve fund, or should be deducted from the amount which would otherwise have to be contributed in respect of the Organisation in the year 1922. It is to be remembered, however, that the League might wish to reduce the amount of the balance by the proportionate amounts of the contributions which have not been paid for the past year.

It will be necessary for the Governing Body to take some decision on this question.

2. In order to regularise the financial position, as shown at the end of the year, it will be necessary to devote the balance under some items to meet the excesses under others. This will not involve the transfer of funds from one sub-head of the budget to another. The Governing Body should, however, be asked to pass a resolution authorising the transfer of one sub-division to another within the chapter.

ANNEX B TO APPENDIX III.


1. Each year the estimates for the International Labour Office will be approved by the Governing Body in time to be forwarded to the Secretary-General of the League of Nations before the date of presentation of the general budget of the League to the Executive Council of the League.

2. Revised estimates, if and when required, will be forwarded to the Secretary-General in time for submission to the Assembly at its Sessions.

3. The accounts of the International Labour Office will each year be audited by the auditors appointed to audit the accounts of the League of Nations.

4. The Director will submit to the auditors all documents necessary for their reports.

5. The auditors' report will be considered by the Governing Body, and will be forwarded by them to the Secretary-General of the League, together with the audited statement of accounts duly signed by the Chairman of the Governing Body and the Director, for inclusion in the general audited statement of the League finances for presentation to the Assembly.

6. Expenditure can only be effected by virtue of a warrant signed by the Director, or the Deputy-Director, or by a head of Branch when expressly so authorised by the Director, and then only within such limits and for such purposes as may have been prescribed. All proposals for expenditure shall be submitted for sanction to the Control Branch, who will examine them and specify the sub-head and sub-division of the budget to which the expenditure should be allocated.

7. Within the chapter of the budget of the League of Nations constituting the budget of the International Labour Organisation, transfers from one sub-head or subdivision of the estimates to another may only be effected by virtue of a special resolution of the Governing Body. Transfers from one item of a sub-division to another may only be effected on the express authority of the Director or Deputy-Director.

8. No expenditure may be effected on account of the sub-head for “Emergency” without the special sanction of the Governing Body.

9. All salaries will be paid in gold francs as from the 1st January 1921. In order that the basis of conversion may correspond with that adopted by the Secretariat of the League of Nations, the existing salaries will be converted at the rate of 20 gold francs to the pound sterling.

ANNEX C TO APPENDIX III.

Regulations proposed by the Finance Committee and adopted by the Governing Body for the payment of subsistence allowances and travelling expenses to members of the Governing Body and Commissions appointed by the Governing Body.

1. The following are not entitled either to travelling expenses or to subsistence allowances:—

- Delegates to the Conference and their technical advisers and interpreters;
- Government delegates and interpreters attending meetings of the Governing Body.
2. The following are entitled to subsistence allowances and travelling expenses:—

(1) On the Governing Body:

(a) The six employers' representatives and one substitute;
(b) The six workers' representatives and one substitute;
(c) The Chairman, Vice-Chairman and members of the Governing Body, in cases where they may be required by the rules of the Conference or instructed by the Governing Body to undertake specific duties outside the period of the meetings of the Governing Body.

(2) On Commissions appointed by the Governing Body:

All members not already covered by the foregoing provisions, except in special cases where the conditions attaching to the appointment of the Commission render the payment of expenses and allowances unnecessary.

Substitutes are not entitled to their travelling expenses or subsistence allowances, except when they actually take the place of a titular member not present at the meeting.

3. The following are the rates of travelling expenses and subsistence allowances:—

(1) Daily Subsistence Allowance:

A.—Delegates coming from overseas:

(a) 15/- for the period of the voyage (outward and inward).
(b) £3 for the normal period of the meeting including the railway journey.
(c) £3 from the end of the meeting to the date of embarkation on the first available boat.

B.—European Delegates:

£3 for the period comprising the normal duration of their journey and of the meeting.

The value of the pound sterling will be reckoned as equivalent to 20 gold francs.

(2) Travelling Expenses:

(a) Cost of first class steamer and railway tickets and also, where necessary, sleeping car supplements.
(b) Payments for porters, luggage and conveyances, both on the outward and inward journey (Expenses for gratuities, hotels, meals, and the like, are not to be included in claims for repayment of travelling expenses).

4. Payment of subsistence allowances and travelling expenses will be made as the Delegates may elect, in Swiss francs or by cheque drawn at the current rate of exchange on the place and in the currency desired.

5. Delegates living in the town where the meetings of the Governing Body and the Commissions take place are not entitled to any allowances, except in the case of workers' delegates, who will be entitled to compensation for loss of wages.

6. Any question that may arise relating to the interpretation of these regulations shall be decided by the Director of the International Labour Office, who shall, if necessary, submit the matter to the Finance Committee.

ANNEX D TO APPENDIX III.

Explanatory note on Estimates for 1921 adopted by the Finance Committee

General Summary.

<table>
<thead>
<tr>
<th>Sub-head</th>
<th>Gold francs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Salaries</td>
<td>3,070,000</td>
</tr>
<tr>
<td>B Travelling and Miscellaneous</td>
<td>318,000</td>
</tr>
<tr>
<td>C Establishment and Office Expenses</td>
<td>1,560,000</td>
</tr>
<tr>
<td>D Correspondents and collection of information</td>
<td>455,000</td>
</tr>
<tr>
<td>E Conferences and Enquiries</td>
<td>670,000</td>
</tr>
<tr>
<td>F Non-recurring expenditure</td>
<td>384,000</td>
</tr>
<tr>
<td>G Emergency Expenditure</td>
<td>143,000</td>
</tr>
<tr>
<td>Total Estimate</td>
<td>6,600,000</td>
</tr>
<tr>
<td>Balance</td>
<td>400,000</td>
</tr>
<tr>
<td>League of Nations Enquiry</td>
<td>10,000</td>
</tr>
<tr>
<td>Total as voted by the Assembly of the League</td>
<td>7,010,000</td>
</tr>
</tbody>
</table>
The International Labour Office has to keep constantly in touch with those persons in each country who are interested in international legislation. The Director must also keep himself informed not only of the general economic and social life of the various countries, but also of all the other circumstances of which a knowledge is indispensable to timely and effective action. This is the first task of the Liaison Branch.

It must further be borne in mind how necessary it is to avoid mistakes. The Office is constantly exposed to the risk of wounding national susceptibilities or the amour-propre of organisations. In order to prevent dangerous mistakes, it is essential that there should be a well-informed section exercising rigorous supervision on the correspondence of the Office with the Organisations.

This Branch has the further duty of receiving and distributing information coming from the local Correspondents, and of collecting materials on which to reply to the inquiries received from them.

Under the organisation which is proposed, there will be three officers dealing particularly with French-speaking countries, two with English-speaking countries, two with Spanish-speaking countries, one with Italian-speaking countries, and two with German-speaking countries. These officers will work under the direction of a chief whose salary it is proposed shall be 25,000 francs. In addition to keeping the Director informed of general developments and the state of opinion in the countries with which they are concerned, these officers will centralise all correspondence between the Office and the local Correspondents (where such exist) in those countries. For example, all letters for the London and Washington Correspondents will pass through the hands of the sub-section dealing with English-speaking countries, and so on. This system has been deemed essential in order to avoid similar or contradictory requests being addressed to our Correspondents by different departments of the Office, and for ensuring that the Correspondents are dealing with the various requirements and instructions sent to them.

The Director is convinced that the strengthening of the Liaison Branch is one of the most essential measures for fostering the international relationships of the Office, and for making each country realise that the Office is part of its national life.

Sub-division IV : The Private Secretariat of the Deputy-Director. — The increase under this head is mainly accounted for by the fact that the salaries of the two secretary typists attached to the Deputy-Director appear under this heading instead of being included in the expenses of the Pool as was the case in last year's budget.

Sub-division V : The Central Services. — The considerable increase under this head is partly accounted for by the general increases in salaries in the lower and intermediate grades which have been granted in view of the high cost of living at Geneva, and in order to harmonise the salaries of the lower grades with those of the corresponding grades in the Secretariat of the League. But it is mainly due to the normal growth of the establishment, the inevitable consequence of which is to make greater demands on each of the Central Services.

The Central Services are at present divided into two principal branches, one dealing with establishment questions and the other with finance, printing and sales. There is also a small Personal Branch.

(a) The Establishment Branch comprises:

1. **A Branch** dealing with all the material arrangements of the building, the purchase of furniture, office equipment, telephone arrangements, etc. It is not proposed to make any increase in this Branch for next year, but, if possible, to reduce it now that the work of initial installation is nearing completion.

2. **The Household Branch**, which includes the staff necessary for the cleaning and maintenance of the building and the garden.

3. **The Registry**. Some increase has appeared inevitable in this branch, as the number of letters received and despatched is steadily increasing. When the Office left London the number of letters received and despatched each day averaged 68 : at the present time it averages 165.

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<table>
<thead>
<tr>
<th>Subdivision</th>
<th>Sub-head A—Salaries</th>
<th>Gold francs</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Director</td>
<td>72,000</td>
</tr>
<tr>
<td>II</td>
<td>Cabinet</td>
<td>440,060</td>
</tr>
<tr>
<td>III</td>
<td>Deputy-Director</td>
<td>52,000</td>
</tr>
<tr>
<td>IV</td>
<td>Deputy-Director's Secretariat</td>
<td>29,920</td>
</tr>
<tr>
<td>V</td>
<td>Central Services</td>
<td>712,052</td>
</tr>
<tr>
<td>VI</td>
<td>Diplomatic Division</td>
<td>362,200</td>
</tr>
<tr>
<td>VII</td>
<td>Scientific Division</td>
<td>801,850</td>
</tr>
<tr>
<td>VIII</td>
<td>Technical Services</td>
<td>539,920</td>
</tr>
<tr>
<td>Temporary assistance, Overtime and other incidental expenses</td>
<td>59,050</td>
<td></td>
</tr>
</tbody>
</table>

Total: 3,070,000
(4) The Distribution Branch, which consists of five persons. It is proposed to engage two boy clerks for this branch, on account of the constantly increasing number of publications which have to be despatched, amounting sometimes to as many as 2,000 in one day.

(5) The Typing Pool. With the growth of the Office, particularly as regards publications, a considerable increase in the Pool has been found inevitable. Next year the Office will be called upon to undertake the issue of certain of its publications in German, Spanish, and Italian, as well as in French and English, for which the necessary complement of typists and stenographers will have to be provided. Every effort is, however, being made to avoid increasing the Pool unnecessarily by the use of mechanical appliances and also by insisting that each of the technical services shall, as far as possible, be self-sufficient in this respect. It is calculated, however, that it will be necessary to add not less than eight new stenographers, of whom six will be recruited in Geneva at Swiss rates of salary, which do not have to take account of expatriation.

(b) The Financial and Printing Services now comprise a branch dealing with printing and sales, an Accountant's Branch and a Control Branch, the duty of the last-named being to examine and authorise proposed expenditure, while the Accountant's Branch deals with payments and the banking account. As this year's budget is framed in gold francs, a great deal of calculation will be involved each month in order to arrive at the exact sum in Swiss francs which each member of the staff will be entitled to draw. For this purpose it will be necessary to add an assistant to the Accountant's Branch, and with the greater volume of expenditure, the Control Branch will also require an additional clerk.

The development of our publications makes it imperative to constitute a strong section dealing with their printing and sale. The printing arrangements have to be carefully considered, and with the volume of material which now has to be dealt with each day, this inevitably requires the services of one or two additional persons in order to supervise the printers' accounts and ensure prompt delivery. Every effort is, however, being made to recover the cost of the publications by securing regular subscribers and by obtaining advertisements for the Daily Intelligence. This can only be done by the adoption of commercial methods which require persons possessing the necessary experience, who can devote their whole time to this work. A substantial number of subscribers have already been obtained, and it may reasonably be expected that the additional salaries under this heading will be more than compensated for by the increase in receipts which will result.

(c) Finally, the Personal Branch, consists of a Chief, one Assistant and two typist clerks. A large volume of correspondence is received daily in this branch. This is due mainly to the number of applications for employment addressed to the Office. Not less than 16,000 letters of this kind have been received through the post during the past year. Further, now that the examination system has been established, it will be the duty of the Personal Branch to deal with the examinations. This is a task which will add considerably to the work of the Branch. In addition, it is necessary to keep the individual dossiers of each member of the staff with great care in order that all changes of salaries, promotions and appointments may be accurately recorded, and any doubt or confusion avoided.

Hitherto, the Central Services have been directly attached to the Deputy-Director; but it is now considered indispensable to appoint one man who will be responsible to the Deputy-Director for the administration of these services, and who will give special attention to financial questions. This will give the Deputy-Director more time to assist the Director in the general work of the Office, and will also enable him to conduct the business of the Office more effectively during the Director's absence. At present it is impossible for him to combine the large amount of routine and administrative work which devolves upon him with effective supervision of the Office. Last year's budget provided for three posts at £1,000 each for the chiefs of the Finance, Staff and Commercial Sections of the Central Services. No posts at such a figure are provided for in the current year, but it is now proposed to create a post at a salary of 24,000 gold francs to be filled by the officer responsible for all the Central Services, but whose particular duty it will be to conduct the finances of the establishment, and to secure the greatest possible economy in all branches of the administration.

Sub-division VI: The Diplomatic Division.—This Division is one of the most important in the Office. It conducts all correspondence with the Governments, and is responsible for preparing all documents for the Conference and the meetings of the Governing Body. Its duties were described by the Director in his evidence before the Fourth Commission of the Assembly (See Bulletin, Vol. II, No. 14, Page 10).

During the past year it was not possible to fill all the posts which were provided, as recruits of the right quality were not forthcoming. Thanks, however, to the examination, it will be possible to bring it up to its full complement during the coming year, and the increase in its work which has already taken place has made it necessary to provide a certain number of additional junior posts.

Sub-division VII: The Scientific Division.—This Division is responsible for the collection of all information and for the whole of the publications of the Office—except the Official Bulletin for which the Diplomatic Division is responsible. Hitherto the publications of the Office have only appeared in French and English, with the exception of the Official Bulletin, which since December has been also published in German. During the coming year it is proposed to issue a certain number of publications in Spanish and Italian also, for which the necessary translators and editors have to be provided in the Scientific Division.

The Division is sub-divided into five sections:

(1) The Intelligence Section follows the daily press and periodical literature for events happening in the field of labour and industry. It has to provide the material for replies to enquiries received from the Governments, trade union organisations, and employers' organisations, which are constantly increasing, and it provides most of the matter which appears in
the Daily Intelligence. During the coming year the Intelligence Section will consist of three Assistant Chiefs of Section and 14 members of section, though some of the posts are only provided for a period of six months.

It also contains a Translation Branch consisting of two Chief Translators, and 13 translators (English, French, German, Italian, Spanish), some of these posts being provided for three months only, others for six months. The Translation Branch has not only to do the translations required for the Scientific Division, but for all the other branches of the Office in so far as they are unable to deal with their own translation.

(2) The second sub-division is the Publications Section which has charge of the editing and preparation for printing of all publications issued by the Office. It will consist of one chief, two assistant chiefs, and eight members of section.

(3) There is also a small section consisting of four persons who are responsible for the preparation of the Legislative Series in English, French and German. This series consists of translations or reprints of the principal labour laws issued during the year in the various countries and is a continuation of the similar series formerly issued by the International Labour Office at Basle.

(4) Further there is a small Statistical Section, consisting of two persons and one clerk, dealing with labour and industrial statistics of prices. It is proposed to add an Assistant-Chief of Section to take charge of the work as it develops during the last six months of the year. At the request of the Economic Section of the Secretariat of the League, this section will in future supply the labour and price statistics which will be reproduced in the Statistical Bulletin issued by the Secretariat in continuation of the monthly Bulletin previously published by the Supreme Economic Council.

(5) Finally, the Scientific Division includes the Library, which now consists of about 30,000 volumes and is growing at the rate of about 100 per day. The library is also responsible for receiving and distributing all the periodicals and newspapers received in the Office, which now amount to a very considerable number. The Library staff at present consists of two members of section, two assistants, and ten clerks.

Sub-division VIII: The Technical Services.—The nature and purpose of these Services was explained by the Director in his evidence before the Fourth Commission of the Assembly. They formed an essential part of the general plan of organisation approved by the Governing Body at their March meeting, and were judged indispensable to the full technical equipment of the Office.

The principal increases under this head which have been necessitated for the present years are due first to the inclusion in this sub-head of the salaries of the section dealing with Russian questions, which were borne last year under the heading of inquiries; and secondly, the inclusion of a section dealing with the Enquiry into Production. The continuance of both these sections is, of course, subject to subsequent reconsideration in the light of further developments; but for the present it has been found necessary to maintain the section dealing with Russian questions, as their importance is obviously considerable at the present time, and information about them difficult to obtain. The future of the Section on Production will depend upon the results of the enquiry on which it is now engaged, and which it is hoped to finish within the present year. Some increase has also been made in the section dealing with Unemployment and Emigration, which subjects are of great immediate importance at the present time, and in the section dealing with Agricultural questions, which figure prominently in the Agenda of the International Labour Conference of 1921. It was also decided by the Governing Body at its January meeting to add a new section dealing with Safety questions.

Sub-Head B — Travelling and Miscellaneous.

<table>
<thead>
<tr>
<th>Sub-division</th>
<th>Gold Francs</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Staff : Travelling Expenses and allowances</td>
</tr>
<tr>
<td>II</td>
<td>Governing Body</td>
</tr>
<tr>
<td>III</td>
<td>Frais de Représentation</td>
</tr>
<tr>
<td></td>
<td>Director</td>
</tr>
<tr>
<td></td>
<td>Deputy-Director</td>
</tr>
<tr>
<td></td>
<td>Chairman of the Governing Body (including honorarium)</td>
</tr>
<tr>
<td>IV</td>
<td>Communal and Cantonal subscriptions, and other miscellaneous expenses.</td>
</tr>
<tr>
<td></td>
<td>Total.</td>
</tr>
</tbody>
</table>

Sub-division I. — In order to maintain the necessary personal contacts with the different countries, it is necessary that members of the staff should be sent on official journeys from time to time. Every effort is made to reduce the number of these journeys as far as possible, not only on account of the strain involved, but because it tends to derange the work of the Office to some extent. On the other hand, results of personal contact are so much more complete and satisfactory than the results which can be achieved by correspondence, only that it is indispensable that there should be a fairly considerable expenditure on travelling. It has also to be remembered that the cost of travelling is tending to increase steadily, not only on account of the increase in the railway rates which have been made in various countries, but also in proportion as the exchanges improve. Should there be a general improvement in Europe during the coming year, this factor alone would add very considerably to the cost of travelling.

Sub-division II. — The sum of 60,000 gold francs estimated for the expenses of the Governing Body is based on the experience of the past year, and is calculated on a basis of four meetings per annum. The Governments pay the expenses and allowances of their own representatives, but in the case of the employers' and workers' representatives, the International Labour Office defrays the cost of travelling and subsistence, in accordance with the provision of Article 399 of the Treaty of Versailles.
Sub-division III. — The frais de représentation were fixed by the Governing Body after consideration of those already fixed by the Council of the League in the case of the Secretariat. In the case of the chairman of the Governing Body, the sum provided is meant to cover not only the necessary expenses of entertainment which he incurs during the meetings of the Governing Body and of the Conference, but also to provide compensation for the time which he has to spend on the work of the Office between the meetings of the Governing Body. For this purpose, he has to visit Geneva almost each month, and also spend a certain amount of time on the work of the Office in Paris.

Sub-division IV. — Inasmuch as the Office is one of the most considerable proprietors in the canton of Geneva, and the commune of Petit-Saconnex, and as it makes no contribution to the cantonal or communal taxation, the Governing Body considered that the expectation was reasonable that the Office should contribute towards local charities such as hospitals, funds for the assistance of the poor of the commune, etc.

Sub-Head C — Establishment and Office Expenses

<table>
<thead>
<tr>
<th>Sub-division</th>
<th>Establishment and Office Expenses</th>
<th>Gold Francs</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Rent, Light and Heating</td>
<td>96,000</td>
</tr>
<tr>
<td>II</td>
<td>Maintenance and Insurance</td>
<td>52,000</td>
</tr>
<tr>
<td>III</td>
<td>Stationery</td>
<td>200,000</td>
</tr>
<tr>
<td>IV</td>
<td>Post, Telegraph and Telephones</td>
<td>185,000</td>
</tr>
<tr>
<td>V</td>
<td>Library (Purchases and Subscriptions)</td>
<td>120,000</td>
</tr>
<tr>
<td>VI</td>
<td>Printing Official Bulletin (3 languages)</td>
<td>120,000</td>
</tr>
<tr>
<td>VII</td>
<td>Printing Studies and Reports</td>
<td>80,000</td>
</tr>
<tr>
<td>VIII</td>
<td>Printing Monthly Review</td>
<td>192,000</td>
</tr>
<tr>
<td>IX</td>
<td>Printing Legislative Series</td>
<td>24,000</td>
</tr>
<tr>
<td>X</td>
<td>Printing Special Publications</td>
<td>120,000</td>
</tr>
<tr>
<td></td>
<td>General Printing (Circulars, Questionnaires, Reports)</td>
<td>160,000</td>
</tr>
<tr>
<td></td>
<td>Printing Daily Intelligence</td>
<td>120,000</td>
</tr>
<tr>
<td></td>
<td>Transportation and Welfare Arrangements</td>
<td>40,000</td>
</tr>
<tr>
<td></td>
<td>Unforeseen and incidental expenses</td>
<td>51,000</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>1,560,000</td>
</tr>
</tbody>
</table>

Sub-division I. — The sum here provided is mainly devoted to the rent of the present building, which is 75,000 Swiss francs per annum. Both light and heat are at present very expensive on account of the high cost of coal, although special arrangements have been made to obtain it at cost price from the Saar district.

Sub-division II. — The sum here provided covers the general expenses of maintaining the building and of effecting the necessary insurances for the furniture and domestic staff.

Sub-division III. — The cost of this item is necessarily high on account of the large amount of publication undertaken by the Office and the high cost of paper and other materials at the present time.

Sub-division IV. — The amount provided under this head is also considerable, mainly on account of the cost of sending the publications by post. The increase in postal rates also made it necessary to provide a much larger sum for this purpose than last year.

Sub-division V. — Although the Governments have undertaken to supply all their publications on labour questions free, and although in the case of periodicals, arrangements are made as far as possible to obtain an exchange for the publications of the Office, the great amount of scientific literature published on industrial and labour questions in all countries makes it necessary for the Office to spend a considerable amount in purchasing books, if it is to have all the modern material necessary for its work. A good deal of binding is also necessary to preserve valuable publications.

Sub-divisions VI and VII. — The sums shown for printing the various publications of the Office are necessarily to some extent speculative. They depend in the first place on the cost of production, which may be less than is anticipated if the price of paper, etc., is considerably reduced during the coming year. On the other hand the estimate is necessarily based on the present circulation of the various publications. If the circulation increases to any considerable extent, many uncertain factors will combine to determine their final net cost.

The Office is attempting, as far as possible, to make all its publications remunerative. It is now, however, possible at present to make them self-supporting, for a number of reasons. In the first place, a considerable number of copies have to be distributed gratis to the Governments, employers' and workers' organisations, and to institutions who furnish us with their publications in exchange. Secondly, in order to make the work of the Office widely known, by which means also a considerable number of subscribers is likely to be obtained, it was felt necessary to fix prices which were often below the actual cost of production. Thirdly, a complication arises from the fact that there is a demand for the publications in countries where the exchange is at present exceedingly low, e. g. Germany, Czecho-Slovakia, etc. It was felt impossible, for obvious reasons to fix the prices of our publications in Swiss francs, or, in the case of countries where the exchange was bad, at a price in the national currency which would be at all equivalent to the price in Swiss francs. It is mainly through the medium of its publications that the International Labour Office may look to acquire the support and authority which are necessary to enable it to fulfil its mission. They constitute its principal external manifestation, without which it cannot make its influence felt. It was therefore decided that the Office must be prepared to incur a certain amount of loss on sales in these countries during the period of fluctuating exchanges, rather than that its work should remain entirely unknown in them, more especially as in some of those countries a keen interest is taken in the working of the Office.
Sub-division VIII.—The Governing Body sanctioned the printing of the Daily Intelligence in its new form for the period of a year as an experiment, at the end of which time they would decide whether it would be continued. In the light of the results achieved, it is intended that it should become less and less dependent upon extracts from the press, and that it should contain more and more material drawn from original sources not available elsewhere. For instance, communiqués are now being regularly printed dealing with recent developments in Soviet Russia and in Japan, the former drawn from the original Russian sources, which are not easily obtainable, and the latter from the Japanese Delegation sent by the Japanese Government to maintain contact with the International Labour Office.

Sub-division IX.—This sum was provided for transportation and welfare arrangements. This includes the cost of running a bus for the staff, for which the ordinary local fares are charged: these however are insufficient, without a subvention from the Office, to cover the expenditure involved. In view, however, of the distance of the Office from the town and the inadequacy of the local communications, the Governing Body felt that this was a legitimate expense which would contribute towards the better working of the staff. This has proved to be the case.

Sub-division X.—This sum is meant to meet any unforeseen or incidental expenses for printing or for other material purposes, which may not have been foreseen at the time when the budget was drawn up.

Sub-head D — Correspondents and Collection of Information.

<table>
<thead>
<tr>
<th>Sub-division</th>
<th>National Money. Gold francs</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Paris Office</td>
<td>Fr. 150,000 48,000</td>
</tr>
<tr>
<td>II London Office</td>
<td>£ 6,000 105,000</td>
</tr>
<tr>
<td>III Washington Office</td>
<td>Doll. 30,000 148,800</td>
</tr>
<tr>
<td>IV Rome Office</td>
<td>Lires 40,000 8,000</td>
</tr>
<tr>
<td>V Berlin Office</td>
<td>Mks. 250,000 16,000</td>
</tr>
<tr>
<td>VI Correspondents and External Collaborators</td>
<td>128,600</td>
</tr>
<tr>
<td>Total</td>
<td>455,000</td>
</tr>
</tbody>
</table>

Sub-divisions I to V. — The sums here provided are for the maintenance of the Correspondents and their Offices in the principal industrial countries. The necessity for these Offices has been amply proved during the past year. Without them the Office could not have kept in constant and effective touch with the great countries in which they are situated, and could not have been in a position to supply other countries with full and accurate information as to their industrial developments. Both as regards obtaining information, and ensuring that the work of the Office should become better known and appreciated, the Correspondents have proved invaluable. The large cost of the Washington Office in comparison with the others is due entirely to the exchange. It is only right to say, however, that the Washington correspondent has rendered invaluable services to the Office by his assistance in dispelling the misconceptions which were current in America in regard to the International Labour Organisation, and by the efforts which he has made with a view to securing the adherence of the United States to the Organisation — efforts which certainly deserve to be encouraged. It is proposed this year to institute an office in Berlin, partly because very special interest is taken by the German Governments in their industrial and labour questions, and partly because very special interest is taken by the German organisations in the work of the Office.

Sub-division VI. — The expenditure under this head will be mainly devoted to the remuneration of occasional outside assistance of a scientific character, and of those who contribute articles to the Monthly Review. The Office necessarily does not contain experts on all the subjects on which it receives enquiries, and from time to time it is necessary to employ outside experts to furnish reports or information on particular questions. Similarly, in the case of the Monthly Review, if it is to be really useful, and to add something new to the great masses of literature already published on industrial and labour questions, it must contain original articles written by the best authorities on their respective subjects. They necessarily require some recompense for their loss of time, and for their work.

Sub-head E — Conferences and Enquiries

<table>
<thead>
<tr>
<th>Sub-division</th>
<th>Gold francs</th>
</tr>
</thead>
<tbody>
<tr>
<td>I Annual Conferences: (Hire and preparation of Hall, reporting and publication of provisional and final records)</td>
<td>200,000</td>
</tr>
<tr>
<td>II Enquiries and Investigations</td>
<td>120,000</td>
</tr>
<tr>
<td>III Commissions and Committees:</td>
<td></td>
</tr>
<tr>
<td>Emigration Commission</td>
<td>100,000</td>
</tr>
<tr>
<td>Unemployment Commission (3 meetings)</td>
<td>8,000</td>
</tr>
<tr>
<td>Joint Maritime Commission (3 meetings)</td>
<td>30,000</td>
</tr>
<tr>
<td>Maritime Code (3 meetings)</td>
<td>15,000</td>
</tr>
<tr>
<td>Printings, minus Stationery, postage, etc., for all Commissions</td>
<td>80,000</td>
</tr>
<tr>
<td>Any other Commissions</td>
<td>67,000</td>
</tr>
<tr>
<td>IV Other Expenses and Emergencies including temporary staff for conferences</td>
<td>50,000</td>
</tr>
<tr>
<td>Total</td>
<td>670,000</td>
</tr>
</tbody>
</table>
Sub-division I. — The sum here provided is intended to cover all the material expenses in connection with the Annual Conferences, including the reporting, and the publication of the provisional and final records. It is understood that the Swiss Authorities will be unable to place a building at the disposal of the Conference, so that it will probably be necessary to hire all the necessary accommodation.

Sub-division II. — During the past year a large number of enquiries were undertaken by the Office, of greater or lesser duration and importance. Some of them, such as the enquiry in Hungary, and that concerning Soviet Russia, were undertaken by the direct instructions of the Governing Body. Others which were of a less formal character were simply necessitated with a view to obtaining information on some particular subject. It is impossible to foresee what demands there may be of this character during the coming year, but experience has already shown that in order to give really accurate and complete replies to the questions which are put to the Office, it is frequently impossible to rely exclusively on documentary information, and that an investigation on the spot may be indispensable. Under this sub-division will also fall the expenditure on the Enquiry on Production, which is now in progress, and one of the primary conditions of which is that it should be completed rapidly. It can only be carried through by obtaining the assistance of competent persons in the different countries.

Sub-division III. — This sub-division provides the necessary funds to defray the expenses connected with the meetings of the various Committees and Commissions appointed by the Governing Body or by the Conference.

The Emigration Commission is necessarily considerably more expensive than the others, because it consists of twenty members, of whom nine, in accordance with the resolution adopted by the Washington Conference which set it up, are drawn from countries outside Europe, including Japan, China and Australia. In their case the cost of travelling will therefore be high.

Sub-division IV. — This item is mainly intended to cover the cost of any extra staff that may be necessary for the Annual Conference. During the Genoa Conference the amount of temporary help enlisted was very small, and it is the intention of the Office to rely entirely upon its own resources if possible for interpreters, translators, stenographers, etc. It is necessary, however, to make some provision in case circumstances should arise which render some temporary help necessary.

Sub-head F — Non-recurring expenditure (including unexpended balance of 1920).

<table>
<thead>
<tr>
<th>Sub-division</th>
<th>Gold Francs</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>208,000</td>
<td>Non-recurring expenditure carried forward from Budget 1920-1921.</td>
</tr>
<tr>
<td>II</td>
<td>120,000</td>
<td>Office equipment and additional furniture</td>
</tr>
<tr>
<td>III</td>
<td>56,000</td>
<td>Construction of Temporary Accommodation</td>
</tr>
<tr>
<td>Total</td>
<td>384,000</td>
<td></td>
</tr>
</tbody>
</table>

Sub-division I. — This represents the balance of the sum provided in the budget of the International Labour Office for 1920-1921 for the initial expenses of the Office. Last year's budget, as originally drawn up by the Governing Body and approved by the Council of the League, ran from 31 March, 1920, to 31 March, 1921. In it a sum of £41,500 was provided for these initial expenses. The Council of the League subsequently decided to close the financial year on the 31st December, and reduced the total amount payable to the International Labour Office accordingly by one quarter. Hence only three-quarters of the total sum originally estimated for initial expenses in connection with the installation and equipment of the Office was received during last year. The remaining sum of £10,375 which would have been available for expenses of installation if the financial year had continued until the end of March as originally contemplated, is still found necessary, and has therefore been provided in this year's budget.

Sub-division II. — The non-recurring expenditure provided in last year's budget, of which the unexpended balance has been carried forward in Sub-division I, is only intended to cover the purchase of equipment and furniture sufficient for the Office, as contemplated in the budget for 1920. Some additional equipment and furniture will be necessary in view of its subsequent expansion.

Sub-division III. — It has been found that the present building is not sufficiently large to house the whole of the staff under satisfactory working conditions. It was considered that the cheapest and most satisfactory method of providing additional accommodation was to erect a temporary hut, which would contain about 50 persons, and which might be expected to allow sufficient additional space to satisfy the needs of the Office for the immediate future.

Sub-head G — Emergency Expenditure.

<table>
<thead>
<tr>
<th>Sub-head</th>
<th>Description</th>
<th>Gold Francs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency</td>
<td>Expenditure</td>
<td>143,000</td>
</tr>
</tbody>
</table>

This sub-head constitutes a general emergency fund, which may be drawn upon to meet any unforeseen contingencies, but only by special resolution of the Governing Body. It may be noted that one of the possible contingencies which has to be considered is the diminution of income which is liable to occur on account of the fluctuation of the exchanges, the bulk of the expenditure having to be made in Swiss francs.
TABLE I

Statement of Receipts and expenditure
April 1st to December 31st 1920

<table>
<thead>
<tr>
<th>1920</th>
<th>Approximate only</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 31st To balance in hand</td>
<td>£163,330</td>
</tr>
<tr>
<td>&quot; Cash received from</td>
<td></td>
</tr>
<tr>
<td>&quot; from League</td>
<td>£3,280</td>
</tr>
<tr>
<td>&quot; Received Fares</td>
<td></td>
</tr>
<tr>
<td>Motor Bus</td>
<td>£50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>By Salaries</td>
<td>£70,379</td>
</tr>
<tr>
<td>&quot; Frais de représentation (Chair-</td>
<td>£1,060</td>
</tr>
<tr>
<td>man)</td>
<td></td>
</tr>
<tr>
<td>&quot; Reporting Conference Genoa</td>
<td>£3,190</td>
</tr>
<tr>
<td>&quot; Rent (including light and coal</td>
<td>£5,738</td>
</tr>
<tr>
<td>&amp;c.)</td>
<td></td>
</tr>
<tr>
<td>&quot; Correspondents and collection</td>
<td>£7,481</td>
</tr>
<tr>
<td>of information</td>
<td></td>
</tr>
<tr>
<td>&quot; Printing, Bulletin, Report, &amp;c.</td>
<td>£4,139</td>
</tr>
<tr>
<td>&quot; Postages, Telegrams, &amp;c.</td>
<td>£1,324</td>
</tr>
<tr>
<td>&quot; Travelling Expenses (including</td>
<td>£16,389</td>
</tr>
<tr>
<td>Governing Body)</td>
<td></td>
</tr>
<tr>
<td>&quot; Telephones</td>
<td>£166</td>
</tr>
<tr>
<td>&quot; Stationery and Office Supplies</td>
<td>£4,842</td>
</tr>
<tr>
<td>&quot; Library, Purchases and subscrip-</td>
<td>£1,566</td>
</tr>
<tr>
<td>tions</td>
<td></td>
</tr>
<tr>
<td>&quot; Repairs to Office</td>
<td>£2,135</td>
</tr>
<tr>
<td>&quot; Standard works and construction</td>
<td>Library</td>
</tr>
<tr>
<td>(Library)</td>
<td></td>
</tr>
<tr>
<td>&quot; Furniture for Office</td>
<td>£611</td>
</tr>
<tr>
<td>&quot; Special Furniture Meeting Room</td>
<td></td>
</tr>
<tr>
<td>&quot; Typewriters and duplicators</td>
<td>£2,123</td>
</tr>
<tr>
<td>&quot; Transference Office Geneva</td>
<td>£9,419</td>
</tr>
<tr>
<td>&quot; Enquiry in Russia</td>
<td>£3,087</td>
</tr>
<tr>
<td>&quot; Sundries</td>
<td>£817</td>
</tr>
<tr>
<td>&quot; Motor-bus service (Sundries)</td>
<td>£77</td>
</tr>
<tr>
<td>&quot; Telephone installation</td>
<td>£584</td>
</tr>
<tr>
<td>&quot; Balance in hand and banks</td>
<td>£19,734</td>
</tr>
</tbody>
</table>

As will be seen from Table II, the total amount provided for the International Labour Organisation in the budget of the League was £187,500. A balance of £27,500, therefore, remains due, which is taken into account in Table II.
TABLE II

Statement of Approximate Budgetary Position
On December 31st 1920

<table>
<thead>
<tr>
<th>(*)</th>
<th>(2) 3/4 sum granted by budget</th>
<th>(3) Expended to Dec. 31,</th>
<th>(4) Dr.</th>
<th>(5) Cr.</th>
<th>(6) Approximate Accounts Outstanding</th>
<th>(7) 3/4ths Exceeded by</th>
<th>(8) Budget Saving of</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recurring Expenditure:</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
<td>£</td>
</tr>
<tr>
<td>(1) Salaries (including reporting £2,250)</td>
<td>76,725</td>
<td>70,597</td>
<td>2,938</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>2,938</td>
</tr>
<tr>
<td>(2) Frais de représentation (Chairman)</td>
<td>750</td>
<td>842</td>
<td>92</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>(3) Rent (including light and coal)</td>
<td>5,625</td>
<td>5,738</td>
<td>113</td>
<td>—</td>
<td>1,088</td>
<td>1,201</td>
<td>375</td>
</tr>
<tr>
<td>(4) Conference accommodation</td>
<td>375</td>
<td>—</td>
<td>375</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>375</td>
</tr>
<tr>
<td>(5) Correspondents and collection of information</td>
<td>11,250</td>
<td>7,481</td>
<td>—</td>
<td>3,769</td>
<td>182</td>
<td>13,630</td>
<td>—</td>
</tr>
<tr>
<td>(6) Printing : A. Bulletin</td>
<td>11,250</td>
<td>—</td>
<td>—</td>
<td>14,611</td>
<td>981</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>(7) B. Reports, etc.</td>
<td>3,750</td>
<td>4,139</td>
<td>—</td>
<td>3,581</td>
<td>—</td>
<td>—</td>
<td>3,075</td>
</tr>
<tr>
<td>(8) C. Special Publications</td>
<td>3,750</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>(9) Postages, telegrams etc.</td>
<td>2,250</td>
<td>1,324</td>
<td>—</td>
<td>926</td>
<td>—</td>
<td>—</td>
<td>926</td>
</tr>
<tr>
<td>(10) Travelling Expenses (including Governing Body)</td>
<td>9,000</td>
<td>16,389</td>
<td>7,389</td>
<td>209</td>
<td>22</td>
<td>8,039</td>
<td>187</td>
</tr>
<tr>
<td>(11) Telephones</td>
<td>375</td>
<td>166</td>
<td>—</td>
<td>209</td>
<td>22</td>
<td>—</td>
<td>—</td>
</tr>
<tr>
<td>(12) Stationery, etc.</td>
<td>2,250</td>
<td>4,842</td>
<td>2,592</td>
<td>—</td>
<td>2,750</td>
<td>5,352</td>
<td>—</td>
</tr>
<tr>
<td>(13) Library (Purchases and Subscriptions)</td>
<td>5,625</td>
<td>1,566</td>
<td>—</td>
<td>4,059</td>
<td>75</td>
<td>3,904</td>
<td>—</td>
</tr>
<tr>
<td>(14) Emergency (Installation Telephone)</td>
<td>3,750</td>
<td>584</td>
<td>—</td>
<td>3,186</td>
<td>93</td>
<td>3,075</td>
<td>—</td>
</tr>
<tr>
<td>Totals recurring Expenditure.</td>
<td>136,725</td>
<td>116,858</td>
<td>10,186</td>
<td>30,053</td>
<td>5,857</td>
<td>14,684</td>
<td>28,694</td>
</tr>
</tbody>
</table>

Non-recurring Expenditure:

| (15) Repairs to Office | 7,500 | 2,135 | — | 5,365 | 2,622 | — | 2,743 |
| (16) Standard works and construction (Library) | 3,750 | — | See above | 3,750 | — | — | 3,750 |
| (17) Furniture for Office | 9,000 | 9,161 | — | 1,439 | 1,911 | 472 | — |
| (18) Special Furniture, Meeting Room | 1,500 | — | — | — | — | — | — |
| (19) Typewriters and Duplicators | 1,875 | 2,122 | 247 | — | 442 | 609 | — |
| (20) Transference Office Geneva | 7,500 | 8,419 | 1,919 | — | 1,733 | 3,652 | — |
| (21) Enquiry in Russia | 18,750 | 3,087 | — | 15,663 | — | — | 15,663 |
| (22) Balance (Sundries) | 900 | 817 | 77 | — | 6 | — | 6 |
| Totals non-recurring Expenditure | 50,775 | 26,738 | 2,166 | 26,223 | 6,708 | 4,813 | 22,162 |
| Totals recurring Expenditure | 136,725 | 116,858 | 10,186 | 30,053 | 5,857 | 14,684 | 28,694 |
| Totals non-recurring Expenditure | 50,775 | 26,718 | 2,166 | 26,223 | 6,708 | 4,813 | 22,162 |
| Grand Total | £187,500 | £143,576 | £12,352 | £56,276 | £12,565 | £19,497 | £50,856 |

Nett saving on budget of £31,359.
APPENDIX IV

FOURTH ITEM ON THE AGENDA

Preparation of the 1921 Conference.

The task of preparing for the 1921 Conference has been absorbing a great part of the time of the Office and particularly of the Diplomatic Division. Careful thought has already been given to the hall in which the Conference is to be held, and, as soon as the date has been definitely fixed, definite negotiations will at once be started. At the same time, the work of drafting the questionnaires has been steadily pushed forward. The following is an outline of the work done, and there are also several points of difficulty on which the opinion of the Governing Body is required.

Despatch of Questionnaires. — As I explained to the Governing Body during their last Session, a new scheme of work has been adopted. The method which had previously been employed was to send to all Governments lengthy questionnaires asking for full information, especially of a legislative kind, on each item of the Agenda and for their opinions as to the possibility of drawing up Draft Conventions or Recommendations on the basis of the answers requested.

The Genoa Conference showed clearly the inconveniences of this method. The amount of information asked for was very great and most of the replies arrived at the last moment, making it impossible to draw up a final report on each item after a detailed study and consideration of the replies. It is also to be noted that, although a large amount of legislative and statistical material was supplied to the Office, the different national Ministries and Departments did not provide the Office with a full statement of their considered views as to the proposed Draft Conventions.

The present method upon which I am now acting met with the approval of the Governing Body during their last Session. Each questionnaire sets out briefly the general nature of the subject and gives a short explanation of the motives for which the questions are put and the general line of the answers requested: it summarises the legislative experience already gained and addresses precisely the governments as to the possibility of adopting any given Draft Convention and as to the provisions which such a draft convention might contain. The Technical Sections of the Office are responsible for keeping themselves supplied with all the necessary documents bearing on their particular subjects, and the questionnaires do not contain general requests for large masses of information.

After the replies to the questionnaires have been received, the Office will draw up final reports based on the opinions given by the different States as to the possibility of the Draft Conventions or Recommendations suggested. These final reports, which will be circulated in time for careful study, will allow of the Conference being able to deal with each question from the outset in a practical manner and with a very much fuller knowledge of the possibilities of the situation.

The French and English texts of the questionnaires on anthrax, prohibition of white lead, and agriculture have already been sent out by the Office. The two remaining questionnaires (weekly rest and marine questions) are, at the moment of writing, being printed in final form; they should be received by the Office within a few days and will be despatched immediately.

These remarks do not apply to the first item on the Agenda “Reform of the constitution of the Governing Body of the International Labour Office”, since it will not be until the Governing Body, during this Session, have examined the Report of the Committee on Standing Orders and have come to a decision as to the main lines along which enquiries should be directed, that the Office can take action in the matter.

Appointment of Delegates and Advisers. — I have been consulted as to certain difficulties in connection with the appointment of Delegates and Advisers for the Conferences, and I sent out a circular letter, dated the 4th November, 1920, covering the points which had been raised. This letter was printed in Bulletin No. 10, of the 10th November, 1920.

Owing to the exceptional importance of the second item, “Agricultural Questions”, it has been suggested that the most representative organisations of agricultural employers and workers ought to be consulted solely with agricultural questions, but there is also inserted the organisations of agricultural employers and workers are separate and distinct from the industrial organisations, and it might, therefore, appear that the special interests of agriculture would not be adequately represented if only the industrial organisations were consulted as to the nomination of delegates.

This problem is really the same as that with regard to the appointment of employers’ and workers’ Delegates for the Genoa Conference, which dealt solely with questions of maritime labour. I referred the difficulty to the Governing Body who, during their Third Session, on the 29th March, 1920, adopted the following Resolution:

“In order to avoid possible confusion in the appointing of non-Government delegates to the forthcoming Maritime Conference at Genoa, and to future special Conferences, the Governing Body deems it advisable to declare: That the third paragraph, Article 389 of the Treaty of Peace, should be interpreted to mean:

That to all general Conferences of representatives of the Members (special or otherwise) non-Government delegates should be chosen in agreement with employers’ associations and workers’ federations most representative of all sections of industry if such organisations exist.”

The discussion that took place at that time emphasised the strong desirability of ensuring continuity of policy for the Conference in as great a measure as possible, and it was also pointed out that it would greatly facilitate the proceedings of the Conference if a certain number of Delegates were already familiar with the rules of procedure and methods adopted at the Washington Conference. Further, it was remarked that the Conference was not concerned merely with the interests of particular sections, but with the general interests of industry and production.

These arguments have additional force in the case of Sessions of the Conference, such as this year’s, which are devoted to the examination of a number of distinct questions. The next Conference will deal with a very large number of items, but there is also inserted on its Agenda questions concerning Maritime Labour, Industrial Hygiene and the Weekly Rest.
It is certainly important that the different interests specially affected by decisions of the Conference should be able to explain their point of view during the Session. It is equally important that the participation of the Central Employers’ and Workers’ Organisations, as representing the industry as a whole, and not particular industries, should not in any way be weakened, and that the task of maintaining continuity of policy and uniformity of principles in international labour legislation should not be rendered more difficult by too large a proportion of special Delegates. It seems to me that these two points of view can be reconciled by means of the provisions made in the Treaty of Peace for the nomination of Advisers, whose number shall not exceed two for each item on the Agenda, and I emphasised in my letter of the 4th November the suggestion that it was primarily by means of Advisers that the various special interests should be represented.

I also conveyed to the Governments in the same letter the suggestion, which I was directed to make by the Governing Body at the last Session, that the request of the International Co-operative Alliance for the representation of Consumers’ Co-operative Societies in the International Labour Organisation should be favourably received and that this representation might perhaps be ensured by Governments nominating as one of their Advisers a representative of the Co-operative Societies.

In my further question the composition of the Governing Body has been put by Dr. Leymann, the Representative of the German Government on the Governing Body, who has asked whether it is permissible to appoint more than two Advisers for the second item, “Agricultural Questions”, which is divided into five sub-questions.

The Agenda at present is drawn up in the following terms:—

1. Agricultural questions:—

(a) The adaptation of the Washington decisions to agricultural labour:—

I. Regulation of the hours of work;

II. Measures for the prevention of or providing against unemployment;

III. The protection of women and children.

(b) Technical agricultural education;

(c) Living-in conditions of agricultural workers;

(d) Guarantee of the rights of association and combination;

(e) Protection against accident, sickness, invalidity and old age.

Paragraph 2 of Article 389 of the Treaty of Peace says:—

“Each Delegate may be accompanied by advisers who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the Advisers should be a woman”.

It therefore follows that if agricultural questions are grouped together as the second item on the Agenda, not more than two Advisers per Delegate for this subject can be allowed.

Article 389 might possibly be interpreted to apply not to items placed on the Agenda, but to different and distinct questions (“matières distinctes”) inscribed on the Agenda, but such an interpretation might well give rise both to much controversy and to much abuse, and I think that the importance and range of these agricultural questions are such that the question put by Dr. Leymann should be most closely considered with a view to seeing whether it would not be possible to allow a larger number of Advisers for agricultural questions.

I think, also, that such a solution is indeed urgent, not merely as adding to the number of Advisers, but for far weightier reasons. The Governing Body is aware of the energetic campaign at the present time being carried on by various organisations in many countries against the regulation of hours of labour in agriculture. It is quite likely that certain States will ask for the withdrawal of the Agenda of the question of the four-hourly demand, and even of that of the regulation of hours of labour (Reference may be made to the interpellation in the French Senate on the 1st December.) If that were to occur, and if it became necessary to withdraw all agricultural questions from the Agenda, it would become impossible to afford any legal protection to agricultural wage-earners — protection that appears particularly desirable in view of the hardships that their lives so often entail. Justification would then be given to those extreme opponents who maintain that the International Labour Organisation ought to have nothing to do with workers on the land.

In my opinion, the only solution to this difficulty is that the Conference by stating that the agricultural questions form three different and distinct questions on the Agenda, and I suggest that the Agenda be drawn up in the following manner:—

1. Adaptation to agricultural labour of the Washington resolution concerning the regulation of hours of labour;

2. Adaptation to agricultural labour of the other Washington resolutions:

(a) Measures for the prevention of or providing against unemployment;

(b) The protection of women and children.

3. Special measures for the protection of agricultural workers:—

(a) Technical agricultural education;

(b) Living-in conditions of agricultural workers;

(c) Guarantee of the rights of association and combination;

(d) Protection against accident, sickness, invalidity and old age.

In this manner the opposition of any State to the regulation of hours of labour in agriculture will not prevent their participating, if they so desire, in the progressive realisation of improved conditions of life for the workers on the land.

At the same time it will be open for any State, which considers agricultural questions to be of special importance, to nominate six Advisers for each of its Delegates for these matters.

It is true that this method of procedure would have the disadvantage of making a considerable increase in the number of those attending the Conference, since there would be seven items on the Agenda and consequently each Delegate could be accompanied by fourteen Advisers, but, on the other hand, it is improbable that any Advisers will be nominated for the first item on the Agenda, “Reform of the constitution of the Governing Body of the International Labour Office”, or even for the fifth item, that concerning maritime questions (which by the proposed new scheme would become the seventh item), since the essentials of both questions have been examined by the Genoa Conference and there only remains formal approval.
A further point, of special importance, is that not all the members will avail themselves of their right to nominate two Advisers per Delegate for each item. In fact it is more probable that very few will do so, since the travelling expenses and maintenance of a large number of Advisers during the Conference for a month or six weeks will not fail to be expensive.

In consequence, I suggest that the Governing Body accept the suggestion to divide into three the second item on the Agenda, "Agricultural Questions", and to authorise me to inform the Governments to this effect.

**Date of the Conference.** — During the last Session of the Governing Body Mr. Sokal suggested that it would be well to postpone the date of the Conference, since he did not think that the Office would be able to complete all the necessary work by the 4th April and that those attending the Conference would thus not have time to acquire an adequate knowledge of the Draft Conventions proposed and of the questions at issue. Mr. Sokal was supported in his proposal by Mr. Firelli, Mr. Carlier, and Mr. Rüfenacht. Messrs. Flanches suggested that the Governing Body should not come to a definite decision on the matter until their next Meeting, and Mr. Oudegeest proposed that the date should remain fixed for the 4th April, until the Office came to the opinion that a later date would be necessary. The Governing Body then decided that the decision as to an alteration of the date should be deferred until this Session.

I suggest that the Governing Body defer the date of the opening of the Conference until Tuesday, the 31st May. That would be sufficiently far away from the 1st May, with its attendant preoccupations, while a later date would be inconvenient for the agriculturists in many countries. There would also be a risk of there being too short an interval between the close of the Conference and the opening of the second meeting of the Assembly of the League of Nations at the beginning of September.

This proposed delay of two months does not mean that I fear that the Office may not be ready for the Conference. It has proven, even without its present numbers and training, that it was capable within a few months of bringing the preparatory work for conferences to a stage at which it could be fully prepared for the one to take place at Washington. The true preparation for conferences does, however, consist only in the publication and distribution within a given time of documents of a given value, but also in orientating men's minds and feelings in a way which was not done for the Genoa Conference. The mistaken ideas which have been revealed in the campaign being conducted against the treatment of agricultural questions by the Conference show the utility of allowing some delay for reflection and negotiation. I suggest, therefore, that the date be fixed for the 31st May.

**Question raised by Mr. Carlier with regard to the placing of a new item on the Agenda.** — Mr. Carlier wrote to me on the 28th September last pointing out that the authentic text of the Draft Convention adopted at Washington concerning the night work of young persons in industry did not contain in Article 7 a sentence dealing with the regions devastated in the War, which had been included in the Draft Convention as proposed by the Commission on the night work of young persons in its Report. This Report, which ended with the proposed Draft Convention, was adopted, with two minor amendments, by the Washington Conference by 85 votes to one, and the Draft Convention, in accordance with Article 13 of the Standing Orders, was then referred to the Drafting Committee for final redaction prior to its being formally voted upon as a Draft Convention. Article 7 in its original form ran:

> "The provisions of this Convention shall be brought into force not later than July 1st, 1922. In its application to the regions which have been devastated by the war or in which work has been interrupted for a long period by the occupation of the armies, the prohibition of night work for young persons between 14 and 16, as provided for by this Convention, shall be referred for final decision to the International Labour Conference of 1921".

The Draft Convention, as finally and unanimously adopted on the 28th November, 1920, by the Conference without further discussion contained only the first sentence of Article 7, "The provisions of this Convention ......... July 1st, 1922", and consequently it was in this form that the proposal was presented to the Governing Body. It was officially communicated to the Members of the International Labour Organisation by the Secretary-General of the League of Nations.

Mr. Carlier was entirely justified in drawing attention to the non-appearance in the final text of a provision which is one particularly affecting Belgian industries, but the point of view taken in the matter by the Washington Conference cannot be doubted. Sir Malcolm Delevingne, the Chairman and rapporteur of the Commission on the night work of young persons, in presenting the report of the Commission explained that, although there was a general feeling in the Commission that the request of the Belgian employers should be favourably entertained by the accordance of some special treatment, it was felt to be impossible at that moment to decide what that special treatment should be; in consequence, words had been inserted in the Draft Convention suggested by the Commission to ensure that the matter should come up for decision at the 1921 Conference, by which time experience would have been obtained as to the progress made in reconstruction, and it seems to me that the Conference, by its adoption of the Commission's report, endorsed the opinion that the question should come up for decision at the 1921 Conference.

The question arises as to whether this matter should be inscribed as an additional item on the Agenda, or whether the view should be taken that the Conference, at the time of the report which I, as Director have to lay before it, could be called upon to decide upon certain resolutions concerning the application of this provision. It seems to me that it would not be somewhat dangerous to add to the Agenda which has already been communicated to all the Members, and that the discussion of this matter would fit in naturally at the same time as the discussion of the reports laid before the Conference. I suggest this as the best solution if the Governing Body are unanimous in proposing such a course to the Conference.

The above are the points concerning the 1921 Conference, which require decision by the Governing Body. I have spoken in my general report of the moral and political difficulties which the International Labour Organisation will not fail to meet with in holding the Third Session of the Conference. That is all the more reason for its being prepared in the fullest detail and with the greatest care.
The Director of the International Labour Office has communicated to us by letter of the 27th August 1920 the Agenda of the third International Labour Conference. N° 2 of this Agenda relates to "agricultural questions", which are divided into various titles, according to which the most important and the most difficult is undoubtedly that of the regulation of the hours of labour.

If in industry and the various other branches of national economy the hours of labour have been regulated by legislation, no measure of this kind has yet, within our knowledge, been taken until very recently for agriculture. This is not the result of chance. On the contrary, the causes for this abstention on the part of the legislator are to be found in the very character itself of agricultural labour. Nature dictates laws which govern work in agriculture, and in doing so she renders superfluous, if not dangerous, the intervention of man in this sphere.

Certain countries have attempted recently to regulate the hours of labour in agriculture. These attempts are, however, isolated and, in our opinion, should not be made general. Moreover, we do not believe that the experience gained in the course of these attempts justifies the idea of the international regulation of hours. Agriculture is the sphere which lends itself least to international regulation. Conditions of labour in it depend on circumstances varying so much from one country to another that it appears to us impossible to think of rendering them uniform. They should, on the contrary, adapt themselves in each country, even in each region, to the nature and the fertility of the soil, to climate, and to the various forms of land ownership, all of which are factors that international regulation cannot take account of by its very nature. In view of these things it is understandable that Swiss agricultural circles should have displayed some inquietude at the news that the conditions of labour in agriculture are about to be the object of the deliberations and the decisions of the International Labour Conference.

These fears are the more justified since the consequences of the decisions of the International Labour Conference will affect the entire population. International regulation cannot, in fact, result otherwise than in a reduction of the hours of labour, and consequently in further increases in the cost of agricultural products, a result which under present circumstances, when a fall in prices is a necessity daily becoming more imperative, would be deplorable and is inadmissible.

These are the objections in principle which we formulate against the idea of an international regulation of the conditions of labour in agriculture, and especially in working hours. There are other objections of a more detailed nature which we ought not to omit.

It is still unknown in what measure the Resolutions of the Washington Meeting of the International Labour Conference will be ratified by the various Members of the International Organisation of Labour. It therefore appears to us premature to consider at this moment their adaptation to labour in agriculture. It will only be when the reception given by the various Governments to these Resolutions is definitely known, that the opportuneness of their extension and adaptation to agriculture can be judged.

Finally, we may be permitted to point out that the questionnaire relating to agricultural questions, which, according to the letter of the 27th August 1920 from the International Labour Office, was to have been forwarded within a short time to the States Members, did not reach the Swiss Government until the 5th January 1921. So important a question, and one so fruitful in consequences as this which forms N° 2 of the Agenda, involves a series of preparatory studies which the short interval of time before the opening of the Conference at Geneva will certainly not permit to be effected with all the necessary exactitude.

We believe that this proposal can be examined and decided upon by the Governing Body of the International Labour Office. It is the Governing Body, in effect, to which the International Labour Conference at Washington, in its meeting of the 29th November 1919, gave the duty of deciding upon the inclusion of agricultural questions in the agenda of the next session of the Conference. It is then permissible for the Governing Body to change, on its own account or on the proposal which is now made to it, the decisions already taken on this subject.

In the second place, in case it is decided to retain "agricultural questions" on the Agenda, we request that they should be carried forward to the agenda of a later Conference. Further, if the Governing Body agrees to this proposition, there would seem to be occasion, following upon what was done in the case of maritime questions, to convocate a special Conference which will confine itself exclusively to the examination of agrarian. In effect, the revision of the regulation of labour in agriculture presents, in Switzerland as in other countries, an importance so considerable that it is in the highest degree necessary that representatives of agriculture should make their views heard at the Conference. In summoning them there in the capacity of technical advisers only, this is not guaranteed to them, and generally speaking, agriculture is not assured an equitable participation in the deliberations and the decisions of the Conference. Under these circumstances a serious risk is involved of causing great difficulties in the choice of agricultural representatives, especially in countries where agriculture plays a preponderating part. A Conference specially convoked for the study of agricultural questions would then be doubly justified, from the importance of the subject of its discussions and from the composition of its delegations.

ANNEX TO APPENDIX IV


Gentlemen,

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Berne, 7th January 1921.
It is to be clearly understood that the proposals we now have the honour to make do not in any way prejudice the attitude which the Swiss Government intends to adopt with regard to the procedure of objection laid down in Article 402 of the Treaty of Peace, if these proposals be not accepted. Similarly, the Swiss Government reserves the right to raise the question of principle, as to whether Articles 387 to 427 of the Treaty of Peace do in fact authorise the International Labour Organisation to extend its activities to the conditions of agricultural labour.

We have the honour, etc.

On behalf of the Swiss Federal Council:

The President of the Confederation

SCHULTHESS

The Chancellor of the Confederation

STEIGER.

APPENDIX V

FIFTH ITEM ON THE AGENDA.

Action required by the decisions of the Joint Maritime Commission.

I think it my duty to inform the Governing Body of the work accomplished during the meetings of the Joint Maritime Commission in the same way as I do in the case of the other Commissions, which are, as it were, an emanation of the Governing Body itself; and I think that this conforms with the spirit in which the constitution of the Joint Maritime Commission was conceived during the London Session in March 1920.

The note which appeared in Bulletin No XI gave rise to a certain amount of criticism and I would like to emphasise that the Joint Maritime Commission is of a purely consultative character. When its decisions require action which falls within the daily routine of the Office, I arrange on my own initiative for such work to be done under my authority. On the other hand, when the Joint Maritime Commission asks for an enquiry or suggests that démarches should be made which entail a call upon the finances of the International Labour Organisation, or which require the consent of the Governments, it is the Governing Body which has to decide whether the resolutions of the Commission are in conformity with its general policy. A summary appeared in Bulletin No XI, of the first meeting of the Commission, and it does not appear to be necessary to add to it, except by drawing the attention of the Governing Body to these points of interest to it, and to the decisions reached.

I. Constitution of the Commission and adoption of Rules of Procedure. — Considerable discussion took place on this question. During the first session, with reference to the verification of credentials and of the constitution of the Commission, the question of the participation of the members of the Governing Body in deliberations which affected directly the shipowners and seamen was raised. Certain delegates were somewhat disturbed lest the votes of the members of the Governing Body might, in case of there being an equality of votes between the shipowners and the seamen, bring about a decision contrary to the desires of either of the parties directly interested; and it was asked whether the representatives appointed by the Governing Body ought to have the power to vote.

The Chairman pointed out that the Commission could not withdraw their right to vote, inasmuch as it was sanctioned by the constitution of the Commission. One delegate then proposed that a two-thirds majority should be required for any decisions which might be taken. Explanations were given by the Chairman, and I recounted the origin of the setting up of the Commission and the discussions that ensued during the London Session; the objections which had been raised against the participation of representatives of the Governing Body were in consequence withdrawn, upon the assurance being given by the Chairman that in case of an equality of votes between the shipowners and the seamen, the delegates of the Governing Body would not supply a majority for either side by their votes.

This discussion enabled the members of the Commission to understand more fully the position of the delegates appointed by the Governing Body, and had the effect of causing mutual confidence on all sides. The Commission worked in that same spirit which had been desired by the Governing Body during their London Session. Its joint character was fully respected; at the same time its decisions in no way infringed on the authority of the Governing Body.

II. The Genoa Draft Convention and Recommendations. — I asked the members of the Commission to lend their aid in obtaining the ratification of the Genoa Draft Conventions and Recommendations, and I also desired to have their opinion on four special points.

(i) It will be remembered that the Genoa Conference decided by a majority of more than two-thirds to place on the Agenda of the 1921 Conference two questions which could not be dealt with at the moment at Genoa:

(a) The prohibition of the employment of any person under the age of 18 years as trimmer or stoker;

(b) Compulsory medical examination of all children employed on board ship.
A questionnaire on these two points was required to be sent out by the Office, and the question arose as to whether it would be sufficient merely to lay before the Governments the texts proposed by the Commission at Genoa, or whether the whole question would have to be reopened. The Commission considered that the better course to adopt would be to communicate the text already implied in the resolution to the Governments, and that the text proposed by the Genoa Conference should be accepted. The Government should then be asked to send it within a few days and the attention of the Governments will be recalled to the necessity of drawing up international codes.

(iii) The Genoa Conference also adopted a Recommendation concerning fishing; this, too, must not remain a dead letter. The Commission expressed the desire that the Office should immediately undertake an enquiry into conditions of labour in the fishing industry, and it was decided that, if need be, detailed questionnaires should be sent to the competent departments. The enquiry can be conducted by the existing technical Maritime Section of the Office without any increase of staff, but it cannot be started until after the Brussels Conference, of which I make mention in my report.

With a view to the Brussels Conference, several members of the Commission asked that the Office should collect detailed information as to the application of the French eight hours' law to seamen. Accordingly, on the 13th December, the Office addressed a letter to the delegate of the French Government on the Governing Body, requesting him to ask the Minister of Marine for a summary on the application of the law of the 2nd August, 1919. The Office had also asked, in a letter, dated the 24th December, to the Central Committee of French Shipowners for complementary information on the same matter. The Central Committee of French shipowners on the 24th December and the delegate of the French Government on the Governing Body on the 27th December have assured me that they will lend their assistance with a view to an immediate enquiry being undertaken. I intend, before the 25th January, myself to make a rapid enquiry in France.

III. International Seamen's Code. — The Governing Body will remember the resolutions adopted at Genoa as regards the establishment of an International Seamen's Code. This means a lengthy work of international codifying which requires to be undertaken with the utmost care. I laid before the Commission a complete Scheme of work, which was approved with a few reservations. In particular, the Commission asked that information should be collected from the Governments as to the measures taken or proposed for the establishment of national codes, as proposed by the Genoa Conference. The Commission suggested that a start should be made by preparing a draft international code for articles of agreement.

The Commission was also informed of the intention of the Office to send in the near future to the Governments a memorandum on the proposed method of work. This memorandum would be purely for information; official requests for their views would be made at a later date. It is intended to send it within a few days and the attention of the Governments will be recalled to the necessity for drawing up national codes as suggested at Genoa.

IV. Insurance against Unemployment. — The Joint Maritime Commission had been charged by the Genoa Conference with the task of studying the problem of the insurance of seamen against unemployment, in conjunction, where need be, with the Technical Commission on Unemployment. The Commission decided to defer the examination of this resolution to its next meeting, but it asked the Office to collect information on the application of insurance against unemployment in England and in all other countries where a similar legislative may have been adopted. The Technical Section on Unemployment in the Office has been instructed to carry out this study.

V. Venereal Diseases. — The Commission considered that the Office could take immediate action as regards the Genoa resolution on venereal diseases, while instituting a detailed enquiry on the different problems involved.

The Commission asked the Office, in the first place, to inform the shipowners of what had been done by certain shipowners to prevent venereal diseases. The Office, will, therefore, communicate to the Central Organisations of Shipowners in each country the text, which is at the moment in the Press, of a circular addressed by the International Shipping Federation to its members concerning the measures to be taken for combating venereal diseases among seamen in the Merchant Marine.

The Commission also asked the Office to undertake propaganda among the national and international Shipowners' and seamen's organisations. The first step towards this end will be to communicate to these organisations of the above-mentioned circular. This can be done in the very near future. The Office is also examining what methods of direct propaganda among seamen can be adopted.

In the third place the Commission has also asked that the Governments should be informed of the matter and a circular letter will be dispatched to the Governments within the next few days.

Finally, in conformity with the Genoa resolution, the Office has entered into communication with the League of Nations for joint action on a larger scale. The Section of Industrial Hygiene has had a conference with the International Office of Hygiene represented by Dr. Pottevin, which had prepared in advance a report of which the conclusions coincided completely with those of the Office. It had even drawn up a detailed draft of an international convention which could be laid before the different Governments as a resolution.

It was pointed out to Dr. Pottevin that the International Labour Organisation had the power through its Conference of laying before Governments Draft Conventions of a similar nature and that such a method of procedure would secure more certain results than one which merely asked for the
good offices of Governments. Dr. Pottevin agreed to this point of view and promised to send his draft convention for the examination of the Office, as to whether the Governing Body could not ultimately inscribe it on the agenda of one of the Sessions of the Conference. Dr. Pottevin has not yet sent his draft to the Office. He has been reminded in a letter dated the 3rd January of his promise to send it.

It is hoped that this outline will have explained satisfactorily to the Governing Body the work accomplished by the Joint Maritime Commission. I have asked for its advice and suggestions in carrying out and taking action on the resolutions of the Genoa Conference. I am sure the Governing Body will quite agree as to the utility of the suggestions and will confirm them. I would like again to emphasize the point that these tasks in no way go beyond the financial estimates of the Office or the guiding lines laid down by the Governing Body. As pointed out above, the most satisfactory and immediate result of the first meeting of the Commission has been the renewal of negotiations between shipowners and seamen on the question of the regulation of hours of labour on board ship, a question which was not resolved at Genoa. All members of the Governing Body, I am sure, will wish success to the Joint Maritime Commission in its efforts at reaching a solution in this matter.

APPENDIX VI.

SEVENTH ITEM ON THE AGENDA.

Scrutiny of the Appointments made under Article 412 (Commissions of Enquiry).

Article 412 of the Treaty of Peace provides for the constitution of a panel from which shall be nominated, by the Secretary-General of the League of Nations upon the application of the Governing Body, Commissions of Enquiry charged with the duty of dealing with complaints as to the ineffective observance of International Labour Conventions. By the same Article, "the qualifications of the persons so nominated shall be determined by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article ".

The Governing Body, during their last Session, decided on the 6th October, 1920, that, since a large number of nominations to the panel from which Commissions of Enquiry are to be drawn had not yet been received by the Office, the matter should be brought up again at the next Session. The annexed list shows that nominations have been received from twenty-one countries, although in seven cases these are not yet complete.

Additional importance has been attached to the constitution of the panel and the scrutiny by the Governing Body of the qualifications of those appointed in view of the fact that the Assembly of the League of Nations has decided that the Permanent Court of International Justice shall include a special chamber for Labour cases, in which the judges will be assisted by four technical assessors. These assessors are to be chosen for each particular case " from a list of 'Assessors for Labour cases' composed of two persons nominated by each Member of the League of Nations and an equivalent number nominated by the Governing Body of the Labour Office. The Governing Body will nominate as to one half, representatives of the workers, and as to one half, representatives of employers from the list referred to in Article 412 of the Treaty of Versailles and the corresponding Articles in the other Treaties of Peace."

The question has arisen as to the nomination to the panel of Members of the Governing Body. There are, certainly, obvious advantages to be gained from the adoption of such a course, but there is, on the other hand, one disadvantage which seems to be decisive. The Treaty provides in Articles 409, 410 and 411, that complaints brought against a Member of the Organisation are to be laid before the Governing Body of the International Labour Office in the first instance, and Article 411 allows to the Governing Body a certain discretion as to what further action may be taken. If the Governing Body decide that the complaint shall be considered by a Commission of Enquiry, then it is clearly desirable that such a Commission should be an entirely independent body having every guarantee of impartiality, and that therefore Members of the Governing Body who have already had to take one decision on the matter should not sit on a Commission of Enquiry which may possibly arrive at conclusions in opposition to those of the Governing Body. Thus, although the Treaty does not explicitly state that a Member of the Governing Body may not sit on Commissions of Enquiry, this limitation seems to be demanded by the judicial character of the work of this body. Such considerations have been put before the Governments in question, and there do not appear to be any difficulties in accepting this point of view and in making the required alterations as regards titular Members. There is, however, the additional question as to substitute Members of the Governing Body being appointed to the panel. The Swedish Government have appointed Mr. Edström and Mr. Thorberg as employers' and workers' representatives respectively, and the Office has drawn the attention of the Government to the above considerations as being at least to a considerable degree applicable also in the case of substitute Members. On the other hand, a satisfactory solution might perhaps more easily be found in adopting a rule that no member of the panel could sit as a Member of the Governing Body when questions regarding Commissions of Enquiry were being discussed.
As stated in my note upon the subject laid before the Governing Body during their last Session, Brazil, Haiti, Siam, El Salvador, Canada and Roumania have raised various difficulties with regard to appointing three persons to the panel. In the case of Roumania, the workers have refused to collaborate in the question, but a communication to the Office from the Roumanian Minister for Social Affairs, dated the 11th November, 1920, stated that it is hoped that the re-organisation of the socialistic party would result in a favourable attitude being taken up with regard to the matter.

Canada had raised difficulties of a constitutional nature regarding the relations between the federal and the provincial authorities, but the Minister of Labour has subsequently informed the Office that the considerations put forward by it have been accepted, and that steps will be taken immediately to secure the necessary nominations.

No reply has yet been received from El Salvador, who is maintaining that she is bound only by the Covenant of the League of Nations, which does not mention the International Labour Organisation or Part XIII of the Treaty, and has therefore refused to appoint the three persons to the panel. The legal question here raised is of the greatest importance and has been carefully studied in conjunction with the Secretary-General and the Legal Section of the League in drawing up the answer of the Office to El Salvador.

The Brazilian Government informed the Office on the 17th September that they had decided not to appoint persons to the panel. Haiti has also declined to proceed to the nominations required, pleading the absence of industrial development and labour legislation. The Office has not yet received replies to the letters sent to these two countries urging a reconsideration of their attitude.

Similarly, the Siamese Government have explained that the radical difference of economic conditions in Siam and in European industrial States and the insignificance of industrial development in Siam, constrain them, for the present, from making any appointments. The Office, in a letter dated the 23rd September, pressed for an alteration in this decision. To this the Siamese Minister for Foreign Affairs has replied setting out at considerable length the view of his Government, and laying special stress on the industrial experience required by Article 412 in the case of the members of the panel.

In addition, difficulties have arisen in Greece as to the appointment of the workers' representative owing to the split within the Greek General Confederation of Labour. The "communist" section of it, which claims to include a majority of the workers, refuses collaboration, and the Government has enquired of the Office what are the conditions regulating the appointment of the workers' representative to the panel. The Office has replied, the 21st December, 1920, pointing out that Article 412 does not explicitly require the appointment to be made in the same manner as that required in Article 389 for Delegates and Advisers to the Conference, and that, although such a procedure is to be considered as highly desirable, the special circumstances of the case would justify the urgent necessity of completing the nominations of the panel being met by agreement with the Greek Government as being of a friendly disposition.

There still remain the following nineteen countries which have made no appointments and of which only four (Chile, Nicaragua, Uruguay and Venezuela) have acknowledged the receipt of any of the three circular letters which have been despatched since the 12th April, 1920:

- Arabia, Argentine, Australia, Chile, China, Colombia, Cuba, Guatemala, Honduras, Liberia, New Zealand, Nicaragua, Panama, Paraguay, Persia, Peru, Portugal, Uruguay and Venezuela.

The five new Members of the International Labour Organisation (Albania, Bulgaria, Costa Rica, Finland and Luxemburg) have been informed by the Office of the requirements of Article 412, but, since they only became Members on the 16th and 17th December, 1920, there has not been time for them to proceed to the necessary nominations.

ANNEX A TO APPENDIX VI.

List of persons nominated to the Panel for Commissions of Enquiry.

(Article 412)

A. Employers' Representatives.

**Austria.**—Dr. Maximilian Kaiser: Secretary-General of the Central Association of Austrian Industries.

**Belgium.**—Mr. G. Dallemagne: Substitute-deputy for Liège arrondissement: President of the Belgian Federation of Chemical Industries: Employers' Adviser at the Washington Conference.

**Bolivia.**—Mr. Ernesto Garcia.

**Denmark.**—Mr. H. Vestesen: Employers' Delegate at the Washington Conference.

**France.**—Mr. Maurice Lemarchand: Member of the Rouen Chamber of Commerce.

**Germany.**—Dr. Richter: President of the Board of Control of the Potash Syndicate, Berlin.

**Greece.**—Mr. Miltiade Zannos: Member of the Directorate of the Union of Greek Industries.

**India.**—Dr. Rahimtoola Currimbhoy Ebrahim: (This appointment to hold good for two years from the 10th July, 1920).

**Italy.**—Dr. Giovanni Balella: Secretary of the General Confederation of Industry.

**Japan.**—Mr. Sanji Muto: Managing Director of the Kanegafuchi Spinning Co. Ltd: Employers' Delegate at the Washington Conference.

**Netherlands, The.**—Mr. A. E. Verkade: Vice-President of the Dutch Manufacturers' Association: Member of the Industrial Council: Employers' Delegate at the Washington Conference.
Norway.—Mr. G. Pauss: Director of the Association of Norwegian Employers: Employers' Delegate at the Washington Conference.

Poland.—Mr. J. Zagliczynski, ex-Minister of Industry and Commerce: Employers' Delegate at the Washington Conference.

Roumania.—Mr. Stefan Cerchez: Doctor of Chemistry, President of the General Union of Roumanian Manufacturers.

Serbs-Croats-Slovenes.—Mr. Vasa V. Yovanovitch.

South Africa.—Mr. W. Gemmil: Labour Adviser and Secretary and Actuary of the Transvaal Diamond Mines: Employers' Delegate at the Washington Conference.

(N. B. The South African Government desire that their nominations should be the same as those to the Conference: hence, changes may occur).

Spain.—Mr. Alfonso Sada: deputy: Honorary President of the Industrial Institute of Tarrasa: ex-Director-General of Commerce: Employers' Delegate at the Washington Conference.

Switzerland.—Mr. Baptiste Savoye: ex-National Councillor, St. Imier.

B. Workers' Representatives.

Austria.—Mr. Antoine Hueber: deputy, secretary of the Trade Union League.

Belgium.—Mr. Corneille Mertens: Secretary of the Trade Union Commission of the Labour Party and independent Trade Unions; Workers' Delegate at the Washington Conference.

Bolivia.—Mr. Juan Ibanez.

Czecho-Slovakia.—Mr. Rudolph Tayerle: Workers' Delegate at the Washington and Genoa Conferences; Secretary-General of the General Confederation of Labour.

Denmark.—Mr. Peder Hedebol: Secretary of the Co-operative Trade Union; Deputy; Member of the Copenhagen Town Council; Advisor to the Workers' Delegate at the Washington and Genoa Conferences.

Germany.—Mr. P. Grassman: Vice-President of the Federation of German Trade Unions.

Great Britain.—The Rt. Hon. J. H. Thomas H. P.

India.—Mr. N. M. Joshi: Workers' Delegate at the Washington Conference, Secretary of the Social Service League, Bombay. (This appointment to hold good for two years from the 10th July, 1920.)

Italy.—Mr. Bruno Buozzi: deputy, general secretary of the F. I. O. M.

Japan.—Mr. Uhei Masumoto: Workers' Delegate at the Washington Conference.

Netherlands, The.—Mr. Fimmen: Secretary of the International Federation of Trade Unions.

Norway.—Mr. Ole O. Lian: member of the Storting: President of the Norwegian Federation of Trade Unions:

Poland.—Mr. Sigismund Zulawski: deputy in the Constituent Assembly: President of the Central Committee of the Industrial Trade Unions.

Serbs-Croats-Slovenes.—Mr. Ettin Kristan.

South Africa.—Mr. A. Crawford: Secretary of the South African Industrial Federation and of the South African Trade Union Congress: Workers' Delegate at the Washington Conference.

(N. B. The South African Government desire that their nominations should be the same as those to the Conference: hence changes may occur.)

Spain.—Mr. Francisco Largo Caballero: Member of the Institute for Social Reforms; Secretary of the General Union of Reforms; Secretary of the General Union of Workers: Workers' Delegate at the Washington Conference.

Switzerland.—Mr. Emile Ryser. National Councillor, Bienne.

C. Of Independent Standing.

Austria.—Dr. Charles Pribram: Professor at Vienna University.

Belgium.—Mr. A. Julin: Secretary-General of the Ministry of Industry, Labour and Food: Government Adviser at the Washington Conference.

Bolivia.—Mr. Benjamin H. Gallardo.

Czecho-Slovakia.—Dr Cyril Horacek: Professor of Economics at Prague University: President of the Senate of the National Assembly.

Denmark.—Mr. V. Neumann: President of the Labour Council: Chief of Bureau in the Department for Social Affairs: Government Delegate at the Washington Conference.

(French appointment to hold good as long as Dr. Vedel is a Member of the Governing Body).

France.—Mr. Justin Godart: Deputy, ex-Minister.

Germany: Professor Dr. Ernst Francke: President of the Society for Social Reform; Adviser to the Government Delegation to the Genoa Conference.

Great Britain.—The Right Hon: Lord Southborough, G. C. B., G. C. M. G., etc., etc. Civil Lord of the Admiralty 1912-1917: Permanent Secretary to Board of Trade 1901-1907: Permanent Under-Secretary of State for Colonies, 1907-1911, etc.

Greece.—Prof. S. Seferiades: professor of international law and member of the faculty of law at Athens University: author of various studies in international law, mostly in French.
India.—Sir Charles Ernest Low, K. C. I. E.: Deputy Commissioner of the Central Provinces since 1902.

Italy.—Prof. Carlo Calisse: Senator, Councillor of State.

Japan.—Mr. Eikichi Kamada: President of Keio University: Member of the House of Peers: Government Delegate to the Washington Conference.

Netherlands, The.—Dr. M. W. F. Treub: Ex-Minister of Finance: Member of Second Chamber of Representatives: Member of High Court of Labour.

Norway.—Mr. J. M. Lund Barrister: President of the Appeal Court of Social Insurance: the former Conciliator-General in Trade Disputes: Government Delegate at the Washington Conference.

Poland.—Prof. Joseph Buzek: Director of the Office of Statistics: Deputy.

Roumania.—Dr. D. Gusti: Professor of Sociology in Bucarest University: Member of the Roumanian Academy.

Serbs-Croats-Slovenes.—Dr. Franc Windischer.

South Africa.—Mr. H. Warington Smyth, C. M. G.: Secretary of the Department for Mines and Industries: Government Delegate at the Washington Conference.

(N. B. The South African Government desire that their nominations should be the same as those to the Conference: hence changes may occur.)

Spain.—The Count de Altea: Under-Secretary of State of Labour.

Sweden.—Dr. G. H. Elmquist: Director-General of the Department of Labour and Social Affairs.

Switzerland.—Mr. Karl Wild, ex-National Councillor, St. Gall.

ANNEX B TO APPENDIX VI

Supplementary List.

The following additional nominations have been communicated to the International Labour Office since the drawing up of the notice distributed to the members of the Governing Body:—

Employers' Representatives:

Canada.—Mr. S. B. Parsons, President of the British-American Oil Company, employers' delegate to the Washington Conference.

Great Britain.—Sir Andrew Rae Duncan, LL. B., Vice-President of the Shipbuilding Employers' Federation.

Workers' Representatives:

Canada.—Mr. Joseph Gibbons, Managing-Director of the Amalgamated Association of Street and Electric Railway Employees of America, District of Toronto.

Of Independent Standing:

Canada.—The Right Hon. M. Justice Duff.

APPENDIX VII.

Proposals put forward by Mr. Oudegeest.

Mr. Oudegeest has made two proposals to the Governing Body through the Office: one concerning the relations between the International Labour Organisation and the League of Nations, and the other concerning the Standing Orders of the Conference.

1. Relations between the International Labour Organisation and the League of Nations.—Mr. Oudegeest formulated these in a letter to the Governing Body, dated the 21st September, which runs as follows:—

"Gentlemen,

If the reports in the Press are accurate, the first Assembly of the League of Nations will take place shortly for the purpose of discussing various measures.

In my opinion, the relations existing between the Council of the League of Nations and the Governing Body of the International Labour Office should be closer than has hitherto been the case.

I think that the various measures to be taken by the Council of the League of Nations in the political sphere will exercise an important influence where the International Labour Office is concerned and on the carrying out of the measures adopted by the meetings of the Conference.

Further, it seems to me desirable that the Governing Body should have the right to be present at the discussions of the League of Nations, even without the right to vote, and that we should approach the Council of the League of Nations in this sense, requesting it to nominate from our Governing Body, in addition to the Director, one representative of the employers and one of the workers to be present at the discussions.

It is hoped that you will be of the same opinion in this matter.

I am, etc."
The attention of the Governing Body is drawn to Mr. Oudegeest's proposal. Experience has shown the advantages of regular relations between the two Organisations. In Paris, last January, both sides had reason to congratulate themselves when the Director was present at the meeting of the Council which discussed the sending of a Mission to Russia.

On the other hand, as far as the Assembly of the League of Nations is concerned, the disadvantages of complete separation between the two International Organisations made itself constantly felt during the whole Session. Several points in connection with the budget of the Assembly were discussed in full session, although not a single member of the Assembly had been present at the International Labour Conferences or was a member of the Governing Body.

The Office had intended to inform the Executive Council of the League of Nations of this great drawback. It was, however, considered advisable to obtain the opinion of the Governing Body on the matter. If the Governing Body gives its consent, the Office can approach the Executive Council of the League of Nations by means of a memorandum drawn up in accordance with exact instructions.

It is suggested that the most suitable method of procedure would be to ask that the Director might be present in the capacity of a technical adviser at the meetings of the Executive Council, and further that the Governing Body should be represented at the General Assembly by its Chairman and six of its members. This delegation could only be present in a consultative capacity, but it would obviously be qualified to represent the opinion of employers and workers as well as the general interests of the Labour Organisation in the General Assembly.

2. Standing Orders of the Conference.—Mr. Oudegeest further proposed that in future Conferences the Governing Body should replace the Commission of Selection.

It is suggested that this proposal should be referred to the Committee on Standing Orders. It might form the subject of a proposition to be laid before the next Conference.

The Governing Body has on several occasions shown that it is profoundly convinced of the necessity for stability and a certain amount of continuity in the policy and procedure of the Conferences. It would seem that the only way of ensuring this is to allow the Governing Body to pursue continuity of action.

APPENDIX VIII.

TENTH ITEM ON THE AGENDA.

Date of the next Session.

I propose to the Governing Body that Tuesday, the 12th April, should be fixed as the date of its next Session. In this way the period of about three months fixed by the Standing Orders will not be exceeded.

It is unnecessary to explain that this date is proposed on the assumption that the Governing Body agrees to accept the 31st May as the date of the General Conference.

Should the Governing Body retain the 4th April as the date of the Conference, I should propose that the Governing Body should meet on Thursday the 31st March, so as to hold its Session immediately before the opening of the General Conference.

I venture to point out that by the actual rules laid down by the General Assembly of the League of Nations, the Assembly is to meet afresh in September, and the draft Budget is to be despatched three months in advance; on the other hand, the General Conference must absorb all the energies of the Office during the month of June. It is, therefore, essential that the 1922 budget should be voted during that Session. Three months' experience of the 1921 budget will not be too long to enable a forecast to be made for the year 1922.
# INDEX.

**AGRICULTURE.**

International Labour Legislation ........................................... 30-31, 52-53

**CONFERENCE OF SHIPOWNERS AND SAILORS.**

Convocation of delegates .................................................. 12
Character ............................................................................. 12-15

**CO-OPERATIVE ALLIANCE.**

Representation at International Labour Conference .................... 12

**CORRESPONDENTS.** ............................................................ 35-36

**DIRECTOR’S REPORT, despatch of.** ..................................... 5-6

**EMIGRATION COMMISSION** .................................................. 49

**ENQUIRIES.**

Commission of Enquiry (Art. 412 Treaty of Versailles) ............... 32, 37, 91
Competence of Governing Body and the Director as regards. ........ 15-19
Hungary .................................................................................. 25, 49
Upper Silesia .......................................................................... 15, 49
Production .............................................................................. 15-19, 49
Soviet Russia ......................................................................... 15, 26, 49

**FINANCE.**

Report of Finance Committee .................................................. 33-37, 72-73
Budget for 1921 ...................................................................... 34-35, 76-82
Accounts 1920 ........................................................................ 33-34, 73-75
Decision taken by the Assembly of the League of Nations .......... 10, 44-46
Financial regulations (Payment of expenses and financial control) 34-35, 75
Verification of Accounts ....................................................... 10, 34, 45-46
Salaries of the International Labour Office to be same scale as those of the League .......................... 6
Raising of Salaries ................................................................. 40

**GENOA CONFERENCE, Final text of.** .................................... 10

**GOVERNING BODY.**

Reform in the composition of:
India’s claim .......................................................................... 37, 6, 41
New Members ......................................................................... 4, 9
Representation at the Assembly of the League of Nations ........ 10, 94-95
Substitutes ............................................................................. 4-5, 22
Approval of the Minutes of the Vth Session .............................. 5

**INDUSTRIAL IMPORTANCE OF STATES.**

Commission set up to determine the chief characteristics of the .... 5

**INFORMATION, diffusion of** .................................................. 48-49

**INTERNATIONAL COURT OF JUSTICE.**

Composition and working ....................................................... 8

**INTERNATIONAL LABOUR CONFERENCE.**

Modification of Standing Orders .............................................. 95
Approval by Governing Body of proposals to be submitted to the Conference ................................................. 31-32
1921 Conference: 
Appointment of technical advisers ........................................ 30, 85-86
Division, as separate questions, of items on the Agenda .......... 31, 86-87
New Item on the Agenda .......................................................... 87
Preparations for ..................................................................... 85
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INTERNATIONAL LABOUR OFFICE.</strong></td>
<td></td>
</tr>
<tr>
<td>Organisation</td>
<td>40-41</td>
</tr>
<tr>
<td>Commission of experts of the League of Nations</td>
<td>38, 46</td>
</tr>
<tr>
<td><strong>JOINT MARITIME COMMISSION.</strong></td>
<td></td>
</tr>
<tr>
<td>Report of the Director on</td>
<td>32, 49, 89-9</td>
</tr>
<tr>
<td><strong>LEAGUE OF NATIONS.</strong></td>
<td></td>
</tr>
<tr>
<td>Admission of New Members</td>
<td>7-8, 42-43</td>
</tr>
<tr>
<td>Technical Organisations</td>
<td>6, 41</td>
</tr>
<tr>
<td>First General Assembly</td>
<td>41</td>
</tr>
<tr>
<td>Relation with the International Labour Office</td>
<td>37, 94-95</td>
</tr>
<tr>
<td>Report of Council</td>
<td>6, 41</td>
</tr>
<tr>
<td><strong>Mandates.</strong></td>
<td></td>
</tr>
<tr>
<td>Countries under the Mandatory System</td>
<td>6-7, 41-42</td>
</tr>
<tr>
<td>Representation of International Labour Office on Mandates Commission</td>
<td>6, 42</td>
</tr>
<tr>
<td><strong>Obituary.</strong></td>
<td></td>
</tr>
<tr>
<td>Death of Baron Mayor des Planches and Mr. Legien</td>
<td>3-4</td>
</tr>
<tr>
<td><strong>POSTAL FRANCHISE.</strong></td>
<td></td>
</tr>
<tr>
<td>Application to the Congress of the Universal Postal Union</td>
<td>10, 47-48</td>
</tr>
<tr>
<td><strong>Publications</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>11-12, 48-49</td>
</tr>
<tr>
<td><strong>RAW MATERIALS.</strong></td>
<td></td>
</tr>
<tr>
<td>International Office of statistics of prices and supplies</td>
<td>10, 47</td>
</tr>
<tr>
<td><strong>Ratifications.</strong></td>
<td></td>
</tr>
<tr>
<td>Measures taken to hasten ratification</td>
<td>10-11</td>
</tr>
<tr>
<td>Washington Conventions and Recommendations</td>
<td>53-58</td>
</tr>
<tr>
<td>Genoa Conventions and Recommendations</td>
<td>58-59</td>
</tr>
<tr>
<td><strong>Russian Refugees.</strong></td>
<td></td>
</tr>
<tr>
<td>Emigration Office in Central Europe for</td>
<td>19-20, 51</td>
</tr>
<tr>
<td><strong>Social Insurance.</strong></td>
<td></td>
</tr>
<tr>
<td>The transference of social insurance funds</td>
<td>5, 19, 21-22, 50-51</td>
</tr>
<tr>
<td><strong>Statistics.</strong></td>
<td></td>
</tr>
<tr>
<td>Representation of International Labour Office at the International Statistical Commission</td>
<td>49</td>
</tr>
<tr>
<td><strong>Trades Unions.</strong></td>
<td></td>
</tr>
<tr>
<td>Complaint of Spanish trades unions</td>
<td>22-27, 51-52, 60-72</td>
</tr>
<tr>
<td><strong>Unemployment.</strong></td>
<td></td>
</tr>
<tr>
<td>Report of the Committee on</td>
<td>37, 50</td>
</tr>
</tbody>
</table>