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LEAGUE OF NATIONS

NOTES OF A SECRET MEETING OF THE COUNCIL

Held at Noon on June 7th, 1928.

President: M. de Agüero y Bethancourt

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All the representatives of the members of the Council and the Secretary-General were present.

REQUEST OF THE GOVERNMENTS OF ROUMANIA, THE SERB CROAT & SLOVENE KINGDOM AND CZECHOSLOVAKIA FOR THE EXAMINATION BY THE COUNCIL OF THE INCIDENT WHICH OCCURRED ON JANUARY 1st, 1928, AT THE RAILWAY STATION OF ST. GOTTHARD ON THE AUSTRO-HUNGARIAN FRONTIER. (Continued)

M. Fotitch, representative of the Kingdom of the Serbs Croats and Slovenes, M. Veverka, representative of Czechoslovakia, and General Tanczos, representative of Hungary, came to the Council table.

M. BEELAERTS VAN BLOKLAND read the second report of the Committee of Three, as amended in accordance with the suggestions made at the previous secret meeting. (C.207/1/1928.IX).

M. Paul BONCOUR suggested that the Governments referred to in the resolution at the end of the report should also be asked to indicate in their reply to the Secretary-General the steps which they had taken.

The report and resolution were adopted, subject to an amendment in this sense.

The PRESIDENT then submitted the resolution to be adopted by the Council in connection with the first report of the Committee of Three (C.199).

The resolution was as follows:

1) Le Conseil prend acte du rapport présenté par le Comité des Trois, remercie vivement les Membres du Comité ainsi que les experts des efforts qu'ils ont accomplis pour élucider l'incident survenu le 1er Janvier 1928 à la gare de chemin de fer de Szent-Gotthard sur la frontière austro-hongroise;

2) Exprime ses regrets que le Gouvernement hongrois ait envisagé le dit incident du point de vue seul des règlements des chemins de fer et des douanes et non pas aussi du point de vue de ses obligations en matière de trafic d'armes qui découlent du Traité de Trianon;

3) Constate avec regret que la destination définitive du matériel de guerre dont il s'agit n'a pas pu être établie dans les circonstances actuelles. S'il ne croit pas devoir néanmoins poursuivre ses recherches c'est parce qu'il est convaincu que les débats ont démontré la gravité de cet incident aux yeux du Conseil et l'importance qu'il attache à ce que de pareils faits ne se reproduisent pas;

4) Rappelle que tout Membre du Conseil a le droit de demander une convocation extraordinaire du Conseil et que celui-ci a l'autorité d'ordonner une investigation immédiate en vertu des règles en vigueur pour l'exercice du droit d'investigation, règles que le Conseil maintient intactes;

5) Saisit cette occasion pour souligner l'intérêt qu'aurait pour la confiance mutuelle entre les Etats et par suite pour la consolidation de la paix la ratification rapide de la convention sur le contrôle du commerce des armes conclue sous les auspices de la Société des Nations.

General TANCZOS ^{represented} repeated that the reference in paragraph 2 to the obligations of the Hungarian Government under the Treaty of Trianon was not in accordance with the facts. The Hungarian authorities, as soon as it was ascertained that the goods detained at the frontier had been consigned under a false declaration, and that it consisted of material of war, had at once referred the matter to the Hungarian Ministry of Defence, which had ordered the necessary measures to be taken. The Hungarian authorities would, under the Treaty of Trianon, have normally been bound to let the consignment pass in transit through Hungarian territory.

M. SCIALOJA agreed that there was nothing in the Treaty of Trianon which prohibited the transit of war material through Hungary. Only the importation into Hungary of such

* GENEVA *

material was prohibited. The obligations of Hungary in the matter, therefore, only came into question to the extent in which there was reason to believe that the material was being imported.

M. BEELAERTS VAN BLOKLAND said that paragraph 2 did not quite correspond with the terms of the report of the Committee of Three. He would suggest that the paragraph should be amended, and should be based on the relevant passage in the report.

The PRESIDENT, in accordance with this suggestion, submitted the following text:

2) Exprime ses regrets que le Gouvernement hongrois ait envisagé l'incident survenu le 1er. janvier 1928 à la gare de Szent-Gotthard du point de vue seul des règlements des chemins de fer et des douanes, sans avoir considéré nécessaire de se préoccuper de la destination définitive du matériel de guerre en question, bien que la présence illicite de ce matériel de guerre sur le territoire hongrois acquerrait une importance toute particulière en raison du fait que la Hongrie a des obligations en matière de trafic d'armes qui découlent du Traité de Trianon;"

M. SCIALOJA asked whether it was possible to refer to the illicit presence of the material on Hungarian territory. It was not illicit for the material to be there. The presence of the material on Hungarian soil was suspect, but could not, in his opinion, be described as illicit, because its ultimate destination was not known.

Sir Austen CHAMBERLAIN argued that it was illicit for the material to be entering Hungary under a false declaration, and, in these circumstances, the Hungarian authorities should have realised the importance of establishing the destination of the material. If the material had not been consigned under a false declaration, and if it had been passing through Hungarian territory from Italy to another country, its presence on the frontier would not in any way



have constituted an infringement of any Treaty.

The false declaration, however, had rendered the presence of the material illicit according to the regulations administered by the Hungarian Government itself.

He would suggest, that a way of avoiding the difficulty, that the phrase should read: "bien que la présence sous une fausse déclaration de certain matériel de guerre, etc."

Paragraph 2 was adopted subject to these amendments.

M. BEELAERTS VAN BLOKLAND said that paragraph 1 might give the impression that the Committee of Three had been asked to conduct a general investigation into the incident. He did not think that the terms of this paragraph were quite in conformity with the instructions given to the Committee.

The PRESIDENT suggested an amendment to the effect that the Council accepted the report presented by the Committee of Three, and thanked the members of the Committee for the accomplishment of the task entrusted to them, and the experts for the assistance which they had rendered.

M. Paul BONCOUR said he was prepared to associate himself cordially with the thanks addressed to the Committee of Three, but he doubted whether those thanks should be extended to the experts. It was illogical to criticise the results of the inquiry, and, at the same time, compliment all those who had participated in it.

M. BEELAERTS VAN BLOKLAND said he would regret the omission of any reference to the experts, to whom the Committee of Three were extremely grateful. The fact that the results of the inquiry had not been satisfactory must be attributed to

what phrase "found acte" had no legal validity.
-5-



the conditions under which it had taken place. The experts were strictly bound by the instructions which they had received from the Committee.

on case did not to insist too far, but to note that the reports to the of 3, and it would be more regular actual that they receive the thanks of the Council

After further discussion, paragraph 1 was adopted in the following form:

Le Conseil prend acte du Rapport présenté par le Comité des Trois et remercie vivement les Membres du Comité de l'accomplissement de la tâche qui leur avait été confiée.

Paragraph 3. M. PROCOPE represented that the second sentence of the paragraph appeared to be somewhat illogical. The Council was said to have come to the conclusion that it should not pursue its researches because it was convinced that the incident was serious.

M. Paul BONCOUR pointed out that an amendment of form would be necessary in the first sentence, in order to link it with the last sentence of paragraph 2 which had been amended

After some discussion, the paragraph was adopted in the following form:

3) Constate avec regret que cette destination définitive n'a pas pu être établie dans les circonstances actuelles. Mais il est convaincu que les débats ont déjà suffisamment marqué la gravité de cet incident aux yeux du Conseil et l'importance qu'il attache à ce que de pareils faits ne se reproduisent pas;

M. Paul BONCOUR, in reference to paragraph 4, reminded the Council of what he had said at the secret meeting held on the previous afternoon concerning the regulations relating to the right of investigation which had been drafted in December, 1926. Was it not perhaps desirable to make some reference to the fact that in certain circumstances the Permanent Advisory Commission for Military Naval and Air Questions might be convened in accordance with those regulations?



a reference to the matter at the public meeting, and his observations would be recorded in the minutes.

Paragraph 4 was adopted without amendment.

Paragraph 5 was adopted without amendment.

General TANCZOS said he understood that the Council would not at the public meeting ask him formally to adhere to the resolution since he would not be present as a member of the Council.

The Council agreed.

The meeting rose at 1.15 p.m.