

GENEVA,
November 11th, 1924.

League of Nations.

PERMANENT MANDATES COMMISSION.

Report on the Work of the Fifth (Extraordinary) Session of the Commission

(held at Geneva from October 23rd to November 6th, 1924)

submitted to the Council of the League of Nations.

At its fourth session, held in June and July 1924, the Permanent Mandates Commission was not able, for reasons given in the report on that session, to consider more than six of the annual reports submitted by the mandatory Powers; it therefore held a fifth session (extraordinary) from October 23rd to November 6th, 1924. During this session the Commission has held 25 meetings, one of which was public.

All the members of the Commission took part in its work, with the exception of M. YAMANAKA, who was detained in Japan. The Chairman, Marquis THEODOLI, was not able to be present at the last eight meetings and was replaced by M. Van REES, Vice-Chairman. M. ORTS was prevented from attending the meetings of the Commission for more than two days.

During this session the Commission considered reports on the administration of two territories under A mandates, two territories under B mandates and four territories under C mandates. Assisted by the accredited representatives of the mandatory Powers, it considered these reports in the following order:

1. The report on the islands under Japanese mandate:
Assisted by M. Y. SUGIMURA, Assistant Head of the Japanese Bureau accredited to the League of Nations in Paris, and by M. KITAJIMA;
2. The report on the British Cameroons:
Assisted by Mr. G. J. F. TOMLINSON, Assistant Secretary for Native Affairs in the Administration of Nigeria.
3. The report on British Togoland:
Assisted by Mr. H. S. NEWLANDS, Deputy Provincial Commissioner of the Administration of the Gold Coast;
4. The report on Western Samoa:
Assisted by the Honourable Sir James ALLEN, K.C.B., High Commissioner for New Zealand in London;
5. The report on Palestine:
Assisted by the Right Honourable Sir Herbert SAMUEL, High Commissioner of the British Government in Palestine, and by Mr. KEITH-ROACH.
6. The report on Syria and the Lebanon:
Assisted by M. Robert de CAIX, former Secretary-General of the High Commissariat of the French Republic in Syria and Lebanon;
7. The reports on New Guinea and Nauru:
Assisted by the Rt. Hon. Sir Joseph COOK, G.C.M.G., High Commissioner for Australia in London.

The International Labour Office was represented by Mr. GRIMSHAW, who took part in the discussions in an advisory capacity when questions relating to labour conditions were under consideration.

The greater part of the session was devoted to the consideration of the annual reports referred to above. Of the eight reports submitted to the Commission in the course of this session it was

possible to examine five in the presence of officials of the mandatory Powers who are at the present moment taking an effective part in the administration of the territories concerned or have done so in the past. Sir Herbert Samuel, High Commissioner in Palestine, was instructed by the British Government to take part in the work of the Commission, which desires to tender its thanks to the British Government and to Sir Herbert Samuel, whose great ability and unvarying courtesy it has fully appreciated.

The Commission was also extremely fortunate, in view of his personal experience and thorough knowledge of the details of the administration of Syria and Lebanon, in obtaining the co-operation of M. Robert de Caix, former Secretary-General of the High Commissariat of the French Republic in Syria and the Lebanon.

The Commission has also had the privilege of being assisted by Mr. G. J. F. Tomlinson, Assistant Secretary for Native Affairs in Nigeria in the discussion of questions concerning the British Cameroons, and Mr. H. S. Newlands, Deputy Provincial Commissioner in the Gold Coast, in the discussion of questions concerning British Togoland. The marked competence and experience in colonial affairs shown by both these officials was greatly appreciated by the Commission.

During its discussions with these officials the Commission has had an opportunity of appreciating the great advantage of being assisted in the careful examination of the reports of the mandatory Powers by administrators who combined general experience with the special knowledge gained by personal experience of the conditions described in the reports.

Although the Commission fully realises the insurmountable difficulties which make it impossible for all the mandatory Powers to send every year as their representatives before the Commission high colonial officials while still employed, it does not hesitate again to express the wish which it had the honour to formulate in this connection in its last report.

The Commission takes this opportunity of thanking all these officials, as well as the accredited representatives of Australia (Sir Joseph Cook), Japan (M. Sugimura) and New Zealand (Sir James Allen), for their very useful collaboration.

In the course of the discussion of one of the annual reports under consideration, a question of general interest was brought to the attention of the Commission.

In the report of the proceedings of the British Imperial Conference held in 1923 the Commission observed that mention had been made on two occasions of mandated territories. On the one hand, certain questions relating to territories under C mandate had been raised by the Government of the United States and had been considered; on the other hand, the question of the acquisition of the nationality of the mandatory Power by the inhabitants of territories under B and C mandates had also been discussed by the Conference.

The Commission has the honour to recommend the Council to request the British Government to be so good as to communicate to it, if possible, information on these two points.

OBSERVATIONS OF THE PERMANENT MANDATES COMMISSION ON THE ADMINISTRATION OF THE TERRITORIES UNDER A, B AND C MANDATES DURING THE LAST ADMINISTRATIVE PERIOD.

These observations have been drawn up by the Permanent Mandates Commission after consideration of the reports in the presence of the accredited representatives of the Powers by whom they were presented. They are drawn up in as concise a form as possible. In order fully to understand them, reference should be made to the Minutes of the meetings at which these reports were discussed.

Territories under A Mandate.

SYRIA AND THE LEBANON (*under Mandate of France*).

The Annual Report of the French Government on the administration of Syria and the Lebanon for the period July 1923-July 1924 was received by the Secretariat, in 100 copies, on September 26th, 1924. At the same time, the Secretariat was informed that the report had been transmitted direct to the members of the Permanent Mandates Commission. The Commission devoted two meetings, on October 30th and 31st, to the consideration of this document, in collaboration with the accredited Representative of the French Government, M. Robert de Caix, former Secretary-General of the High Commissariat of the French Republic in Syria and the Lebanon.

General Observations.

The Permanent Mandates Commission has noted the accredited Representative's statement that the French Government will undertake next year to conform to the method recommended to all the mandatory Powers, *viz.* to address its report to the Council of the League of Nations and to frame it in accordance with the questionnaire intended to facilitate its preparation.

The Commission hopes that, in accordance with Article 17 of the Mandate, the report will be accompanied by copies of the decrees and ordinances applicable in the territory.

This is the first occasion on which the Commission has been called upon to examine the report on Syria and the Lebanon since the coming into force of the Mandate, and it notes with satisfaction the success with which the mandatory Power has tried to conduct its administration in conformity with the terms of the Mandate. In framing the organic law which it is endeavouring to set up, it has followed a method which enables it to avoid the difficulties of a political character and those due to the previous history of the country while taking account of the organisation established by the authority which preceded it and also the racial and geographical differences obtaining in the various parts of the country.

The mandatory Power has aimed at applying the principle of collaboration with the inhabitants to the greatest possible extent, while retaining the power to enforce its will in order to carry on the trusteeship conferred upon it by the Covenant "until such time as they are able to stand alone".

As regards the right of association and the freedom to hold public meetings, the Commission hopes that the mandatory Power, in conformity with its historical traditions, will ensure full freedom in this respect subject only to the exigencies of public order and of the application of the Mandate.

The Commission notes the statement of the accredited Representative to the effect that at present very few of the persons whose presence was considered undesirable during the period of political organisation are still prevented from re-entering the country. It hopes that in the next report it will be able to note that conditions in the territory have made it possible for the mandatory Power to extend the acts of grace already taken to those who have not yet had the benefit of them.

Special Observations.

1. *Judicial System.* — The Commission hopes that the next report will contain detailed information on the administration of the religious tribunals, Christian and Moslem, and on the relations of these tribunals with the Administration.

2. *Economic Equality.* — The Mandates Commission drew the attention of the accredited Representative to Article 7 of Ordinance No. 2542/1 of April 3rd, 1924, imposing a double duty (30%) on goods from countries adjacent to Germany unless accompanied by a certificate of origin and an invoice bearing the visa of a French consul. As these provisions entail an additional financial charge, they therefore give rise to discriminating treatment in comparison with goods from other States Members of the League, which is contrary to the principle laid down in paragraph 1, Article 11 of the Mandate. The Commission has taken note of the accredited Representative's promise to draw his Government's attention to this point.

3. *Land System.* — The Commission has been interested to learn that the mandatory Power has set up and is beginning to apply a system of registration of lands.

4. *International Conventions.* — The Commission thanks the accredited Representative for his promise to include in the next report a complete list of the international conventions to which the mandatory Power has adhered on behalf of Syria and the Lebanon.

5. *Antiquities.* — The Commission has taken note of the explanations given by the accredited Representative regarding the postponement of the promulgation of a law concerning antiquities provided for in Article 14 of the Mandate, and hopes that it will shortly receive a copy of the law.

6. *Labour.* — The Commission has taken note of the explanations furnished by the accredited Representative regarding the difficulties involved in applying the conventions and recommendations of the International Labour Conferences. It hopes that the next report will contain information on labour conditions in the small local factories (carpets, etc.).

7. *Education.* — The Commission would appreciate a detailed statement with regard to primary, secondary and university education and also of the general programme of studies and educational statistics (number and grades of schools, their distribution throughout the country, number of pupils classified according to religion, school attendance).

8. *Christian Refugees.* — The Commission recognises the great efforts made by the mandatory Power on behalf of Christian refugees from Turkey, and congratulates it on its humanitarian action.

9. *Public Health.* — The Commission would be glad to receive more detailed information concerning public health, together with statistics relating to the causes of disease and death and particularly infant mortality.

10. *Public Finance.* — As regards the financial administration of the territory, the Commission would be glad if in the next report complete tables of the last closed accounts and of the budget estimates for the period under review could be inserted.

It would also be glad if a financial statement concerning the administration of the Wakf properties could be similarly inserted.

11. *Demographic Statistics.* — The Commission hopes to receive in the next report demographic statistics, relating more particularly to births, marriages, deaths, immigration and emigration.

PALESTINE (under Mandate of Great Britain).

One hundred copies of the report by His Britannic Majesty's Government on the Palestine Administration, 1923, were received in the Secretariat on June 27th, 1924. On September 27th, twelve maps of Palestine were received from the Foreign Office for the use of the Permanent Mandates Commission. The Commission devoted six meetings on October 28th, 29th and 30th to the consideration of this report in collaboration with the accredited representative of the British Government, the Rt. Hon. Sir Herbert Samuel, G.B.E., High Commissioner for Palestine.

General Observations.

In discussing the administration of Palestine in connection with the First Annual Report submitted by the mandatory Power since the coming into force of the Mandate as a result of the decision taken by the Council on September 29th, 1923, the Permanent Mandates Commission has been faced with what is for it a special situation.

Whereas all the other mandates the application of which it has hitherto examined were only intended to give effect to the general principles laid down in Article 22 of the Covenant, the Palestine Mandate is of a more complex nature. As is expressly stated in the Preamble of the Mandate, and as is clearly shown by several of the clauses of this document, the Council, in drawing up its terms, desired, while giving effect to the provisions of Article 22 of the Covenant, to carry out also the plan of establishing in Palestine a National Home for the Jewish people, as stated in the historic Declaration of November 2nd, 1917, with which Lord Balfour's name is associated — a Declaration which the Principal Allied Powers adopted. According to the fundamental principle of Article 22 of the Covenant the paramount duty of the mandatory Power is to ensure the development of the mandated territories by administering them in conformity with the interests of their inhabitants. On the other hand, in the terms of the Declaration of November 2nd, 1917, the mandatory Power is instructed to assist "the establishment in Palestine of a National Home for the Jewish people it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine or the rights and political status enjoyed by Jews in any other country".

It is not in any way for the Commission, whose duty it is, according to Article 22 of the Covenant, "to advise the Council on all matters relating to the observance of the Mandate", to offer any observations whatever concerning the actual contents of the Mandates the application of which it is called upon to examine, or to contrast the two principles which the Council sought to embody in the terms of the Mandate for Palestine. But, as this Mandate of necessity reflects the dual nature of its inspiration, and as its application has given rise to complaints by persons basing their case on one or other of these principles to the exclusion of the other, the Commission would not be fulfilling its task if it refrained from making any reference to the facts which have come to its notice in this connection. In order to define and illustrate its meaning with greater clearness, the Commission desires to draw the particular attention of the Council to the problem of immigration, which is, perhaps, the dominant issue of the present situation in Palestine.

The Commission has noted that, according to the Annual Report and the statements made by the accredited Representative of the mandatory Power, there has, during the last few years, been a considerable stream of Jewish immigration into Palestine. This stream of immigration, which comes mainly from various regions of Eastern Europe, is providing the territory of Palestine with a new population, the elements of which, however great their ardour and Zionist zeal and their desire to contribute to the establishment of the Jewish National Home, are as a general rule not prepared, either by technical training or by family tradition, for manual, and particularly agricultural, work which is necessary in the present state of Palestine.

According to the terms of Article 6 of the Mandate, "the Administration of Palestine... shall facilitate Jewish immigration under suitable conditions and shall encourage... close settlement by Jews on the land, including State lands and waste lands not required for public purposes". These provisions, therefore, make it the duty of the Palestine Administration to encourage — as well as to regulate — Jewish immigration into Palestine.

The Commission is bound to observe that the policy of the mandatory Power as regards immigration gives rise to acute controversy. It does not afford entire satisfaction to the Zionists, who feel that the establishment in Palestine of a Jewish National Home is the first duty of the mandatory Power and manifest a certain impatience at the restrictions which are placed in the way of immigration and in respect of the granting of land to immigrants. This policy is, on the other hand, rejected by the Arab majority in the country, which refuses to accept the idea of a Jewish National Home and regards the action of the Administration as a menace to its traditional patrimony.

A twofold duty is thus imposed on the Administration of Palestine by the actual terms of the Mandate. It is obvious that if the mandatory Power had only to take into consideration the interests of the population, its immigration policy ought to be dictated primarily by considerations of the economic needs of the country. It is, moreover, equally clear that if the mandatory Power had not to take into account the interests of the Arab population, and if its sole duty was to encourage Jewish immigration in Palestine, it might be in a position to pursue an agrarian policy which would facilitate and expedite to a greater extent than its present policy the creation of a Jewish National Home.

The divergences which bring Zionism and the Arab majority into conflict on the subject of immigration may also be observed in connection with other manifestations of the collective life of Palestine. They produced particularly unfortunate results when an attempt was made to create an Advisory or Legislative Council. The Arabs, appealing to Article 2 of the Mandate, which guarantees the development of self-governing institutions, declined to co-operate unless they were assured of representation which should be in proportion to their numerical strength and which should at the same time give them an absolute majority on such a body, whereas the Administration could not agree to the admission of a majority resolved to oppose the establishment in Palestine of a National Home for the Jewish People and the application of the mandatory system to the country.

The Commission is happy to note that the consequences of this conflict of interests are mitigated by the wisdom and impartiality displayed by the High Commissioner, to whom it wishes to pay tribute. If there is discontent in Palestine — and this cannot be denied — the Commission desires to state expressly that this is in no way attributable to the Representative of the mandatory Power, who faithfully discharges the twofold duty imposed by the Mandate.

The Commission has noted with satisfaction the very definite statement made by the accredited Representative on behalf of the Administration repudiating the aspirations of certain Zionist extremists for supplanting the Arabs in Palestine by the Jews. This declaration, which is in accord with the views expressed by the British Government in its correspondence with the Zionist Organisation (White Book, Cmd. 1700), and accepted by the latter on June 18th, 1922, should, in the Commission's opinion, tend to allay the anxieties which imperil the peace of the country.

The Commission is happy to note that it has generally been possible to associate the qualified representatives of the Arabian population with the local administration of the municipalities. It highly appreciates the persistent efforts of the High Commissioner to secure the co-operation of the Arab majority in the central administration of the territory, and it sincerely hopes, in the interests of the peaceful development of the country and of good order, that these efforts will shortly be crowned with success.

Special Observations.

1. *Transjordania.* — The Commission expressed the hope that it will in future receive fuller information regarding the administration of Transjordania. Although, in virtue of Article 25 of the Mandate and of a decision of the Council dated September 16th, 1922, not all the articles of the Palestine Mandate are applicable to this territory, the Commission points out that the latter is nevertheless under British Mandate and that consequently the mandatory Power should make an annual report upon its administration.

The accredited Representative of the mandatory Power stated that his Government would not fail next year to submit to the Council a special report on the administration of Transjordania.

The Commission would be glad if full information regarding any survivals of slavery and of the slave traffic in this territory could be given in the report.

2. *Administrative Organisation.* — The Commission will be glad to have full information regarding the working of village Councils and the further development of local government institutions.

The Commission appreciates the accredited representative's offer to insert in the next report a table clearly indicating the composition of the administrative staff classified according to the nature of the officials' duties and the race and the confession to which they belong.

3. *Immigration and Emigration.* — The Commission, being concerned with the fact that immigration had not perhaps always been in proportion to the capacity of the economic absorption of the country and that the immigrants have not always been allocated with regard to the agricultural, commercial and industrial needs of Palestine, would be glad if fuller information could be given in the next report as to the number of immigrants, their race, their vocations and their place of origin. The Commission desires especially to know the occupations adopted by the immigrants of the preceding year.

4. *Military Clauses.* — The Commission hopes that the next report will provide more detailed information in regard to the respective duties of the various armed forces in Palestine and in regard to the racial and confessional composition of the local forces.

5. *Labour.* — The Commission noted with satisfaction the accredited representative's declarations that he was prepared to consider the possibility of drafting a labour code applicable to Palestine. It hopes that the next report will give more detailed particulars regarding the proposed or actual operation of labour legislation, and particularly as concerns the international labour conventions to Palestine.

6. *Education.* — The Commission highly appreciates the fact that the Administration had succeeded in establishing 190 new schools during 2½ years, and expresses the hope that better economic conditions will make it possible for the Administration to take up again at an early date the policy inaugurated in 1920-21.

7. *Public Finance.* — The Commission trusts that the next report will provide fuller information regarding the budget estimates and the administrative accounts of Palestine. It particularly desires to have such information in a form in which it would be possible to compare the estimates and results of the different financial periods.

The Commission would be glad also of information regarding the financial administration of Wakf property.

Territories under B Mandate.

CAMEROONS AND TOGOLAND (under Mandate of Great Britain).

The reports on the administration of these two mandated territories have given rise on the part of the Commission to certain observations common to the two territories, and to others which apply to each of them separately.

Observations common to both Territories.

In the course of its third session the Commission expressed the wish, with regard to the presentation of the reports on the British mandated territories of Togoland and the Cameroons, that the reports of the mandatory Power to the Council of the League of Nations should in future be submitted in a form which clearly indicated their character. The Commission notes that, whereas the reports for 1922 were addressed to the British Government by the officials responsible for the administration of the territories, the reports for the present year are submitted by the Mandatory itself, as the Commission had desired. The Commission hopes that, in conformity with the intention expressed by the Representative of the mandatory Power, further reports will be drawn up in a form which clearly indicates that they are addressed to the Council of the League of Nations in accordance with Article 22 of the Covenant.

The Cameroons and Togoland, placed under the mandate of Great Britain, have been incorporated by the mandatory Power for administrative and fiscal purposes with its neighbouring colonies of Nigeria and the Gold Coast respectively.

In view of the geographical configuration of these two territories and the ethnical composition of their populations, the Commission is fully prepared to admit that the measures adopted by the mandatory Power may be the best calculated to ensure good administration and consequently the well-being of the population. It desires to add that these measures are, moreover, expressly authorised by the terms of the mandate, provided that they do not lead to any infringement of the general provisions thereof. Among these provisions, that relating to the presentation of the annual reports is of particular importance to the Permanent Mandates Commission, which has been appointed by the Council to examine these reports. If, as a result of incorporating the mandated territories with its neighbouring colonies, the mandatory Power found it impossible to submit a report which would enable the Commission clearly to appreciate the nature and character of its mandatory administration, and in particular the work done in order to ensure the well-being of the populations under the mandate, such incorporation would *ipso facto* appear to be incompatible with the spirit of Article 22 of the Covenant.

The Commission drew the attention of the Council to this troublesome problem when it last examined the British Reports with regard to the Cameroons and Togoland. The comments which were then made by the Representative of the mandatory Power, as well as the reports which have been received, compel the Commission to refer to it once more. In spite of the evident desire to comply with the wishes of the Mandates Commission, the reports still contain gaps, especially in financial matters, which the Commission feels it should bring to the notice of the Council. These gaps are to be explained, according to the authors of the report and the accredited Representatives of the mandatory Power, by the fact that the mandated territories are incorporated, from an administrative point of view, with the neighbouring colonies, and moreover are subdivided like the latter into districts, some of which include land on both sides of the frontier. Most of the items of revenue and expenditure, both in the general budget and in the local budgets, are common to the mandated territories and to the neighbouring colonies. It has been impossible for the Commission, on the strength of the very summary indications given in the two reports, especially in the report on Togoland, to gain a clear idea of the financial situation. The Commission regrets this for two principal reasons. On the one hand, it is unable to inform the Council whether the administration of the two mandated territories shows a deficit or surplus, and, on the other, it has not been able to ascertain with sufficient clearness whether the efforts accomplished with a view to ensuring the well-being of the natives, especially in matters of education and public health, are in full accordance with the principle of trusteeship to which the mandatory Power is pledged.

This problem, to which the Commission desires once again to draw the attention of the Council, fortunately does not appear insoluble. The Commission would be satisfied if it were provided, in respect of these two mandated territories, with budgets and accounts based either wholly or partially on estimates, provided that the methods employed in drawing them up were clearly explained. It would be desirable, in cases in which it is impossible to determine exactly the amount of the taxes and expenditure in mandated territories, to indicate the approximate proportion of such common taxes and expenditure which is attributable to mandated territories.

In putting forward this suggestion the Commission is fully aware that its fulfilment would increase the labour of book-keeping for the Administration concerned and that the statistics obtained would necessarily be of an approximate character. At the same time, it is compelled to recommend the adoption of this method, for otherwise it would be driven to the conclusion that the policy adopted by the mandatory Power would render inadequate the supervision entrusted to the Commission. The declarations made on this subject this year by the Representatives of the mandatory Power encourages it to hope that an attempt at any rate will be made in this direction when the next reports are drawn up.

The administrative union between these two mandated territories and the neighbouring colonies of the mandatory Power leads the Commission to make a further observation.

Under the terms of the Mandates the mandatory Power has the right to administer the countries concerned "as integral portions of its territory". This does not mean that the countries concerned have become integral portions of the neighbouring colonies, as the wording of certain passages in the reports on Togoland and the Cameroons would appear to suggest.

While the Commission desires to bring this matter to the notice of the Council, it does not exaggerate its importance. As, however, the passages referred to might lead to annexationist aims being attributed quite erroneously to the mandatory Powers, it appears to the Commission that their own interest, no less than that of the League of Nations, requires that in future any formula should be avoided which might give rise to doubts on the subject in the minds of ill-informed or ill-intentioned readers.

BRITISH CAMEROONS.

The British Government's Annual Report for 1923 on the administration of the Cameroons was received at the Secretariat on June 25th, 1924. This Report, of which 91 copies were forwarded, was accompanied by four copies of the 1924-1925 budgetary estimates of the native administration in this province for the same period and one copy of the collection of the laws of Nigeria for 1923. The Secretariat was at the same time informed that the Report had been transmitted direct to the Members of the Permanent Mandates Commission. The Report contains the British Cameroons Order in Council, 1923, and a map of the territory. The Commission devoted its two sittings on October 24th to examining this report with the assistance of the British Government's accredited Representative, Mr. G. J. F. Tomlinson, Assistant Secretary for Native Affairs in Nigeria.

Special Observations.

1. *General Administration.* — The Commission took note with very great interest of the methods of indirect administration applied in the Cameroons as reviewed in the report and explained by the accredited Representative.

During the discussion of these methods certain members of the Commission expressed doubts whether the very wide margin of freedom allowed to the native chiefs in the north might not possibly result in the toleration of abuses and the perpetuation of practices which it is incumbent upon the mandatory Power, in virtue of its mission of civilisation, to suppress or modify. The Commission noted with satisfaction the replies of the accredited Representative on these points. In order finally to remove all misgivings, however, it would be glad if the next report were to contain more detailed information regarding the numbers and duties of the European staff entrusted with the supervision of native administration.

2. *Slavery.* — The Commission again paid particular attention to the question of the slave trade, which still persists on the frontier between the British and French Cameroons despite the vigilance of the mandatory Powers. It recommends that the local administrations of the two mandated territories should work in close collaboration for its suppression. It points out that, during the examination at its last session of the report on the French Cameroons, the French Representative declared that such collaboration was both desirable and feasible. It hopes to find some reference to this subject in next year's report.

3. *Labour.* — The Commission calls attention to the request it made last year and reiterates its desire that the next report should contain fuller and more detailed particulars as to the systems of labour in the Territory. It would be particularly glad to receive information on the material conditions of the ten or twelve thousand employees in the plantations around Victoria.

4. *Traffic in Arms.* — The Commission notes with satisfaction that the accredited Representative promised to supply more detailed information regarding the quantities and types of imported arms remaining in the territory.

5. *Trade in, and Manufacture of, Alcohol and Drugs.* — The Commission reiterates its desire that the closest possible co-operation should exist between the local administrations of the British and French Cameroons for the repression of the smuggling of spirits.

6. *Education.* — As the mandatory Power is contemplating a general re-organisation of the educational system in the Territory, the Commission abstains for the time being from making any special comments in this connection, although it considers the development of public education to be an urgent necessity. The Commission nevertheless desires to lay emphasis on the desirability of taking advantage of the transition period to train, if possible, a sufficient number of schoolmasters and schoolmistresses who would be capable of undertaking educational work when the scheme under preparation is eventually put into practice.

7. *Public Health.* — The Commission must draw attention to the unsatisfactory condition of public health in the territory, and in particular to the serious nature of the venereal danger. In view of the small number of medical practitioners employed in the territory and of the difficulties which appear to be experienced in recruiting them in Great Britain, the Commission suggests (as it did when examining the report on the Belgian Mandate) that the mandatory Power should consider the possibility of offering posts to medical practitioners who are nationals of other countries if it cannot supply them itself.

The Commission notes that the spread of venereal disease appears to be due in part to itinerant traders. The Commission calls attention, as it did when last examining the report on the administration of Tanganyika, to the desirability of licensing these traders and of making the licence conditional upon their obtaining a medical certificate.

8. *Public Finance.* — (See the observations common to both the Cameroons and Togoland.)

BRITISH TOGOLAND.

The British Government's Annual Report for 1923 on the administration of Togoland was received at the Secretariat on June 25th, 1924. This Report, of which 91 copies were forwarded, was accompanied by a copy of the collection of laws of the Gold Coast and the Northern Territories. The Secretariat was at the same time informed that the Report was being transmitted

direct to the members of the Permanent Mandates Commission. The report contains various ordinances promulgated during 1923 and a road map of the territory. The Commission devoted two meetings on October 25th to examining the report with the assistance of the British Government's accredited Representative, Mr. H. S. Newlands, Deputy Provincial Commissioner for the Gold Coast.

Special Observations.

1. *Labour.* — The Commission hopes that the next report will contain information of a reassuring nature concerning the health conditions of the labourers recruited in Togoland for employment in the mines of the Gold Coast.

2. *Trade in Arms and Ammunition.* — The Commission would be glad to have fuller information regarding the numbers and types of the imported arms which have remained in the territory.

3. *Trade in, and Manufacture of, Alcohol and Narcotic Drugs.* — Same observations as for the Cameroons.

4. *Public Health.* — Same observations as for the Cameroons concerning health conditions. The Commission would further be glad to have the views of the Administration concerning the danger of the spread of venereal disease by workers returning to the territory under mandate from the mines and the cocoa plantations in the Gold Coast, and concerning the possibility of the medical examination of such workers before their return.

5. *Moral, Social and Material Welfare.* — The Commission would be glad to have more detailed and more precise information concerning the imports and exports of the mandated territory itself.

6. *Public Finance.* — (See the observations common to both the Cameroons and Togoland.)

Territories under C Mandate.

NEW GUINEA (Under Mandate of Australia).

The annual report of the Australian Government on the administration of New Guinea for the period July 1st, 1922, to June 20th, 1923, was received by the Secretariat, one copy arriving on June 3rd and 100 copies on July 20th, 1924. The Secretariat was informed that copies of this report had been transmitted direct to the members of the Commission. Furthermore, on November 3rd, 1923, the Australian Government forwarded to the Secretariat, for the use of the members of the Commission, twelve copies of Volumes I, II and III of the Laws of the Territory of New Guinea and two copies of Volume V of the Queensland Statutes. The Commission devoted two meetings on November 3rd and 4th to the consideration of the annual report, in collaboration with the accredited Representative of the Australian Government, Sir Joseph Cook, G.C.M.G., High Commissioner of Australia in London.

General Observations.

The Commission again expresses its satisfaction with the form in which the report on the administration of New Guinea has been presented, which has facilitated the work of the Commission. The report contains in an annex the principal decrees adopted in the course of the period to which it refers and is addressed by the mandatory Power to the League of Nations.

The Commission thanks the accredited Representative for kindly promising to forward to it the report of Colonel Ainsworth, who was instructed by the Australian Government to advise regarding the administration of the territory. The Commission would be glad to know whether the mandatory Power intends to undertake an enquiry into native customs in the mandated territory, the interior of which, according to the statements of the accredited Representative, is very little known.

Special Observations.

1. *Administrative Organisation.* — The Commission requests the mandatory Power to be so good as to include in its next report fuller information regarding the administration of the Solomon Islands and the other islands under its mandate, and, in particular, whether the decrees in force in the island of New Guinea, the texts of which have been forwarded as an annex to the reports, apply also to the other districts under Australian mandate.

The Commission has noted with interest the information contained in pages 23 and 25 of the report relating to the extent to which the administrative influence of the mandatory Power has penetrated into New Guinea. It would appreciate some information, if only of an approximate nature, concerning the areas of the four zones mentioned in the report.

The Commission would be glad to know whether there exists in New Guinea any advisory council including unofficial members.

The Commission was interested to note the statement of the accredited Representative that the administration of ex-enemy property has been entrusted to a custodian of expropriated properties whose sphere of action is entirely distinct from that of the administration of the territory.

2. *Slavery.* — The Commission hopes that the mandatory Power will communicate in future reports all information which it may obtain concerning any forms of slavery which may be found to exist among tribes not yet brought into complete contact with civilising influence.

3. *Labour.* — The Commission appreciates the further information concerning the recruitment of workers, the evident care taken by the Administration to avoid over-recruiting in particular districts and the dangers to health which arise from the transfer of workers to areas of different climatic conditions. The Commission hopes, however, that the next report will give information as to the actual methods employed in recruiting, and as to the conditions under which the labourers work in the various plantations, and in this connection notes the statement of the Prime Minister of Australia that certain allegations recently made will be the subject of the fullest investigation.

The Commission will also be glad to receive statistics indicating the number of women workers either under indenture or other form of contract.

The Commission is interested in the "job contract" system which appears to have been adopted with good results in the district of Manus and wishes for further information on this system, which appears to be in some cases an adequate substitute for indentured labour.

The Commission notes that the Native Labour Ordinance of 1922 has been amended in the interests of the workers; it would be glad, however, to learn the object of the amendment of Section 80, sub-section 1, concerning which the accredited Representative promised further information.

4. *Traffic in, and Manufacture of, Alcohol and Drugs.* — The Commission has noted with satisfaction the statements of the accredited Representative that the next report will contain more detailed information as regards the amount of the receipts derived from the importation of wines and spirits as well as the proportion of alcohol in the imported liquors to which the statistics of the present report refer.

5. *Education.* — The Commission is pleased to learn of the system whereby the employer must contribute to the education of the natives by paying, in respect of each native employed, a tax which is paid into the native education trust fund, and whereby the natives have been relieved of the tax hitherto imposed on them.

It has noted the statement of the accredited Representative to the effect that he will seek to include in the next report information relating to the training of native teachers.

6. *Land Tenure.* — The Commission will be interested to learn the figures as to the number of non-native planters in the territory, information which the accredited Representative says he will suggest should be included in the next report.

7. *Public Finances.* — The Commission has noted the statement of the accredited Representative to the effect that the next report will contain information referring to the amount of capitation tax paid by the natives in the four above-mentioned zones of the territory and also as regards the existing Customs tariffs.

NAURU (*under the Mandate of the British Empire*).

The annual report on the administration of Nauru for 1923 was received by the Secretariat on June 13th, 1924, in 114 copies. The report contains the decrees and regulations issued in 1923. The Commission devoted one of its meetings, on November 4th, to the consideration of this report in the presence of the accredited Representative of the British Empire, Sir Joseph Cook, G.C.M.G., Australian High Commissioner in London.

General Observations.

The Commission notes with interest that the report contains, as an appendix, the Agreement concluded on July 2nd, 1919, between His Britannic Majesty's Government, the Australian Government and the New Zealand Government in regard to the administration of the Island of Nauru. The Commission would have been glad if the Agreement of May 30th, 1923, concluded between the same High Contracting Parties, which supplements the previous agreement, had also been included in the report. The text, which was communicated to the Commission last year in a separate sheet, will, it is hoped, be printed as an annex to next year's report.

Special Observations.

1. *Administrative Organisation.* — The Commission has noted the accredited Representative's statement to the effect that next year's report will contain more detailed information regarding the composition of the administrative staff of the Island of Nauru, of the Advisory Council, and of the Central Court.

2. *Labour.* — The Commission, in view of the special conditions prevailing in the Island of Nauru, shares the hope of the accredited Representative that it may be found possible to substitute in cases of breach of labour contracts a civil action in lieu of proceedings in a criminal court, and invites the attention of the mandatory Power to the measures taken in this connection in Western Samoa.

The Commission welcomes the information that the recruiting of Kanakas as indentured labourers for employment in Nauru, where they appear to have suffered in health, has now ceased and that all of those already indentured have now been repatriated.

3. *Trade in, and Manufacture of, Alcohol and Drugs.* — The Commission draws the attention of the mandatory Power to the apparent contradiction between the statement on page 9 that "it is an offence for a native to have in his possession intoxicating liquor of any kind", and the statement on page 23 of the report that coconuts and coconut toddy are the two staple articles of Nauruan diet.

4. *Public Finance.* — The Commission would be glad to have more complete information in regard to the Trust Account and Trust Fund, to which various references are made on pages 17 and 18 of the report.

ISLANDS UNDER JAPANESE MANDATE.

One hundred copies of the annual report by the Japanese Government on the administration during 1923 of the islands under Japanese mandate were received in the Secretariat on June 26th, 1924. At the same time, the Secretariat was informed that copies of this report had been forwarded direct to members of the Mandates Commission. The report contains various ordinances at present in force in the territory, as well as a map of the South Seas Islands. The Commission considered this report on October 23rd and 25th, with the collaboration of the accredited Representative of the Japanese Government, M. Y. Sugimura, Assistant Head of the Japanese Office accredited to the League of Nations, assisted by M. Kitajima, Secretary of the Colonial Department.

General Observations.

The Commission is again glad to note that the report has been drawn up according to the order established by the questionnaire, which greatly facilitated its examination.

The Commission requests the mandatory Power to annex to the annual report the full text of the ordinances promulgated in the course of the year to which the report refers.

The Commission acknowledges the courtesy of the Japanese Government in presenting to the Secretariat a collection of photographs, products and various objects from the islands under its mandate.

Special Observations.

1. *General Organisation.* — The Commission appreciates the difficulties with which the mandatory Power may be faced in the task of administering the 700 islands of which the territory under mandate is composed. It would, nevertheless, be glad if information were given in the next report with regard to the general rules applied in the delegation of legislative and judicial powers among the various Japanese and native authorities and with regard to the adaptation of Japanese criminal law to the requirements of the territory.

2. *Labour.* — The Commission desires to thank the Japanese Government for having inserted in the report the text of a certain number of regulations relating to conditions of labour and it is also glad to observe that the question of the protection of the workers in sugar factories is at present under consideration. It notes the promise of the accredited Representative to supply it with information with regard to the proportion of Japanese among the workers and "tenants" in the sugar industry. It would be glad to have the text of the forms of contract concluded in respect of imported labour.

3. *Manufacture of, and Trade in, Alcohol and Narcotics.* — The Commission thanks the accredited Representative for having promised to supply in the next report figures, in French and English measures, with regard to the production and consumption by Japanese and natives of the various categories of distilled and fermented liquors.

4. *Education.* — The Commission hopes that the next report will contain statistics with regard to the age of the pupils, the number of native teachers and the attendance at the schools, together with the curricula in force in the primary and public schools.

5. *Public Health.* — The Commission would be glad if information were given in the next report with regard to the organisation of the public health service and with regard to medical relief, as well as statistics concerning the number of deaths.

It hopes that the Japanese Government will continue to take rigorous measures to prevent the spread of venereal disease by immigrants.

6. *Land Tenure.* — The Commission has noted with satisfaction the declaration of the accredited Representative to the effect that the mandatory Power is at present investigating the question of protecting the interests of the natives in respect of the rules governing land tenure.

7. *Finance.* — The Commission thanks the accredited Representative for his assurance that next year's report will contain more exact and detailed information concerning the accounts of receipts and expenditure in respect of the past year and the budget of the coming year, and that

it will show separately as far as possible the expenditure incurred directly in the interests of the natives.

The Commission notes the statement on page 19 of the report in which the Japanese Government expresses its views in regard to the revenues derived from public works in the mandated territories. This passage reads as follows:

“Administrative works are not done (by the Japanese Government) in the special capacity of a mandatory Power the revenue and expenditure of the South Seas Bureau are the revenue and expenditure of the Japanese Government, there being no distinction in the light of the domestic law of Japan between the revenue and expenditure in the capacity of a mandatory Power and those in other capacities.”

These views are hardly in conformity with the conclusions formed by the Commission after a careful and comparative study of the problem, nor with the view expressed by the majority of the other mandatory Powers.

The Commission has nevertheless noted with satisfaction the declaration of the accredited Representative that his Government was ready to agree to the same principles as adopted by the other mandatory Powers in regard to this matter.

8. *Demographic Statistics.* — The Commission notes that the accredited Representative has been good enough to promise to ask his Government for details with regard to the decrease of the native population in 1923 as compared with the total in 1922.

WESTERN SAMOA (*under Mandate of New Zealand*).

One hundred copies of the annual report of the Government of New Zealand on the administration of Western Samoa, dealing with the period April 1st, 1923, to March 31st, 1924, were received by the Secretariat on August 7th, 1924. They were accompanied by a copy of the British Nationality and Status of Aliens (in New Zealand) Act, 1923, and 20 sets of Orders in Council passed in 1923, together with 20 sets of various Ordinances promulgated in 1923 and 1924. The Secretariat was informed that the report had been transmitted directly to each member of the Mandates Commission together with one set of Orders in Council. One hundred copies of a Special Report on the Department of Health were also received by the Secretariat on October 20th, and copies were sent direct to the members of the Commission by the Government of New Zealand. The Commission devoted one meeting on October 27th to the examination of the annual report in collaboration with the accredited Representative of the New Zealand Government, Sir James Allen, K.C.B., High Commissioner for New Zealand in London.

General Observations.

The Commission expresses its satisfaction with the form in which the report on Samoa is presented: it has been prepared by the Administrator for the information of the League of Nations, and drawn up on the basis of the questionnaire with commendable clearness and precision. Although it covers the period of the year up to March 31st, 1924, the report reached the Commission with a promptness worthy of all praise.

The Commission hopes that next year it may receive a general map of the territory.

The Commission has pleasure in congratulating the mandatory Power upon the satisfactory way in which it is applying to the territory the principle of Article 22 of the Covenant and of the mandate, particularly as regards public health, the liquor traffic, education, and the regulation of labour conditions.

Special Observations.

1. *Labour.* — The Commission notes with satisfaction the excellent results obtained from the application of the Ordinance regarding free Chinese labour and the consequent abolition of the system of contract or indentured labour and of penal sanctions for breach of labour contracts. It has taken note with interest of the supplementary statistics supplied by the accredited Representative, and it has further noted the promise which he made to obtain information concerning measures taken for the repatriation of workers from other Melanesian islands.

2. *Public Health.* — The Commission desires to thank the mandatory Power for the exceedingly full information which it has supplied in a special report on the subject of public health.

3. *Land tenure.* — The Commission notes the statements of the accredited Representative that the only lands held as private property by the New Zealand Government within the territory under its mandate are lands which belonged to private persons of German nationality, the price of which has been paid into the reparations account.

OBSERVATIONS BY THE PERMANENT MANDATES COMMISSION ON THE
PETITION DISCUSSED AT ITS FIFTH SESSION.

On October 23rd, 1924, the British Government forwarded to the Secretary-General of the League of Nations a document entitled "Report on the State of Palestine during the Four Years of Civil Administration, submitted to the Mandates Commission of the League of Nations through H.E. the High Commissioner for Palestine by the Executive Committee of the Palestine Arab Congress".

The British Government in its covering letter confined itself to stating that it was in no way responsible for its contents.

Although this document has been entitled a "Report" and not a "Petition", both by its authors and by the British Government, the Commission thought it expedient to discuss it in accordance with the procedure laid down by the Council for petitions.

In this very voluminous document the authors put forward certain complaints with regard to a very large number of points which are also dealt with in the annual report of the mandatory Power. Being desirous of saving both its own time and that of the High Commissioner — of whose assistance it was assured for the examination of the report — the Commission considered the majority of these complaints at its discussions on October 28th and 29th and on the morning of October 30th. It also devoted a portion of its meeting held on the afternoon of October 30th to the special examination of the report in question.

After discussion, the Commission drew up its conclusions in the following terms:

The Permanent Mandates Commission,

Having taken note of the "Report on the State of Palestine during the Four Years of Civil Administration, submitted to the Mandates Commission of the League of Nations through H.E. the High Commissioner for Palestine by the Executive Committee of the Palestine Arab Congress" transmitted by the British Government on October 23rd, 1924:

1. Notes that it contains two kinds of complaints which the Commission thinks it necessary to separate clearly from one another;

(a) First, the petitioners allege a large number of facts which, if found to be accurate, should be regarded as administrative abuses; and

(b) Secondly, the petitioners protest against the terms of the mandate itself, as established by the Council of the League of Nations on July 24th, 1922.

2. With regard to the facts in the first category, the Commission, having heard the High Commissioner's statements contesting the accuracy of certain of the facts mentioned and explaining others, is of opinion that there is no need to recommend the Council to take any action in the matter. If, however, the signatories desire to present a petition on any specific point in accordance with the Rules of Procedure, the Permanent Mandates Commission will, of course, be ready to consider it. The Commission proposes that the Council should be good enough to transmit to the petitioners the text of the present resolution, together with the Minutes of the discussions of its fifth (extraordinary) session relating to the Palestine mandate, which contain the High Commissioner's replies to questions asked.

3. As regards the protests of the petitioners against the terms of the mandate itself, and more especially as regards the desire for the establishment in Palestine of a fundamentally different regime from that of the mandate at present in force, the Commission, considering that its task is confined to supervising the execution of the mandate in the terms prescribed by the Council, is of opinion that it is not competent to discuss the matter.