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M. Orts had observed that the official documentation placed at the disposal of the Mandates Commission gave cause for certain doubts in that respect and that, moreover, the fact was formally contested. The representative of Iraq had maintained that land in sufficient quantities was not available, and the same opinion was held by the representative of the United Kingdom.

The discussion had led therefore towards a search for another solution. Invited to adopt the same method, M. Orts had thought it his duty to refuse. As representative of the Mandates Commission, he could not accept, in the name of that Commission, another solution from that which the Commission had recommended. His mission was merely to support and justify the reasons for the decision taken by the Commission, of which he was the representative.

M. Orts had limited to the above duty his contribution to the discussions of the Subcommittee. The representatives of the Commission to the Council had therefore confined themselves exclusively to justifying the solutions recommended by the Commission, and had not in any way given their adhesion to a procedure the result of which would be to set on one side that solution. More recently, in July 1933, had occurred the events which had drawn the attention of public opinion to the Assyrian problem and had led the Council to examine the question afresh. Those events, which had occurred after the admission of Iraq to the League, were not within the competence of the Mandates Commission.

M. PALACIOS said that he was entirely satisfied by M. Orts's explanations, and congratulated him and the Chairman on their attitude before the Council. The greatest caution was advisable in examining questions affecting Iraq. Since Iraq had become a Member of the League, the Mandates Commission was no longer competent to deal with it. All the Commission could do was to embody the statements that had just been made in the Minutes, and to take it that the question was closed as far as the Commission was concerned.

M. ORTS thought that he was correctly interpreting M. Palacios's statement by saying that, if the Commission's competence had come to an end when Iraq had been emancipated, it was nevertheless its duty to examine the last report of the ex-mandatory Power, in which the latter rendered an account of its stewardship up to the expiry of the mandate—namely, to October 3rd, 1932. That report contained a section dealing with minorities, two paragraphs of which were devoted to the Assyrians and the old Bahai affair. Since the ex-mandatory Power had been good enough to send a representative to Geneva, and since, moreover, the Assyrian question was at the moment much in the public eye, it would seem strange that the Mandates Commission should affect ignorance of what had taken place. If the accredited representative, in accordance with custom, made a general statement on the situation in Iraq, he might voluntarily refer to the Assyrian question, failing which, the Commission would ask whether he had any objection to speaking of it. If he stated that he had nothing to say on the subject, it would be better not to insist. There was nothing indiscreet in such a question, addressed to an ex-mandatory Power which had recommended the admission of Iraq to the League, and had thereby accepted a moral responsibility which outlived the mandate.

The Bahai affair was different: the event had occurred during the period of the mandatory regime, the responsibility of the ex-mandatory Power was involved and there was reason to expect that the latter should render an account of the action it had taken, before relinquishing the mandate, to ensure the honourable settlement of the matter.

This was the last occasion for the Commission to insist that the recommendations of the Council in this matter should not remain without result. For that reason, M. Orts considered that the Commission should ask the accredited representative, with a view to the observations on the report which the Commission would submit to the Council, whether he could give the assurance that the Bahai question would be satisfactorily settled without further delay. It was important to take into account the fact that if, as a result of the dilatory attitude adopted by the Iraqi Government in this matter, even though of secondary importance, the recommendations of the Council could be ignored, any subsequent intervention which the latter might feel itself in a position to institute for the benefit of other minorities would be prejudiced in advance. If, on this matter, the last word did not rest with the Council of the League of Nations, all the minorities in Iraq would have one additional reason for anxiety as to the fate which the future might hold in store for them.

M. PALACIOS said that M. Orts had correctly interpreted his views. He had always thought that the mandatory Power ought to make a report covering the whole period down to the expiry of the mandate. He also agreed with M. Orts that the Commission was entitled to ask the accredited representative questions bearing on the last report. Any doubts he had were concerned with the policy that the Commission ought to follow in asking those questions. The difficulties were those attendant upon the transition from one regime to another. If the accredited representative, in his statement, referred to the Assyrians, it would be difficult for the Commission to say nothing. Was it, however, still competent to express any opinion? In any event, its competence would only be retrospective in character. That was a problem which showed how awkward it would be for the Commission to ask questions that might entail observations on its part to the Council. It must not be forgotten that the Council had already come to a decision, in consequence of which the question was now out of the hands of the Mandates Commission. He would like nevertheless to know what other members felt on that point, before forming a final opinion.

M. ORTS admitted that the apprehension expressed by M. Palacios did not trouble him much. With regard to the Bahai, he was almost certain that the accredited representative would say that the question would be satisfactorily settled, so that the Commission would be

able to say in its observations to the Council that it had been happy to learn that the matter was progressing favourably. There remained the question of the Assyrians. When it had heard the accredited representative's answer, the Commission could decide whether the question should be mentioned in its report. It might have nothing to say to the Council, but, at all events, its Minutes would prove that it had not regarded the question with indifference.

M. PALACIOS said that the accredited representative would be perfectly entitled to intimate politely to the Commission that the Assyrian question no longer concerned it, because it had been taken in hand by the Council and was being followed by a special Committee.

M. ORTS agreed that the accredited representative might give such an answer about the Assyrians, but not about the Bahai.

M. RAPPARD saw two dangers in this awkward situation. He was afraid that the Commission might exceed its powers—a danger that it ought to be the first to think of, because he did not consider that the Commission need fear any reproaches from the ex-mandatory Power or the representatives of Iraq. It was the Commission's own business to see that it did not exceed its powers, but he was sure that it could rely on M. Orts to prevent that.

The other danger was that the Commission might appear to the general public as a bureaucracy expressing humanitarian sentiments as long as it was legally permitted to do so, and displaying the most utter indifference as soon as it was no longer competent. If the Commission realised these two dangers, it could show wisdom and caution, both in putting questions to the accredited representative and in making its observations to the Council. One thing was certain—that, for technical reasons of competence, the Commission could not express its wishes, hopes and fears as it would like to do.

The CHAIRMAN understood, from the second part of his statement, that M. Rappard hoped the Commission would find something to say to show that its mission had come to an end. If that were so, he entirely agreed. It ought at all events to be made clear that, although the Commission had no longer anything to do with Iraq, it realised that nothing had as yet been done for the Bahais. The accredited representative would, of course, be entitled to say that the Commission was not concerned with events that had taken place in Iraq after October 3rd, 1932, but the Chairman wished to say that he had received from an authoritative source certain information which might justify optimism. He felt himself called upon to communicate the following information to the Commission, acting in a purely unofficial capacity :

The new Iraqi coalition cabinet, and more particularly the late King Faisal, had been all in favour of carrying out the settlement plan concluded between the Iraqi Government and the Bahais. The King had given to the representatives of this community, whom the Commission knew, his word of honour that the agreed plan would be carried through. He had renewed this assurance in the presence of Nury Pasha, his Minister for Foreign Affairs, who had subsequently confirmed it himself. The plan agreed upon involved the execution of a new town-planning scheme of which the Bahai houses were to form part. King Faisal had given the assurance that, even if this plan were not carried out, the houses would none the less be expropriated by the Government in connection with the building of a new bridge to replace or supplement the present so-called North Bridge across the River Tigris. His Majesty had been quite emphatic that in this way the settlement of the Bahai case would be carried through as agreed, whether the town-planning scheme became effective or not. The King had further declared that the money necessary for the expropriation of the houses would be appropriated at the session of Parliament to be held in the spring of 1934. His Majesty had left no doubt in the minds of those concerned that their mission had been well repaid and that the new State of Iraq was prepared to fulfil the execution of the settlement agreed upon.

Since that time had intervened the untimely and tragic death of King Faisal. Since that sad event, however, Nury Pasha es Sa'id, still Foreign Minister of Iraq, has confirmed these promises of His late Majesty in the presence of His Excellency Yassim Pasha al Hashimi, Minister of Finance for Iraq. In addition, the interested parties had noted with gratification that the present Government of Iraq had officially announced its intention to carry out the policies inaugurated by His late Majesty.

Count DE PENHA GARCIA observed that the ex-mandatory Power's report was the latest document available dealing with the position in Iraq when that country, so to speak, came of age. What the Commission ought to do was either simply to note that document or to ask the accredited representative for further information. Anything that might have happened after October 3rd, 1932, on which date Iraq had joined the League, was no longer within the sphere of the Mandates Commission.

M. PALACIOS insisted on the fact that Iraq was now an independent State, Member of the League of Nations, and that in consequence the greatest discretion was necessary. To make a will, it was necessary to be alive, and the Mandates Commission, so far as Iraq was concerned, had already ceased to exist in October 1932.

FOURTH MEETING

Held on Tuesday, October 24th, 1933, at 3.30 p.m.

Iraq : Examination of the Report for the Period from January to October 1932.

Captain Vyvyan Holt, Oriental Secretary of the United Kingdom Embassy at Baghdad, accredited representative of the ex-mandatory Power, came to the table of the Commission.

WELCOME TO THE ACCREDITED REPRESENTATIVE.

The CHAIRMAN welcomed Captain Holt, who had been appointed by the ex-mandatory Power in Iraq to assist the Mandates Commission in examining the report for the period January 1st to October 3rd, 1932.

Before his colleagues submitted such questions as they might wish to ask, he would enquire whether Captain Holt, according to custom, desired to make any preliminary statement.

STATEMENT BY THE ACCREDITED REPRESENTATIVE.

Captain HOLT.—I should like, first of all, to thank the Chairman for his welcome to me.

As regards an opening statement, perhaps I may be permitted to say a few words of explanation.

I realise, as the Chairman has pointed out, that it has been the custom in the past for the accredited representative to supplement the information contained in the report by an opening statement, in which, generally, he has endeavoured to bring the narrative of events up to date, in its principal aspects, at any rate ; and also to complete the account of any incidents which may have begun, but which were not closed, during the preceding calendar year.

In the present circumstances, I think it would be difficult for me to follow that practice. It is hardly necessary for me to remind the Commission that Iraq, for over a year, has been an independent State Member of the League of Nations, and, although I am authorised to give any explanations I can in reply to questions concerning events covered by the report which is now before the Commission, it hardly falls within my province to offer remarks on the work of the Iraqi Government during the period of the independence of the Iraqi State. In these circumstances, and with the concurrence of the Mandates Commission, perhaps it would be better to dispense with an opening statement, and that I should put myself at the disposal of the Commission to answer questions.

THE BARZAN OPERATIONS.

M. ORTS said he would be greatly obliged if the accredited representative could give him some further information on certain points in the chapter in the report devoted to internal affairs. In connection with chapter 2, page 2, "The Barzan Operations", what had occasioned the disorders mentioned therein ? Was the population Arab or did it form part of a racial or religious minority ?

Captain HOLT replied that the Barzanis were entirely Kurd, and a branch of the Zibar tribe. Their chief Sheik, Ahmad, who had three times in his experience claimed divine powers, had been the cause of the trouble, the prelude to which had been described in Section 9, page 13, of the 1931 report.

M. ORTS asked whether this rising was symptomatic of dissatisfaction among the whole of the Kurdish population.

Captain HOLT replied that the answer was most definitely in the negative. The trouble had been entirely local and had no repercussions among other Kurdish tribes. The Kurdish areas in the north of Mosul were, from a cultural point of view, less highly developed than those of the Suleimanyah and Erbil districts, where Kurdish sentiment was stronger and whence the petitions had emanated, which had been considered by the Commission at some of its previous sessions.

M. ORTS had the impression that the mandatory Power was averse to allowing the Royal Air Force to co-operate in the repression of movements arising within the country. In this case, however, the Royal Air Force had taken rather energetic action : in fact, its intervention had decided the course of events.

Captain HOLT did not know on what documents M. Orts based his interpretation of British policy with regard to the use of the Royal Air Force. Before all else, he felt that a distinction should be drawn between the maintenance of order on the one hand and repressive action on the other.

The mandatory Power had felt that, so long as the United Kingdom Government had special responsibilities, prior to the admission of Iraq as a Member of the League, it also shared the responsibility for the maintenance of internal order. The policy pursued in Iraq had been to allow the Iraqi Government to shoulder as much responsibility as possible and only co-operate

with British forces when a situation developed which it was felt that the Iraqi army might not be able to deal with successfully without assistance.

At the beginning of these operations, as would be seen from the report, the Royal Air Force had played a restricted rôle, its activities being limited to reconnaissance and army co-operation work. On April 3rd, however, the Iraqi forces had met with a very decided check, and with the agreement of the Iraqi Government a wider rôle had been assigned to the Royal Air Force, which undertook intensive operations with a view to hastening the submission of the insurgent tribesmen.

M. ORTS thanked the accredited representative for his explanations. He asked if the "Assyrian levies" had been employed in this expedition.

Captain HOLT replied in the negative.

INCIDENTS IN CONNECTION WITH THE MAJAWIR TRIBE AND THE KURDISH SURCHI TRIBE OF AQRA.

With regard to section 3, page 4, "Minor Tribal Disturbances", M. ORTS asked whether this also referred to Kurds.

Captain HOLT explained that the incidents at Diwaniyah were a mere tribal affray between Arabs. The affair of Shaikh Shahab had occurred in the extreme north of Iraq and was also a tribal quarrel. In a country consisting largely of a tribal population, such incidents were almost inevitable from time to time, and their occurrence should not in any way be regarded as reflecting a state of general disorder or unrest throughout the country.

THE YAZIDIS.

M. ORTS, passing to section 5, page 5, "The Yazidis", observed that there had also been restlessness amongst these people. Could the accredited representative dispel the impression left by the report that the year had been rather an agitated one in Iraq, at any rate in the north. It was known, in fact, that there had been a certain restlessness among other sections of the population as well.

Captain HOLT explained that the paragraph concerning the Yazidis had been inserted in the report as a matter of general interest, with a view to throwing a little light on the peculiar conditions existing among this picturesque community. The problem was a religious and domestic one and could not in any sense be regarded as symptomatic of widespread disorders. All the occurrences referred to in this and other sections had arisen from entirely separate causes and were not in any way connected.

THE ASSYRIAN COMMUNITY.

M. ORTS then referred to section 6, page 6, "Assyrians", which contained an account of events up to October 1932. These facts were well known to the Commission, which had considered this situation last autumn in connection with the Assyrian petitions. The accredited representative knew how deeply interested the Commission was in the question of the Assyrians and, generally speaking, the future of minorities in Iraq. The United Kingdom Government had, of course, only been able to refer to the period covered by the mandate. That being understood, would it be possible for the accredited representative to add, for the information of the Commission, anything to the facts mentioned in the report?

Captain HOLT, though reluctant to give a negative reply, felt bound to ask the Mandates Commission whether it would be in order for him to discuss with it a question which was already being examined by the Council.

M. ORTS explained that he was not seeking to satisfy any idle curiosity nor to listen to a recapitulation of events which were in everyone's mind; nor did he wish to intervene in a question which had been discussed elsewhere and which was no longer within the jurisdiction of the Commission. He wished, in view of the interest which the Commission had taken for several years in the Assyrian question, to provide the accredited representative with an opportunity, if he so desired, of submitting to the Commission certain considerations which might warrant the assumption that these questions would be settled in an equitable manner, and that the future of the Assyrian people was not gravely compromised. If the United Kingdom representative thought it undesirable to reply, he would not insist.

Captain HOLT said he had never for a moment supposed that M. Orts was raising this point in a spirit of mere curiosity. He quite understood that the Mandates Commission, having been closely associated with this problem for so many years, still felt a keen interest in the future of the Assyrians and other minorities. With regard to M. Orts's desire to be assured that the future of the Assyrians would be safeguarded, and the question dealt with in an equitable manner, he could only say that the whole matter was in the hands of the Council of the League.

He felt, however, that it was not for him to decide whether he could discuss with the Commission a question which was pending before the Council. Before proceeding further, he would ask the Chairman to be good enough to give a ruling on the point.

The CHAIRMAN (M. Van Rees) agreed with M. Orts that it would not be wise to insist. The Commission realised the very delicate position of the accredited representative at the

present time. He would be very grateful to him if he felt that he could give some supplementary information, but would not insist and would leave the matter to the accredited representative's judgment.

Captain HOLT said that his reluctance to enter into this discussion should not be taken to imply that he had anything to conceal. He was indeed, as the Chairman had pointed out, in a very delicate position. In the circumstances, he did not think it fair that the Mandates Commission, consisting as it did of so many distinguished jurists, should ask him to decide so complex a problem of order and procedure.

He would be happy, however, in private conversation, speaking as an individual and in an informal capacity, to give to individual members such further information as he might be in a position to supply. Moreover, he would remind the Commission that the fullest account of all that had occurred concerning the Assyrians since the termination of the mandate was contained in the documents which had recently been before the Council, and no doubt any member of the Mandates Commission could examine these documents if he wished.

M. ORTS repeated that he did not insist. Surely, however, the accredited representative would have been the first to be surprised if the Commission, seeing that the report contained a chapter on the Assyrians, had not stressed for the last time the importance it attached to the necessity of safeguarding the destinies of this people, as of all the minorities in Iraq.

M. RAPPARD hoped that the accredited representative would not feel that the Commission had shown any lack of courtesy in this connection. The members of the Commission must obviously—even though unofficially—feel an interest in the matter, since their hopes had been disappointed and their fears confirmed. When dealing with other territories subsequently, the Mandates Commission would be bound to remember what had happened in Iraq.

Mlle. DANNEVIG wished to ask a question in connection with the Assyrians which she thought would be quite in order. On page 9 of the report, paragraph 5, she noted that, although there was no vacant land suitable for Assyrian settlement in the Żakho or Aqra qadhas, "land had been found in several villages in the Dohuk and Amadiya qadhas . . .", and also that ". . . families could be settled in the Dashtazi area if the water supply could be improved . . .". Could the accredited representative state what kind of land this was and whether it was suitable for the settlement of Assyrians? She had always understood that the Assyrians were best settled in mountainous country.

Captain HOLT said that, in the first place, the land mentioned was part of a scheme for the settlement of those Assyrians who had not yet been settled. The Council had taken note of this scheme in its resolution of December 15th, 1932, and had encouraged the Iraqi Government to proceed with the settlement. Details of these settlement proposals had been included among the documents on the Assyrian petitions which the Mandates Commission had examined at its session in November 1932. The lands were not malarial at present, though what might happen if rice came to be cultivated he could not say. The ground was fertile, and climatic and water conditions were good. It was, however, difficult to say whether anything would come of this scheme under present circumstances.

THE BAHAI CASE.

M. ORTS noted that section 7, page 10, "The Bahai Houses", dealt with a question that had constantly occupied the attention of the Commission for five years. In 1929, the Council, following on a report of the Commission, based on observations submitted by the mandatory Power, had made certain recommendations for the settlement of this matter in a way which would compensate the consequences of the denial of justice suffered by the Bahais. He was grateful to the mandatory Power for the details on this subject given in the report, but felt that the Commission would be obliged to point out to the Council that, in actual fact, the Council's recommendations had not produced any result at the time when the mandatory regime came to an end. If the Commission found itself bound to mention this fact, he would be glad if it were also found possible to add that the accredited representative had confirmed what was said in the report—namely, that an arrangement was in sight which would be acceptable to the Bahais and that it might be hoped that the Iraqi Government would take the recommendations of the Council into account and would endeavour to apply this solution in the near future. Although he had not insisted on his previous question, he felt bound to insist upon this one, because it had arisen in the course of the mandatory regime and ought to have been settled long before the expiration of that regime.

Captain HOLT said that, up to the time of the termination of the mandate, the representatives of the mandatory Power had kept in the closest touch with the question. The position with regard to the Bahai houses at the time of the termination of the mandate had been described by Mr. Flood at the twenty-second session of the Commission.¹ Since then, direct conversations—which could hardly be called negotiations—had taken place between the Bahai representative and the Iraqi Government. It was difficult for him to give any account of what had passed at these conversations, because no representatives of the United Kingdom Government had participated in them. As far as he was aware, however, the Iraqi Government fully intended to carry out the arrangement reached, but not executed, before the expiry of the mandate. The whole question had now become one of town planning. The

¹ See Minutes of the Twenty-second Session, page 42.

idea was that the Bahai houses should form a small square and that the roads should pass round them. The buildings themselves would be adapted for public use, probably as a dispensary.

M. ORTS referred to the sentence in section 7 : " a solution acceptable to the Bahai had been found ". Did that mean that this solution should be regarded as having been, in fact, accepted by the Bahai ?

Captain HOLT said that the solution described to the Mandates Commission at the twenty-second session had been accepted by the Bahai representative. He did not know if it had been modified subsequently in its details, but the Iraqi Government was bound by its pledge to carry out the general lines of the plan reached under the auspices of the mandatory regime.

M. RAPPARD said that the Mandates Commission had found itself in a situation of great difficulty in the matter of the Assyrians and these Bahai houses. The Iraqi Government, when under the mandatory regime, had contracted a moral debt. Now that Iraq had been emancipated, the Commission had been deprived of its right to press the claim, but that fact had not suppressed the debt.

Captain HOLT said that M. Rappard's metaphor might be extended still further, in that the duty of collecting the debt had passed to another body.

PUBLIC FINANCE.

M. RAPPARD, referring to page 20 of the report, section 21, and to the phrase " included in these additional credits was a sum of £7,500 paid to Imperial Airways, Ltd., in refund of Customs duty charged in the past, and from which they were exempt by agreement ". He supposed that this payment was not in the ordinary course of Customs affairs, but referred to some past mistake which had been cleared up.

Captain HOLT replied that M. Rappard's assumption was correct. By the agreement under which it operated, Imperial Airways obtained certain Customs immunities. In the early days, however, orders had not been issued to this effect to certain responsible Customs officials. Subsequently, the Iraqi Government had accepted Imperial Airways' claim for a refund and had made that refund.

JUDICIAL ORGANISATION.

M. SAKENOBE, referring to page 11, section 8, asked whether all the British judges had now been appointed.

Captain HOLT replied in the affirmative.

FRONTIER BETWEEN IRAQ AND TRANS-JORDAN.

M. SAKENOBE, referring to page 17, asked whether the exchange of notes mentioned implied any change in the frontier and subsequent demarcation on the spot.

Captain HOLT replied that these notes merely defined more precisely the frontier already existing between the two countries. It had not yet been demarcated. The territory traversed by the frontier was a complete wilderness, and there was, therefore, no urgent need for it to be demarcated on the ground.

EDUCATION.

Mlle. DANNEVIG, referring to section 10, page 11, wished to congratulate the mandatory Power and the Iraqi authorities on the progress described in the final report. She was glad to note that education in Iraq had been directed into more practical channels, and that fifty new elementary schools had been opened. The advice given by the American Commission and the Teachers' Conference, attended by 70 per cent of the Iraqi teaching profession under the patronage of His late Majesty King Feisal, would be sure to have a happy influence on the education of the rising generation in Iraq.

CLOSE OF THE HEARING.

The CHAIRMAN (Marquis Theodoli) thanked the accredited representative for the explanations he had given and the United Kingdom Government for having been good enough to send him to Geneva to assist the Commission in its work.

Cameroons under French Mandate : Examination of the Annual Report for 1932.

M. Besson, Chief of the First Bureau of the Political Department at the French Ministry of the Colonies, accredited representative of the mandatory Power, came to the table of the Commission.

Count DE PENHA GARCIA then went on to the third category of complaints appearing in the petitions for which he was Rapporteur—namely, the suspension of newspapers. He enquired whether the law concerning the liberty of the Press was still the same as two years before, or whether it had been amended.

M. DE CAIX replied that, so far as he was aware, no change had been made in the law. The suspension of newspapers might, generally speaking, be ordered in one of two ways. In the case of acts directed against public security, it was the High Commissioner who ordered the suspension; in the case of statements defamatory to the authorities, suspension was ordered by the local Governments, who, moreover, possessed a similar right in the first case also.

Count DE PENHA GARCIA enquired whether there was any limit under the law as regards the period of suspension.

M. DE CAIX replied in the negative; it was, he said, possible to order a suspension *sine die*. As a general rule, however, such suspension was inflicted only after a number of temporary suspensions. There was obviously a somewhat arbitrary element in decisions of that nature. At the same time, security lay in the fact that measures of suspension were only ordered after the parties concerned had been heard.

Count DE PENHA GARCIA asked whether the parties possessed any right of appeal. Such measures, it must be realised, also involved certain economic consequences, in view of the damage suffered by the newspaper proprietors.

M. DE CAIX replied that, so far as he was aware, no right of appeal existed. He would, however, send Count de Penha Garcia the legal texts governing the matter. As regards the economic aspect of the matter, the papers in question had a very small circulation and were not very prosperous undertakings.

SIX PETITIONS, DATED JANUARY 30TH AND 31ST AND FEBRUARY 3RD AND 5TH, 1933,
FROM INHABITANTS OF LATAKIA, HOMS, HAMA AND ALEPPO.

M. ORTS reminded the Commission of the petition relating to the incidents which had occurred at Latakia as the result of an insignificant occurrence, when an indiarubber ball thrown by a child had hit an Alaouite soldier. The mandatory Power, in its observations, had given a very vivid description of the occurrence and an explanation which seemed satisfactory. He wished to know, however, whether or not an enquiry had been held and whether punishment had been meted out; had there been any judicial action in the matter? It was clear that to leave the authors of such incidents unpunished would produce a bad effect.

M. DE CAIX said that he could not give the information requested by M. Orts. Probably a number of persons had been arrested and come up for judgment. He would make enquiries and inform the Rapporteur.

M. ORTS enquired whether nothing further had occurred at Latakia since then. The juxtaposition of Sunnis and Alaouites in the town appeared to create a somewhat dangerous situation.

M. DE CAIX replied that, so far as he knew, there had been no further incidents. The number of Alaouites living actually in the town—where they had not been allowed to reside previous to the mandate—was quite small—a few hundreds. The troops were mostly recruited among the Alaouites, who were the mountain people. But these troops were well disciplined, as was proved by the fact that the incident which formed the subject of the petition had in the end been of little consequence.

CLOSE OF THE HEARING.

The CHAIRMAN thanked M. de Caix for his courteous and valuable co-operation.

TENTH MEETING

Held on Saturday, October 28th, 1933, at 11 a.m.

Iraq : Observations of the Commission.

The Commission examined the following draft :

“ The Commission took note of the report submitted by the Government of the United Kingdom on the administration of Iraq during the period January 1st to October 3rd, 1932, on which date the mandatory regime in that territory came to an end and the country was admitted as a Member of the League. The representative whom the ex-mandatory Power had placed at the Commission's disposal gave further information verbally in reply to the questions put to him.

“ As last year, and for the same reasons, the Commission has refrained from submitting to the Council observations on the administration of Iraq during the first nine months of 1932. It merely calls the Council's attention to the Minutes of the meetings at which this territory was dealt with.

“ Nevertheless, the Commission feels bound to point out to the Council *à toutes fins utiles* that, at the time of expiration of the mandatory regime in Iraq, the question of the reparation due to the community of the Bahai for the denial of justice of which it was the victim had not yet been actually settled, although the community concerned had reason to believe that an arrangement to which it had subscribed would be brought into application.”

Count DE PENHA GARCIA observed that, from the draft text of the observations, it appeared that the Commission had discussed only the Bahai question, which, in his view, did not merit more attention than certain other matters which arose in connection with the last report of the ex-mandatory Power just examined by the Commission. Consequently, it would be preferable merely to mention the Bahai problem in the body of the statement. The fact that the Council's attention was drawn to the Minutes of the meetings at which Iraq had been discussed should suffice.

M. RAPPARD, supported by Lord Lugard, thought that the observations should state that various points had arisen, including that of the Bahai.

Mlle. DANNEVIG asked why, if the Commission referred to the Bahai problem, no mention was made of the Assyrian problem.

The CHAIRMAN replied that the situation with regard to the latter was different. The Commission had discussed the question of the Assyrians last November—that was to say, after the expiration of the mandatory regime in Iraq—in accordance with a request made by the Council in September 1932. Consequently, the Commission's recommendations with regard to the Assyrians were subsequent to the termination of the mandatory regime.

M. ORTS admitted the soundness of this argument, but pointed out that the curious part of the case lay precisely in the fact that, in the previous year, the Commission had had to consider the Assyrian question after the proclamation of the independence of Iraq, because certain petitions, submitted previous to the termination of the mandate, though they had been received in time to be examined, had not been so examined. There had, therefore, been a sort of compromise between a moral obligation and strict law.

M. RAPPARD drew attention to the difference between the two cases : no international tribunal was any longer cognisant of the Bahai question, whereas the Council had the question of the Assyrians before it.

M. DE HALLER (Mandates Section) explained that the Commission had examined the petitions of the Assyrians after the termination of the mandate only because it had definitely been requested to do so by the Council. Had it not been so requested, it might be doubted whether the Commission would have had any power to examine them.

Mlle. DANNEVIG reminded the Commission of what had been said previously—namely, that the Commission ought to make a sort of testament from a humanitarian point of view, expressing its views on the Assyrian question. There was no need to push prudence so far as to remain entirely silent on the point.

Lord LUGARD thought that it was not sufficient merely to draw attention to the Minutes. The Minutes would be read, it was hoped, in any case ; but, in view of the still unfulfilled promise regarding the Bahai, he thought that mention should be made of that case. If the Commission said nothing about the Assyrians, that was because the problem was before the Council.

After an exchange of views, *the Commission adopted, with certain amendments, the final text to submitted to the Council (Annex 17).*

Procedure to be followed in respect of Petitions (continuation) : Formula proposed by the Sub-Committee.

The following text proposed by the Sub-Committee was read :

“ When a member appointed to report on a petition finds that the said petition is obviously inadmissible or trivial, he shall confine himself to proposing its rejection to the Commission in writing.

“ The cases in which the Commission has endorsed the Rapporteur's proposal of rejection shall be enumerated under a special heading in the report to the Council.”

M. VAN REES explained that the Sub-Committee had been in agreement upon two points : in the first place, that there was no need at present to amend the existing rules, and, secondly, that there was no need to modify the present powers of the Chairman. The aim of the proposal submitted to the Commission was to simplify the work of members appointed Rapporteurs for petitions which were accompanied by the observations of the mandatory Power.

M. ORTS recalled that, in raising the question, his anxiety had not been to lighten the work of the Commission, but to avoid giving undue publicity to certain petitions the object of which was futile, or which were clearly intended for personal advertisement.

A. 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 representatives accredited for the purpose by the Governments 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.¹

TERRITORIES UNDER " A " MANDATE.

Iraq.

The Commission took note of the report submitted by the Government of the United Kingdom on the administration of Iraq during the period January 1st-October 3rd, 1932, on which date the mandatory regime in that territory came to an end and Iraq was admitted as a Member of the League. The representative whom the ex-mandatory Power had accredited to the Commission gave further information verbally in reply to the questions put to him.

The Commission has refrained from submitting to the Council detailed observations on the administration of Iraq during the first nine months of 1932. It merely calls the Council's attention to the Minutes of the meetings at which this territory was dealt with for the last time, and, in particular, to the passages relating to the community of the Bahais (pages 12, 27-33, 68-69).

Syria and the Lebanon.

In June last, the French Government informed the Secretary-General of the League that M. Ponsot, High Commissioner for Syria and the Lebanon, would make a statement to the Commission in October on the evolution brought about in the political situation in those territories. In the meantime, however, M. Ponsot was transferred to another post and this intention could not be carried out.

M. Ponsot's successor, on the other hand, could not be expected to make such a statement at the very moment he had assumed the office of High Commissioner.

In these circumstances, the French Government stated, in a letter dated September 14th, that it would be M. de Caix who would be called upon to give explanations to the Commission on the points held over at the time of his hearing in June last.

The accredited representative has given certain indications as to the political situation in Syria and the Lebanon during the past months, although, in the circumstances, he felt obliged to maintain a certain reserve. The Commission would refer the Council to the account of the meetings devoted to these questions to be found in the Minutes (pages 59-65, 107).

SPECIAL OBSERVATIONS.²

1. *Administration in General.*

The Commission deplores the acts of corruption and of traffic in influence which have occurred in the Lebanon. It hopes that every effort will be made by the mandatory Power to put a stop to these acts (page 141).

2. *Equality before the Law and Freedom of Conscience.*

The Commission regretted to note that the application of Syrian legislation prescribing equality before the law is still sometimes impeded through the absence of a spirit of tolerance on the part of the autochthonous authorities (pages 135-139).

3. *Forestry.*

The Commission hopes that the measures taken for the preservation of forests and reforestation will be intensified (page 149).

¹ The page numbers following each observation are those of the Minutes of the present session, except for the special observations concerning Syria and the Lebanon.

² These observations were suggested to the Commission by its examination of the matter at its twenty-third session, and the pages mentioned after each of them refer to the Minutes of the twenty-third session (document C.406.M.209.1933.VI). The Commission adopted them at the seventeenth meeting of the present session (page 104).

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