If the Commission agrees to the view that I have just outlined, it might signify its concurrence by passing some such resolution as this :

" The Commission,

" Having considered the petition, dated November 23rd, 1934, from M. Richard Voigt, in the light of the observations of the mandatory Power and the statements of its accredited representative :

" Can only find that, even if the petitioner's complaints were justified—which the mandatory Power denies—they do not contain any allegation that the mandate has been violated.

" In these circumstances, the Commission does not consider that any action should be taken on the petition."

ANNEX 19.

I. REPORT TO THE COUNCIL ON THE WORK OF THE SESSION.

The Permanent Mandates Commission met at Geneva from October 17th to November 2nd, 1935, for its twenty-eighth session, and held twenty-one meetings, part of the first of which was public.

The annual reports were considered in the following order, with the co-operation of the representatives of the mandatory Powers :

Ruanda-Urundi, 1934.

Accredited Representative :

M. HALEWYCK DE HEUSCH, Director-General in the Belgian Colonial Ministry.

Togoland under French Mandate, 1934.

Accredited Representative :

M. M. BESSON, Head of the First Bureau of the Political Division of the French Colonial Ministry.

Togoland under British Mandate, 1934.

Accredited Representative :

Mr. W. J. A. JONES, Chief Commissioner of the Northern Territories, Gold Coast.

Cameroons under French Mandate, 1934.

Accredited Representative :

M. M. BESSON, Head of the First Bureau of the Political Division of the French Colonial Ministry.

Islands under Japanese Mandate, 1934.

Accredited Representative :

M. N. ITO, Envoy Extraordinary and Minister Plenipotentiary of Japan in Warsaw.

Western Samoa, 1934-35.

Accredited Representative :

Sir James PARR, G.C.M.G., High Commissioner for New Zealand in London.

Cameroons under British Mandate, 1934.

Accredited Representative :

Mr. G. H. FINDLAY, Senior Resident, Nigeria.

The Commission also gave a hearing to M. R. DE CAIX, representative of the mandatory Power for Syria and Lebanon, on the occasion of the examination of certain petitions concerning that territory.

A. SPECIAL QUESTIONS.[1]

I. Economic Equality : Commercial Agreement concluded between France and the United Kingdom on June 27th, 1934 (Article 2) (pages 12, 177, 183).

The Commission has taken note of the explanations which the United Kingdom representative was good enough to furnish for its benefit at the Council meeting on September 6th, 1935, concerning the interpretation of Article 2, paragraph (*a*), of the Commercial Agreement between France and the United Kingdom of June 27th, 1934. It noted that the representative of France had fully concurred with the statements made by the United Kingdom representative and had associated himself with the assurances given by him to the Council.

The conclusion of the United Kingdom representative's statement reads as follows :

> " Consequently, the effect of Article 2 (*a*) of the Agreement was merely to preclude France from claiming privileges given by the United Kingdom to United Kingdom mandated territories and the United Kingdom from claiming preferences given by France to French mandated territories."

The Commission notes that this statement safeguards Article 2, paragraph (*a*), of the Commercial Agreement of June 27th, 1934, from any interpretation incompatible with the principle of commercial equality which governs the status of the territories under "A" and "B" mandates entrusted to the United Kingdom and to France.

II. Japan and Economic Equality (pages 14, 120, 125, 135-136, 137, 177).

The Commission heard a statement by the accredited representative of the Imperial Japanese Government on the subject of economic equality. The text of this declaration is annexed to the Minutes of the Commission's session (Annex 4, pages 183-184).

In view of the nature and scope of this declaration, the Commission was of opinion that it should not discuss it without being requested to do so by the Council.

B. OBSERVATIONS ON THE ADMINISTRATION OF CERTAIN TERRITORIES UNDER MANDATE.

The following observations, which the Commission has the honour to submit to the Council, were adopted after consideration of the situation in each territory in the presence of the accredited representatives of the mandatory Power concerned. In order to appreciate the full significance of these observations, reference should be made, as usual, to the Minutes of the meetings of the Commission at which the questions concerning the different territories were discussed. [2]

TERRITORIES UNDER "B" MANDATE.

Cameroons under British Mandate.

1. *Frontiers.*

The Commission has taken note of the statement in the annual report, confirmed by the accredited representative, to the effect that lack of the necessary staff has hitherto prevented the demarcation of the frontier between the Cameroons under British mandate and the Cameroons under French mandate. It must once again draw attention to the fact that the delimitation of the frontier is provided for in the first article of the mandate, as also in the Franco-British declaration thereto annexed (pages 94, 165-166, 177).

2. *Economic Equality.*

The Commission is anxious to know whether, and if so in what sense, the mandatory Power is considering the application of the principle of economic equality to the two States which during the year 1935 have ceased to be Members of the League of Nations (pages 167, 177).

3. *Defence of the Territory.*

The Commission observes that the territory contributes to the upkeep of a military unit stationed in the colony of Nigeria, entailing expenditure amounting to almost a tenth of the total budget. It would be grateful to know whether, and in how far, in the opinion of the mandatory Power, this expenditure can be justified as being in the direct interest of the territory (pages 168-169, 177).

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[1] The page numbers following each title are those of the Minutes of the session.

[2] The page numbers following each observation are those of the Minutes of the session.

4. *Public Health.*

The Commission notes that, in the mandatory Power's own opinion, the territory's medical services are still inadequate. These services are subordinate to the medical organisation in Nigeria. The Commission hopes that this dependence will not interfere with the future development of the medical services in the territory under mandate (pages 164-165, 171, 172, 174-175, 177).

Togoland under British Mandate.

1. *Economic Equality.*

Since there is a Customs Union between the mandated territory and the Gold Coast Colony (where a system of quotas or preferential Customs duties is provided for in "The Importation of Textiles (Quotas) Ordinance, 1934", and "The Additional Customs Duties Ordinance, 1934"), the Commission would be glad to learn in the next report how the principle of economic equality is safeguarded in its practical application (pages 78-79, 81, 124).

2. *Public Finance.*

The Commission again considered, in the light of the information given in the report, the system of allocation of Customs revenue between the territory and the Gold Coast. It would be glad to find in the next report fuller and clearer explanations in regard to the system of allocation adopted and the manner in which it actually operates (pages 70, 79-80, 124).

3. *Economic Regime.*

The Commission would be glad to be informed of the origin and destination of imports to and exports from the territory. It would suggest that, notwithstanding the difficulties to which its attention has been drawn, it might be possible to establish a statistical check on trade between the colony and the territory, which would afford the desired information (pages 81-82, 124).

4. *Education.*

The Commission has observed the progress made in education, and has taken note of the statement by the accredited representative to the effect that the Administration contemplates the opening of a Government school in the Northern Section of the territory (pages 72, 73, 89-90, 124).

5. *Public Health.*

The Commission hopes that the medical services will be developed, particularly in the Northern Section of the territory (pages 73, 91, 124).

It would like the next report to contain more detailed information on infant mortality (pages 91, 124).

Cameroons and Togoland under French Mandate.

OBSERVATIONS COMMON TO BOTH TERRITORIES.

1. *Economic Equality.*

(*a*) The Commission was informed that, on August 4th, 1935, the French Government rescinded, as regards the Cameroons and Togoland, the Decree rendering applicable to those territories the provisions of the Law of May 16th, 1930, reserving for French aircraft the commercial transport of persons and goods between two points in French territory and between France and her colonies.

The Commission desires to express its appreciation of the readiness displayed by the mandatory Power to amend a text the application of which appeared, upon examination, to be liable to infringe the principle of economic equality (pages 53, 54, 95, 116, 137).

(*b*) The Commission notes that the mandatory Power has under consideration the question under what conditions the imports of the two States which, during the year 1935, have ceased to be Members of the League of Nations might be admitted into the territories. It will be interested to learn the conclusions arrived at (pages 54, 57, 95, 137).

2. *Public Finance.*

While recognising the efforts made to render the information relating to public finance more easily understandable by the reader, the Commission feels that this information is still not as clear as it might be. It hopes to find in future reports statistical financial data and tables which will enable it to follow more closely the financial development of the territories (pages 54-55, 100-101, 137).

Cameroons under French Mandate.

1. *Frontiers.*

The Commission notes the declaration by the accredited representative to the effect that the mandatory Power is ready to proceed to the delimitation of the western frontier of the territory. It would point out that this delimitation is provided for by Article 1 of the mandate and by Article 2 of the Franco-British Declaration annexed thereto (pages 94, 137, 165-166).

2. *Public Finance.*

The Commission would like the next annual report to contain a brief account of the organisation and operation of the Reserve Fund of the territory (pages 100-101, 137).

3. *Land Tenure.*

The Commission noted with interest that the Decree of 1932 concerning the registration of immovable property has come into force. It would be glad to be reassured as to the consequences of this measure, having regard to the application of Article 5, paragraph 2, of the mandate (pages 114-115, 137).

Togoland under French Mandate.

GENERAL OBSERVATION.

The Commission was informed of the various measures taken in 1935 to cover the budgetary deficit of the territory under mandate. As it announced last year, the mandatory Power has provisionally left unfilled the highest posts in the administrative hierarchy of Togoland, and the direction of the services in question has been entrusted to high officials of the neighbouring colony of Dahomey. Further, the number of administrative areas has been reduced from six to three, and other considerable budgetary reductions have been effected.

The Commission again noted the statements by the mandatory Power to the effect that the measures taken in no way affect the individuality of the territory under mandate. As regards the practical results of the reform, the Commission reserves its judgment until it has examined the later reports (pages 47, 51, 137).

Ruanda-Urundi.

1. *Form of the Annual Report.*

The Commission has noted with satisfaction that the mandatory Power has given effect to certain of its suggestions concerning the form of the annual report. It trusts that in future reports account will be taken to the fullest possible extent of its other recommendations (pages 16, 119).

2. *Economic Equality.*

The Commission examined the text of the Ordinance of the Governor-General of the Belgian Congo, dated January 27th, 1934, concerning air navigation, which has been made applicable to the territory under mandate. The question was raised whether certain provisions of that Ordinance—in particular, Articles 1 and 145—were compatible with the clause in the mandate relating to economic equality, and would be glad to receive every assurance on this point (pages 22, 25, 119).

3. *Public Finance.*

The attention of the Commission was again directed to the financial situation, and, in particular, to the increase in the public debt of the territory. It took note of the accredited representative's statement to the effect that the constant development of the mining industry justifies the assumption that the financial situation of the territory will improve in the near future. The Commission trusts that this may soon prove to be the case (pages 15, 25, 28, 119).

4. *Freedom of Conscience.*

The Commission considered the question of instruction in the official schools of Astrida. It would be glad to find in the next report information that would enable it to judge of the extent to which the fact of granting to a given religious order a monopoly of teaching in the official institution, in which, in particular, future chiefs, sub-chiefs and native administrative staff are trained, is compatible with the spirit of the mandate (pages 20, 38, 42, 119).

TERRITORIES UNDER "C" MANDATE.

Islands under Japanese Mandate.

1. *Form of the Annual Report.*

The Commission was grateful to note the effect given by the mandatory Power to its suggestions regarding the form of the annual report (pages 125, 177).

2. *Economic Regime.*

The Commission noted the information contained in the annual report concerning the trade balance of the territory. It welcomed a statement by the accredited representative to the effect that it was intended that natives should benefit to an increasing extent from the favourable economic situation. It hopes to find information on the subject in future annual reports (pages 130-131, 177).

3. *Spirituous Liquors.*

The Commission would be glad to have more detailed information concerning the consumption of alcohol in the territory and regarding measures taken to reduce the consumption by the natives (pages 141, 177).

4. *Military Clauses.*

The Commission noted the information contained in the annual report and formally confirmed by the accredited representative of the mandatory Power to the effect that, since 1922, there have been neither military nor naval forces stationed in the territory, and also that no fortifications or military or naval bases have been established or maintained (pages 134, 177).

5. *Population.*

The Commission again observed with concern that the native population of the territory appears to be stationary and even in some islands to be decreasing. It trusts that the efforts of the Administration to check the depopulation of the territory may prove successful in the near future (pages 142-143, 177).

Western Samoa.

1. *General Administration.*

The Commission noted the statements made in the annual report and by the accredited representative to the effect that there has been some improvement in the political situation in the territory and that there is evidence of increasing co-operation on the part of the natives with the Administration. It also noted the declaration of the accredited representative that it is the intention of the mandatory Power to give the natives an increasing share in the administration (pages 145-146, 147, 149, 152, 156, 177).

2. *Public Finance.*

The Commission would be glad to find in the next report a fuller and clearer explanation concerning the levy and partial refunding of export duties (pages 156, 157, 158, 177).

3. *Labour.*

The Commission would be glad to be informed in the next report whether Chinese labourers who become unemployed otherwise than through an act of their own volition receive any form of unemployment benefit (pages 160, 177).

4. *Education.*

The Commission hopes to find in the next report information about the training of native teachers and the inspection of schools (pages 161-162, 177).

C. PETITIONS. [1]

At its twenty-eighth session, the Commission considered the petitions mentioned below, together with the mandatory Powers' observations thereon. Each of these petitions was reported on in writing by a member of the Commission. After discussion, the Commission adopted the conclusions set forth below. The texts of the reports submitted to the Commission are attached to the Minutes. [2]

[1] The page numbers following each title are those of the Minutes of the session.

[2] The Commission recommends that copies of the petitions and the mandatory Powers' observations thereon should be deposited in the League of Nations Library and thus placed at the disposal of persons wishing to consult them.

Palestine.

(*a*) PETITION, DATED 1935, FROM DR. A. WEINSHAL, PRESIDENT OF THE CENTRAL COMMITTEE OF THE UNION OF ZIONIST REVISIONISTS IN PALESTINE (document C.P.M.1694) (page 172).

Observations of the United Kingdom Government, dated August 9th, 1935 (document C.P.M.1694).
Report (see Minutes, Annex 6, pages 185-187).

Conclusions.

" The Commission,

" Having examined the petition of 1935 of Dr. A. Weinshal, Chairman of the Central Committee of the Union of Zionist Revisionists in Palestine, together with the mandatory Power's observations thereon :

" Considers that this petition does not fulfil the conditions of admissibility, since it raises claims which are incompatible with the mandate for Palestine."

(*b*) PETITION, UNDATED, CONSISTING OF A SERIES OF RESOLUTIONS ADOPTED ON JUNE 2ND, 1935, BY THE MEETING OF RABBIS OF THE RECOGNISED JEWISH COMMUNITY IN PALESTINE, JERUSALEM (document C.P.M.1698) (page 172).

Observations of the United Kingdom Government, dated September 6th, 1935 (document C.P.M.1698).
Report (see Minutes, Annex 7, page 187).

Conclusions.

" The Commission,

" Having considered the resolutions passed at a meeting of the Rabbis of the recognised Jewish community in Palestine, held at Jerusalem on June 2nd, 1935, and the mandatory Power's observations thereon :

" Considers it undesirable to express an opinion on them, in view of the conversations now in progress."

Syria and Lebanon.

(*a*) PETITIONS (SIXTEEN IN NUMBER), RESPECTIVELY DATED APRIL 16TH, 18TH, 19TH, 20TH AND 27TH, 1935, RELATING TO A CASE OF EXILE UNDER POLICE SUPERVISION (document C.P.M.1619) (pages 121, 176).

Observations of the French Government, dated May 23rd, 1935 (document C.P.M. 1619).
Report (see Minutes, Annex 8, page 188).

Conclusions.

" The Commission,

" Having again examined, in the light of the supplementary information of the mandatory Power, the petitions concerning the case of exile under police supervision of M. Riad Solh :

" Considers that there is no reason to address to the Council a special recommendation concerning these petitions."

(*b*) PETITIONS, DATED FEBRUARY 13TH AND 19TH, 1935, FROM ME. SARIEL HUSSAMI AND OTHERS, AND FROM M. SULEIMAN MASSARANI AND OTHERS, HOMS (document C.P.M. 1629) (pages 123, 124, 176).

Observations of the French Government, dated May 25th, 1935 (document C.P. M.1629).
Report (see Minutes, Annex 9, pages 188, 189).

Conclusions.

" The Commission,

" Having examined the two petitions, dated February 1935, emanating from certain persons in Homs, together with the comments of the mandatory Power, supplemented by oral statements ;

" Noting that the petitioners have produced no evidence in support of their charges :

" Does not consider that any special recommendation to the Council is called for."

(*c*) PETITIONS, DATED OCTOBER 21ST AND 26TH AND NOVEMBER 4TH, 1934, FROM DR. CHICHAKLI AND OTHER INHABITANTS OF HAMA (document C.P.M.1632) (pages 121, 176).

Observations of the French Government, dated May 24th, 1935 (document C.P.M. 1632).
Report (see Minutes, Annex 10, page 189).

Conclusions.

" The Commission,

" Having had before it petitions, dated October 21st and 26th and November 4th, 1934, with regard to a seizure of hashish at Hama, together with the observations of the mandatory Power :

" Is of opinion that there is no occasion for any action in respect of the said petitions."

(*d*) PETITION, DATED FEBRUARY 27TH, 1935, FROM M. GEBRAN ANTOINE ABOU SAMAH, BEIRUT (document C.P.M.1690) (pages 121, 176).

Observations of the French Government, dated May 31st, 1935 (document C.P.M. 1690).
Report (see Minutes, Annex 11, page 190).

Conclusions.

" The Commission,

" Having examined the petition, dated February 27th, 1935, from M. Gebran Antoine Abou Samah ;

" Considering that, according to the rules of procedure to be followed in the matter of petitions, any petition is regarded as inadmissible if it lays before the Commission a dispute with which the courts have competence to deal or if its author appeals from a decision regularly pronounced by a court (properly constituted) ;

" Considering that the petitioner has laid before the Commission disputes over which the courts have competence and appeals from decisions regularly rendered by these courts :

" Is of opinion that the petition should be regarded as inadmissible."

(*e*) PETITIONS (FIVE IN NUMBER) FROM INHABITANTS OF DAMASCUS AND ALEPPO (document C.P.M.1708) (pages 123, 172).

Observations of the French Government, dated October 10th, 1935 (document C.P.M.1708).
Report (see Minutes, Annex 12, pages 190, 191).

Conclusions.

" The Commission,

" Having examined the following petitions :

" (1) Dated June 23rd, 1935, from M. Fakhri Baroudi and M. Nassib el Bakry, Damascus ;

" (2) Undated, from M. Fakhri Baroudi, Damascus ;

" (3) Dated July 23rd, 1935, from M. I. Cherif, Damascus ;

" (4) Dated July 23rd, 1935, from a number of inhabitants of Aleppo (M. Keyali, M. Saadallah el Djabri, M. Sarmini, and others) ;

" (5) Dated August 17th, 1935, from M. Zeki El-Khatib, Damascus :

" Considers that no action is called for on these petitions."

(*f*) PETITION, DATED JUNE 15TH, 1935, FROM M. ABDEL KADER SARMINI AND M. DJEMIL IBRAHIM PASHA, ALEPPO (document C.P.M.1709) (pages 122, 123, 176).

Observations of the French Government, dated October 11th, 1935 (document C.P.M 1709).
Report (see Minutes, Annex 13, pages 192, 193).

Conclusions.

" The Commission,

" Having considered the petition, dated June 15th, 1935, from M. Abdel Kader Sarmini and M. Djemil Ibrahim Pasha in the light of the mandatory Power's letter of October 11th, 1935, and of the oral statements made by its accredited representative :

" Is of opinion that no action should be taken thereon."

Tanganyika Territory.

(*a*) PETITION, DATED MARCH 10TH, 1935 (WITH ANNEXES) FROM M. AHMED ABUD, (document C.P.M.1696) (page 118).

Observations of the United Kingdom Government, dated August 16th, 1935 (document C.P.M.1696).
Report (see Minutes, Annex 14, page 193).

Conclusions.

" The Commission,
" Having examined the petition, dated March 10th, 1935, from M. Ahmed Abud, and having noted the observations of the United Kingdom Government :
" Is of opinion that this petition does not call for any recommendation on its part to the Council."

(*b*) PETITION, DATED MAY 21ST, 1935, FROM MR. J. W. BARNARD, DAR-ES-SALAAM (document C.P.M.1702) (page 124).

Observations of the United Kingdom Government, dated September 27th, 1935 (document C.P.M.1702).
Report (see Minutes, Annex 15, pages 193, 194).

Conclusions.

" The Commission,
" Having examined the further petition, dated May 21st, 1935, from Mr. J. W. Barnard, and the observations of the United Kingdom Government thereon :
" Considers that there is no occasion to modify its previous conclusion, according to which the original petition was not receivable because it challenged a decision regularly pronounced by a properly constituted court."

South West Africa.

PETITIONS, DATED AUGUST 9TH AND DECEMBER 29TH, 1934, AND MARCH 26TH, 1935, FROM M. W. EICHHOFF, OKAMATANGARA (document C.P.M.1699) (page 177).

Observations of the Union of South Africa Government, dated June 5th, 1935, (document C.P.M.1699).
Report (see Minutes, Annex 16, pages 194, 195).

Conclusions.

" The Commission,
" Having examined the petitions of M. Eichhoff, dated August 9th and December 29th, 1934, and March 26th, 1935, together with the police report submitted with the reply of the mandatory Power, and the separate letter from the Prime Minister of the Union of South Africa of August 15th, 1934 :
" Considers that no action is called for."

Islands under Japanese Mandate.

PETITION, DATED NOVEMBER 23RD, 1934, FROM M. RICHARD VOIGT (document C.P.M.1601) (pages 126, 127, 143-144, 177).

Observations of the Japanese Government, dated July 9th, 1935 (document C.P.M. 1691).
Report (see Minutes, Annex 18, pages 196, 197).

Conclusions.

" The Commission,
" Having considered the petition from M. Richard Voigt, dated November 23rd, 1934, in the light of the observations of the mandatory Power and the statements of its accredited representative :
" Can only find that, even if the petitioner's complaints were justified —which the mandatory Power denies—they do not contain any allegation that the mandate has been violated.
" In these circumstances, the Commission does not consider that any action should be taken on the petition."

II. COMMENTS OF THE ACCREDITED REPRESENTATIVES SUBMITTED IN ACCORDANCE WITH SECTION (*e*) OF THE CONSTITUTION OF THE PERMANENT MANDATES COMMISSION.

A. TOGOLAND UNDER BRITISH MANDATE.

The accredited representative for Togoland under British mandate stated in a letter, dated November 2nd, 1935, that the opening of the school alluded to in the Commission's observations on education is contemplated by the Native Administration and that it will be located at Yendi.

B.

The accredited representatives for Cameroons under British Mandate, Cameroons and Togoland under French Mandate, Ruanda-Urundi, the Islands under Japanese Mandate and Western Samoa have stated that they have no comments to make on the observations contained in the report of the Permanent Mandates Commission.