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RECORDS

OF THE

SIXTEENTH ORDINARY SESSION

OF THE

ASSEMBLY

PLENARY MEETINGS

(June 30th to July 4th, 1936)

TEXT OF THE DEBATES

PART II.

GENEVA, 1936

AT 14-5

motions and suggestions which may through any channel be offered for its consideration. Only after having conscientiously measured the direct bearing, implications and consequences of the said draft amendments will it give its consent, and with it the warrant that it will carry out its obligations in the future unhesitatingly. My

Government is convinced that one of the greatest wrongs which can be inflicted upon international life consists in the perpetuation, in our contemporary society, of a nomad-like attitude, of a lack of adjustment of international community life to binding rules and agreements which are clearly removed from the plane of mere discussion.

TWENTY-FIFTH PLENARY MEETING

Saturday, July 4th, 1936, at 12 Noon.

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Text of the Recommendations proposed by the General Committee of the Assembly.

President : M. VAN ZEBELAND.

102. — SITUATION ARISING OUT OF THE DISPUTE BETWEEN ETHIOPIA AND ITALY : TEXT OF THE RECOMMENDATIONS PROPOSED BY THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : In its desire to discharge as rapidly as possible the task with which you entrusted it, your General Committee has worked without any loss of time. It has drawn up a text which I propose to read to you. At the close of its proceedings, it thought it desirable to call together a plenary meeting of the Assembly for midday. In the meantime, however, several delegations have informed me that they consider it essential that they should be allowed some time to examine at their leisure the General Committee's text. Such being the case, I propose to do no more, at the present meeting, than read the document in question. That done, we could, if you agree, adjourn until 6 p.m.

The President's proposals were adopted.

The President :

Translation : The following is the text prepared by the General Committee :¹

"1. The General Committee of the Assembly has held two meetings with a view to carrying out the study and drafting work that was entrusted to it by the Assembly.

"The delegation of Mexico refrained from attending the General Committee's work for the reasons set forth in a letter to the President. (Annex 4, page 104.)

"The task of the General Committee was to extract from the discussion that has taken place in the Assembly concerning the Italo-Ethiopian dispute the points that might be included in a draft to be submitted to the Assembly. At the same time, the General Committee had been instructed by the Assembly to examine two draft resolutions presented by the Ethiopian delegation.

¹ Document A.84.1935/36.

"2. The General Committee proceeded to an exchange of views on the principal observations and suggestions made in the course of the discussion as well as on the draft resolutions presented by the Ethiopian delegation.

"As a result of this examination, the General Committee unanimously recommends to the Assembly the text annexed hereto.

"In one of its parts, this text relates — taking into account the views expressed in the debate — to the question which forms the subject of the first draft resolution of the Ethiopian delegation.

"As regards the second of these draft resolutions, the General Committee observes that a similar request had been made by the Ethiopian delegation to the Council and refers, in this connection, to the report by the Committee of Thirteen of January 23rd, 1936,¹ which was approved by the Council.

* * *

"I.

総会一般委員会から提出された決議案

"The Assembly,

"(1) Having met again on the initiative of the Government of the Argentine Republic, and in pursuance of the decision to adjourn its session taken on October 11th, 1935, in order to examine the situation arising out of the Italo-Ethiopian dispute ;

"(2) Taking note of the communications and declarations which have been made to it on this subject ;

"(3) Noting that various circumstances have prevented the full application of the Covenant of the League of Nations ;

"(4) Remaining firmly attached to the principles of the Covenant, which are also expressed in other diplomatic instruments such as the declaration of the American States, dated August 3rd, 1932, excluding the settlement of territorial questions by force ;

"(5) Being desirous of strengthening the authority of the League of Nations by adapting the application of these principles to the lessons of experience ;

"(6) Being convinced that it is necessary to strengthen the real effectiveness of the guarantees of security which the League affords to its Members :

¹ See *Official Journal*, February 1936, page 106.

“ Recommends that the Council :

“(a) Should invite the Governments of the Members of the League to send to the Secretary-General, so far as possible before September 1st, 1936, any proposals they may wish to make in order to improve, in the spirit or within the limits laid down above, the application of the principles of the Covenant ;

“(b) Should instruct the Secretary-General to make a first examination and classification of these proposals ;

“(c) Should report to the Assembly at its next meeting on the state of the question.

“ II.

“ The Assembly,

“ Taking note of the communications and declarations which have been made to it on the subject of the situation arising out of the Italo-Ethiopian dispute ;

“ Recalling the previous findings and decisions in connection with this dispute :

“ Recommends that the Co-ordination Committee should make all necessary proposals to the Governments in order to bring to an end the measures taken by them in execution of Article 16 of the Covenant.”

The President :

Translation : The consideration of this document will therefore be placed on the agenda of our meeting this afternoon.

TWENTY-SIXTH PLENARY MEETING

Saturday, July 4th, 1936, at 6 p.m.

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- 105. POSTPONEMENT OF THE OPENING DATE OF THE SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY.
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- 106. CLOSING SPEECH BY THE PRESIDENT.
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President : M. VAN ZEEELAND.

- 103. — SITUATION ARISING OUT OF THE DISPUTE BETWEEN ETHIOPIA AND ITALY : ADOPTION OF THE RECOMMENDATIONS PROPOSED BY THE GENERAL COMMITTEE OF THE ASSEMBLY.

The President :

Translation : The agenda calls for consideration of the report of the General Committee and the draft text accompanying that report, which I had the honour to read to you at this morning's meeting.

The Ethiopian delegation has expressed a desire to speak at once in order to make a declaration to the Assembly.

I therefore propose to call upon His Excellency Dedjazmatch Nassibu to address the Assembly.

Dedjazmatch Nassibu (Ethiopia) read the following declaration :¹

Translation :

I. On June 30th last,² Ethiopia asked the fifty-two nations which had solemnly promised to help her in her resistance to aggression what they were willing to do for the Ethiopian people.

¹ Document A.85.1935/36.

² See page 25.

Of the great Powers that had guaranteed collective security to small States which may one day suffer the fate of Ethiopia, H.M. the Emperor asked what action they intended to take.

Filled with anxiety as to the fate of Ethiopia, a Member of the League of Nations, H.M. the Emperor asked you what answer he should take back to his people.

II. Many delegates have expressed their views on the Italian aggression in this Assembly.

The Ethiopian delegation has been deeply moved by the firm pronouncements of certain States, which have proclaimed, not merely their fidelity to the principles of the Covenant, but, what is more important, their unshakable resolve to enforce those principles. In this hour of distress, the Ethiopian delegation expresses its infinite gratitude to them.

The Ethiopian delegation has listened with bitter disappointment to the declarations of other Governments, which thought that they could fulfil all their obligations by recording the failure of the action taken, recommending resignation to the *fait accompli* and proposing to enquire into the best means of putting a stop to future aggressions. Does that mean that, in the case of the present aggression, the advice of those Powers is that it should be looked upon as regrettable, but irreparable ?

III. The Ethiopian Government has frequently denounced to the League of Nations the bargain proposed by the aggressor — that he would not consent to collaborate in the settlement of European affairs unless his victim were abandoned. The terms of that bargain are now being vigorously urged by the Italian Government in unofficial statements which leave no room for misconstruction.

Such is the true situation, which no subtlety, no manœuvring, can conceal from the Assembly.

IV. On July 3rd last,¹ the Ethiopian Government laid before the President of the Assembly two draft resolutions, the definite object of which was to allow each of the Members of the Assembly to assume responsibility, by means of a formal vote, frankly, loyally, without ambiguity or tricks of language, for its attitude before the world and before history.

¹ See page 60.

The draft text prepared by the Bureau and unanimously recommended by it to the Assembly does not appear to the Ethiopian delegation to provide such an opportunity. A draft text consisting of a brief statement of reasons, recalling in vague and indefinite terms the events which have occurred and the principles of the Covenant, concludes, for reasons which the Ethiopian delegation fails to understand, not with draft resolutions, but with proposals for a recommendation.

The Ethiopian delegation cannot believe that this form has been chosen to evade, by subtleties of procedure, the categorical decisions which it has asked the Assembly to take.

The Ethiopian delegation energetically maintains the two draft resolutions it has submitted. It ignores the subtleties of procedure the effect of which would be to obtain a vague and ambiguous vote.

What Ethiopia claims as her right, at this tragic hour of her destiny, is a categorical verdict and not a sentence of death by an implied recommendation, cleverly drafted in terms which, while abandoning the victim to its aggressor, seems to apologise to that aggressor and only affirms respect for the principles of the Covenant in order to save the League's face.

Are the principles of the Covenant bending reeds on which certain "sacred egoisms" can lean until these principles give way?

V. What Ethiopia asks the Assembly is to express its opinion by an unambiguous vote.

Does the Assembly confirm, yes or no, its unanimous vote of October 1935 declaring that the Italian Government had committed an unjustified aggression against Ethiopia?

Does the Assembly confirm, yes or no, its determination not to recognise the annexation of a territory obtained by force, in violation of the treaties and of the Covenant, at a time when, not only has Ethiopian resistance not been broken, but more than half Ethiopian territory remains outside Italian domination?

Does the Assembly confirm, yes or no, its determination, in default of the economic and financial measures whose ineffectiveness is now affirmed, after recording and estimating their considerable results a few weeks ago, to grant Ethiopia, the victim of aggression, another form of assistance?

This is what the Ethiopian delegation asks while maintaining its draft resolutions. It expressly demands that they should be discussed, in order that an explicit vote on each of these resolutions may provide the Ethiopian people with the honest reply to which it is entitled.

The President :

Translation : Certain members have asked to make a short statement on the vote which you have to give.

I call first on M. Solís, delegate of Panama.

M. Solís (Panama) :¹

Translation : Towards the end of this morning's meeting of the Assembly, I was made acquainted with two draft resolutions which the General Committee of the Assembly had submitted for the latter's consideration. Not only have I not had time to transmit the text of these drafts to my Government, but I even believe that they do not deserve to be so transmitted.

The two resolutions proposed do not meet either the Italian point of view, the Ethiopian point of view, the point of view of the principles of international law, of the prestige of the League of Nations, or the anxieties absorbing the attention of the world; they do not even represent a

¹ See also Annex 5, page 105.

real, deep desire to furnish a constructive solution of the dispute. It would seem that we are afraid of dealing courageously with a situation which, whatever its tendency, is clearly defined.

The delegation of Panama, of which I have the honour to be the head, will vote in the Co-ordination Committee for the raising of sanctions, but this delegation wishes to make it absolutely clear that it will refrain from voting on the two resolutions above mentioned, which will give the world the impression that the mountain has once again brought forth a mouse.

When one is faced with extremely difficult and complicated situations, where it is absolutely impossible to adopt, for the time being, final and categorical solutions, it is very often better to keep quiet and leave it to the levelling action of time to supply better opportunities, rather than adopt anodyne resolutions which offer no advantage, lead to no practical or constructive result, and give the world the false impression that the League of Nations has already found the only possible final solution — an impression which would be greatly to be deprecated since it would mean the certain discouragement and weakening of the forces that can still be put into motion to ensure better and more effective results in the future.

I should like to hear the opinions of all the delegations here present on these resolutions, in order to be able to learn their views in case they thought that the League of Nations should take action, and whether it is desired that, whenever the League of Nations decides to act, it should do so with all the high moral authority which such an institution can exercise. Unfortunately, the passive attitude taken by delegations, the lack of bold initiative and the tendency to avoid frank discussion have always characterised the proceedings of the Assembly of the League of Nations.

The President :

Translation : Mr. Massey, delegate of Canada, will address the Assembly.

Mr. Massey (Canada) . — I beg leave to make a brief statement. In accepting the two resolutions placed before the Assembly by the General Committee, the Canadian delegation understands that the provisions of the first resolution in no way prejudice the views which may be submitted by Governments concerning the constitution of the League nor the decisions which may be taken at the September Assembly.

The President :

Translation : I call upon Mr. te Water, delegate of South Africa, to address the Assembly.

Mr. te Water (Union of South Africa) . — In view of the considerations which I had the honour to advance to the Assembly on July 1st,¹ on behalf of my Government, I wish to say that I cannot associate myself in any way with this resolution, and propose therefore, if it is the intention to put it to the vote, to abstain from voting.

The President :

Translation : I call upon M. Turbay, first delegate of Colombia, to address the Assembly.

M. Turbay (Colombia) :

Translation : The Colombian delegation accepts the first proposal submitted for the approval of the Assembly as a fresh affirmation of the principles embodied in the conclusions to its initial declaration

¹ See page 31.

made from this platform by the President of the delegation on July 1st, 1936.¹

As regards the second proposal, the delegation reserves the right to state in the Co-ordination Committee² the reasons why it has no objections to the recommendation submitted for the Assembly's approval.

The President :

Translation : The list of speakers who wished to make declarations during the discussion of the text now before you is exhausted.

I think that we should now proceed to the vote. This vote raises a certain number of questions of procedure which I feel are rather difficult to solve. I should like first to reiterate that your President is here solely in order to interpret, and to give expression to, the wishes and desires of the Assembly.

I propose to submit first to the vote of the Assembly the text laid before you by the General Committee, since the latter is an organ of the Assembly instructed by it to discharge for it a certain task. I will then ask you whether you wish, and in what manner you wish, to express an opinion on the other resolutions which have been tabled by one of your members.

As regards the text submitted by the General Committee, I would like to know what procedure we should adopt and whether you think it advisable to take a roll-call.

As several delegations ask for a vote by nominal roll-call, I would suggest that we follow this method.

The Ethiopian delegation has just asked me to give priority to the vote on its resolutions. I suggested a moment ago, and I believe that it is the ordinary rule of deliberative assemblies, that priority should be given to the text prepared by the body appointed by you for the purpose.

Does anyone wish to speak on this point of procedure ?

I interpret your silence as meaning that you desire to give priority to the text drafted by the General Committee. We shall therefore take a vote by *appel nominal* on this text, which I read to you at the morning meeting.

As a vote has been requested, it will be taken in accordance with the provisions of the Rules of Procedure. Under Rule 20, sub-paragraph (a), "The name of each delegation shall be called and one of its members shall reply 'Yes', 'No' or 'Not voting'. The result of the vote shall be recorded and announced to the Assembly."

(A vote was taken by *appel nominal*.)

The President :

Translation : The results of the voting are as follows :

| | |
|--------------------------------|----|
| Number of votes cast | 49 |
| Valid votes | 49 |
| Votes in favour | 44 |
| Votes against | 1 |
| Abstentions | 4 |

As forty-four delegations have voted in favour of adopting the text recommended by the General Committee, which is worded as a recommendation, I shall regard it as adopted by the majority of the Assembly.

A member of the Assembly asks me to remind you that Article 19, paragraph 1, of your Rules of Procedure reads as follows :

"Except where otherwise expressly provided in the Covenant or by the terms of a treaty, decisions of the Assembly shall be taken by a unanimous vote of the Members of the League represented at the meeting."

¹ See page 26.

² See *Official Journal*, Special Supplement No. 149.

I thought it my duty to acquaint you with this request and to read to you this text. I must, however, point out that this is not a decision taken by the Assembly, but a recommendation, and that, in accordance with the custom which has, since the outset, been followed by the Assembly, recommendations may be adopted by a majority vote.

104. — DISPUTE BETWEEN ETHIOPIA AND ITALY : DRAFT RESOLUTIONS SUBMITTED BY THE ETHIOPIAN DELEGATION (continuation).

The President :

Translation : We must now consider the question raised by a member of the Assembly who asks that an explicit vote be taken on the two resolutions¹ which have been regularly tabled.

As regards the first resolution, I think I should remind you of the passage in the report of your General Committee reading as follows :

"In one of its parts, this text relates, taking into account the views expressed in the debate, to the question which forms the subject of the first draft resolution of the Ethiopian delegation."

I would therefore ask the Assembly once more what its wishes are, and I shall endeavour to interpret them to the best of my ability.

Does anyone wish to speak on this point of procedure ?

Can I take your silence as meaning that on this point of procedure you agree with the view expressed by the General Committee in its report ?

In those circumstances, I must interpret your attitude as meaning that your vote has covered the point raised in the first draft resolution submitted by the Ethiopian delegation.

As regards the second draft resolution, the report of the General Committee merely describes the situation as it exists.

A draft resolution has been regularly tabled by one of the members of the Assembly.

Does any member of the Assembly wish to make any suggestion on this point of procedure ?

As no one wishes to speak, I think it my duty, in order to be wholly impartial and to comply with precedents, to say that I think the Assembly should vote on the second draft resolution submitted by Ethiopia.

If there is no objection, I shall take your silence as signifying approval of the suggestion which I have just made.

I shall put to the vote the second resolution which has been circulated to the Assembly in accordance with the Rules of Procedure.

I would now ask you how you wish to vote.

A new situation has just arisen. I am informed that the delegation which tabled this second resolution does not wish a vote to be taken otherwise than by *appel nominal*.

I shall then ask the Assembly if it desires to take a vote by *appel nominal* on this resolution or to reject the proposal as a whole—that is to say, dispense with the vote if a vote by *appel nominal* is not accepted.

As no one has asked to speak on this subject, I once more think it my duty to make a suggestion. In these circumstances, I consider that, as a delegation has regularly asked for a vote by *appel nominal* to be taken on a resolution regularly tabled, we should vote accordingly.

¹ See page 60.

Can I interpret your silence as meaning that you agree with my proposal?

In these circumstances, we shall take a vote by *appel nominal* on the second draft resolution submitted by the Ethiopian delegation.

The vote by *appel nominal* will be taken in the same manner as previously.

(A vote was taken by *appel nominal*.)

The President:

Translation: The results of the ballot are as follows:

| | |
|--------------------------------|----|
| Number of votes cast | 49 |
| Votes valid | 49 |
| Votes in favour | 1 |
| Votes against | 23 |
| Abstentions | 25 |

Consequently, the resolution is not adopted by the Assembly.

105. — POSTPONEMENT OF THE OPENING DATE OF THE SEVENTEENTH ORDINARY SESSION OF THE ASSEMBLY: COMMUNICATION BY THE PRESIDENT.

The President:

Translation: The General Committee proposes that the Assembly should postpone the date of opening of its seventeenth ordinary session from September 7th, 1936, to Monday, September 21st, 1936, in accordance with the desire expressed by several delegations.

I interpret the silence of the Assembly as meaning that it agrees to this proposal of the General Committee.

The proposal of the General Committee was adopted.

106. — CLOSING SPEECH BY THE PRESIDENT.

The President:

Translation: In formulating and adopting the recommendations which have just been voted almost unanimously, your Assembly has brought the League of Nations through one of the darkest and narrowest defiles which it has encountered on its path since its creation.

Tradition would have your President congratulate you on the issue of such a debate and emphasise the spirit of goodwill and civic courage you have had to display in performing your task. But I think that such words would be out of place in the atmosphere in which this meeting has taken place.

You have had the most difficult and ungrateful task to perform.

When I learnt at Brussels that certain delegations were doing me the honour of speaking of me as a possible candidate for the Presidency, I had a moment of hesitation and almost of discouragement. I was aware of the difficulty of the work which had to be done; I foresaw its bitterness. The task which I was accomplishing at that time in my country gave me a reason which would have enabled me to decline in advance the honour which was to be offered to me, and I will not disguise the fact that I was strongly tempted to do so. But I pulled myself together. For a long time past I have placed great confidence in the League of Nations. My country has always understood the significance — for the present, indeed, but even more for the future — of the gradual development of the ideas of justice, organisation and law, the germ of which is contained in the League of Nations, and which it will one day undoubtedly, in spite of everything, achieve. I realised that I should be evading a duty if I did

not accept, and I came here to share your responsibilities and difficulties, and eventually, I hope, the final success of your efforts.

But I hope I may be allowed to say — and I am sure I am speaking for a great many of you — that, in the course of these debates, we have sometimes envied those who, having no responsibilities to shoulder, were at liberty to follow, in expressing their ideas regarding the League of Nations and the problems of the day, not the hard exigencies of the facts, but the rigid logic of their minds, and could give free rein to their sentiments.

However that may be, you have succeeded in avoiding the two perils which threatened the League. The first of these dangers was to give way to discouragement under the burden of failure and to abandon the struggle. In acting in this way, you would have sacrificed your goal, for the sole reason that one of the means by which it was endeavoured to obtain it had not immediately given the result hoped for. You have done well resolutely to ward off this danger.

The other danger would have been to gloss over the setback and its consequences, and to go on as if nothing had happened. I have no doubt that this would have meant the irrevocable condemnation, in the near future, of the work already done and of the work now in progress.

You have thus had the difficult courage to look realities in the face, and you have decided to draw the logical conclusions therefrom for tomorrow and for the more distant future.

In order to clear the atmosphere in which the preparatory work for the adjustments recognised as necessary will be carried on, I ask your permission to emphasise, in my personal capacity, certain of the preoccupations which have come up in the course of this debate.

No attempt has been made to conceal the fact that the League of Nations has suffered a setback, and a serious one. The word has, I think, occurred several times in each of the speeches made, and it is well that this should be so.

But, without wishing to minimise its importance, it should not be too much exaggerated. A setback is not a mistake and still less a defeat; what we must prevent at all costs is that the setback should become a defeat.

While it is justifiable and true to speak of the failure of the League's action in regard to one of its Members, it is perhaps necessary to take up a more qualified attitude in speaking of economic and financial sanctions. It is true that sanctions have not saved Ethiopia. But this does not mean that they did not help her in her struggle. They did not constitute a decisive factor, sufficient in itself to permit the League to achieve the aims it was pursuing. But I fail to understand the surprise which this has caused in certain quarters.

When you decided last October that the collective action of the League should be confined to economic and financial measures, was it not evident that you also limited the possibilities of gaining control of the situation? You acted in this way, moreover, for imperative and unavoidable reasons, and, in fact, because it would have been impossible to do more; but that meant that the League accepted the idea of affording one of its Members who was threatened an important degree of assistance, calculated to help it to a great extent, but not necessarily decisive in any case and likely to guarantee it against all perils in all eventualities.

It is only too obvious that measures of a negative character in the economic and financial sphere cannot take the place of guns, tanks or aeroplanes on one side, or do away with them on the other. And yet, who among you — if by the malice of fate he was to find himself one day in a situation like that of Ethiopia — would not be glad, in default of something better, to see economic and financial sanctions applied to his aggressor by fifty countries?