

ports, waterways and railways referred to in Article 338 and 379 of the Treaty signed at Versailles on June 28th, 1919 (and to the corresponding Articles of the other Treaties of Peace).

The Council of the League distributed to Members of the League the agenda for the Conference, together with drafts which might serve as the basis of its discussions, the agenda and the drafts having been prepared by the Provisional Committee established for the purpose.

The Council of the League nominated as the President of the Conference :

M. Gabriel HANOTAUX, Member of the Académie française, former Minister of Foreign Affairs of the French Republic ;
and as Vice-Presidents :

Sir Francis Henry DENT, C.V.O., President of the Commission de Répartition du Matériel roulant at Vienna.
M. Vicente PINIES, Deputy, former Senator, former Under-Secretary of State for Public Works of Spain ;
Dr. Maggiorino FERRARIS, Senator of Italy, former Minister.
Dr. Mineitcirò ADATCI, Envoy Extraordinary and Minister Plenipotentiary of Japan in Belgium ;

Jonkheer Dr. J. LOUDON, Envoy Extraordinary and Minister Plenipotentiary of Her Majesty the Queen of Holland in France, former Minister for Foreign Affairs.

It entrusted the secretarial work to :

Professor Bernardo ATTOLICO, Envoy Extraordinary and Minister Plenipotentiary, Director of the Communications and Transit Section, and Permanent Representative of the Secretary-General of the League of Nations at the Conference of Barcelona ;

M. Robert HAAS, Agrégé de l'Université, Member of the International Secretariat of the League of Nations, Secretary-General of the Provisional Committee on Communications and Transit, Secretary-General of the Conference.

The Powers enumerated in the following list took part in the Conference, and for this purpose appointed the Delegates named below :

ALBANIA

DELEGATE : M. Midhat FRASHERI, President of the Albanian Delegation in Paris.

AUSTRIA

DELEGATE: M. Henri REINHARDT, Ministerial Councillor.

BELGIUM

DELEGATE: M. Xavier NEUJEAN, Minister of Railways, Marine, Posts and Telegraphs.

SUBSTITUTE: M. Alfred PIERARD, Director General of the Belgium Marine.

EXPERTS: M. HANREZ, Administrator of the Belgian State Railways; M. Armand STIEVENARD, Attaché to the Minister of Railways, Marine, Posts and Telegraphs; M. Michel HALEWYCK, Director-General of Political and Administrative Affairs at the Ministry of Colonies.

BOLIVIA

DELEGATE: M. Trifon MELEAN, Consul-General for Bolivia in Spain.

BRAZIL

DELEGATE: M. Demetrio RIBEIRO, Engineer, former Minister of State of the United States of Brazil.

TECHNICAL ADVISERS: M. E. MONTARROYOS, Engineer, former Captain on the General Staff; M. J. A. Barboza CARNEIRO, Commercial Attaché at the Brazilian Embassy, London, Member of the Economic and Financial Committee of the League of Nation.

BULGARIA

DELEGATE: M. Lubin BOCHKOFF, Civil Engineer, Assistant Director-General of Railways and Ports

CHILE

DELEGATE: M. Manuel Rivas VICUÑA, Envoy Extraordinary and Minister Plenipotentiary.

EXPERTS: M. Manuel AMUNATEGUI, Consul-General for Chile in France; M. Alexandre ALVAREZ, Professor of International Law; M. Hernan EDWARDS, Engineer.

CHINA

DELEGATE: M. TSANG OU, Director-General of the Chinese State Railways.

EXPERTS: M. G. BOUILLARD, Chief Engineer of the Chinese State Railways, Councillor of the Chinese

Directorate of State Railways.

BRITISH EMPIRE

DELEGATE : Sir Hubert LLEWELLYN SMITH, G. C. B.,
Economic Adviser to His Britannic Majesty's Govern-
ment.

EXPERTS : Sir Cecil HURST, K.C.B., K. C., Legal Adviser
to the Foreign Office; H. O. MANCE, Esq., C. B.,
C.M.G., D.S.O., Board of Trade; G.L. COLVIN, Esq.,
C.B., C.M.G., D.S.O., Ministry of Transport

SPAIN

DELEGATE : Señor Don Emilio ORTUÑO, Deputy, Former
Minister, Engineer-in-Chief of Bridges and Roads.

SUBSTITUTE : Señor Don Guillermo BROCKMANN,
Inspector-General of Bridges and Roads.

EXPERTS : Señor Don Ramon MONTAGUT, Engineer-in-
Chief of Bridges and Roads, former Délégué Royal
des Transports; Señor Don José Jimeno LASSALA,
Engineer-in-Chief of Bridges and Roads; Señor Don
Juan MALUQUER Y VILADOT, former Attorney-
General to His Majesty, Bâtonnier of the Order of
Advocates of Barcelona; Señor Don Antonio DEL

Government; M. W. F. TYLER, Councillor of the
Chines Government; M. M. C. HSU, Chief of the
Service of International Traffic at the Ministry of
Communications; M.T.T. CHEN, Naval Lieutenant;
M.S.L. TCHOU, Engineer of Arts and Manufactures,
Engineer at the Ministry of Communications; M. V.
F. TCHOU, Doctor of Law.

COLOMBIA

DELEGATE : M. Antonio José RESTREPO, Delegate
Plenipotentiary, Legal Adviser to the Colombian
Legation in Switzerland.

CUBA

DELEGATE : M. José Oriol SALA Y XARAU.
ASSISTANT : M. Enrique Moreno MERLO.

DENMARK

DELEGATE : M. P. A. HOLCK-COLDING, Chef du Bureau
at the Ministry of Public Works.

EXPERTS M. N. J. EHRENREICH HANSEN, Sous-Chef
de Bureau at the Ministry of Commerce; M. R.
HAARLOW, Chef de Bureau at the General

CASTILLO, Naval Captain, Commandant of the Marine of the province of Barcelona; Señor Don Cristobal ALZA-MORA, Chef d'Administration, Administrator of Customs at Barcelona.

ESTHONIA

DELEGATE: M. Charles Robert PUSTA, Envoy Extraordinary and Minister Plenipotentiary of Esthonia to France and Italy.

EXPERT AND ASSISTANT DELEGATE: M. Walter ROSENTHAL, Engineer of Ways and Communications.

FINLAND

DELEGATE: Dr. Rolf THESELEFF, Envoy Extraordinary and Minister Plenipotentiary of Finland at Christiania.

FRANCE

DELEGATE: M. LE TROCQUER, Deputy, Minister of Public Works.

SUBSTITUTE: M. SIBILLE, Deputy, Member of the Comité consultatif des Chemins de fer français.

TECHNICAL ADVISERS: M. CHARGUERAUD, Conseiller d'Etat, Inspector-General of Bridges and Roads, Vice-

President of the Conseil supérieur des Travaux publics; M. Fouques DUPARC, Minister Plenipotentiary (1st class); M. DUCHENE, Conseiller d'Etat, Director of Political Affairs at the Ministry of Colonies; M. SERRUYS, Director of Commercial Agreements and Economic Information at the Ministry of Commerce; M. Jean BENOIST, Auditeur au Conseil d'Etat, Chef du Service des Etudes au Cabinet du Ministre des Travaux publics; M. DETOEUF, Engineer-in-Chief of Bridges and Roads, Director of Works at the Ports of Strasbourg and Kehl.

EXPERTS: M. REVEILLAUD, Président de Section au Conseil de Préfecture de la Seine; M. Georges BONNET, Auditeur au Conseil d'Etat, Commissaire adjoint du Gouvernement; M. BARRAIL, Financial Representative of the French Government in Spain; M. André SIEGFRIED, Chef de Section au Service français de la Société des Nations, Professeur à l'Ecole libre des Sciences politiques, M. LOISEAU, Chargé de Mission.

GREECE

DELEGATE: M. Pierre SCASSI, Envoy Extraordinary and

Minister Plenipotentiary of His Hellenic Majesty in Spain and Portugal.

TECHNICAL ADVISERS : M. A. POLITIS ; M. D. PHOCAS, Naval Captain.

GUATEMALA

DELEGATE : Dr. Don Norberto GALVEZ, Consul-General for Guatemala.

HAITI

DELEGATE : M. Luis Maria SOLER, Consul-General for Haiti.

HONDURAS

DELEGATE : Dr. Don Norberto GALVEZ, Consul-General for Guatemala.

INDIA

DELEGATE : Sir Louis James KERSHAW, K.C.S.I., C.I.E., Secretary, Revenue and Statistics Department, India Office, London.

ITALY

DELEGATE : M. Camillo PEANO, Barrister-at-Law, Minister of Public Works of the Kingdom of Italy, Councillor of State, Member of Parliament.

SUBSTITUTE : M. Paolo BIGNAMI, Engineer, Member of Parliament, ex-Under-Secretary of State.

EXPERTS : M. Girolamo SINIGALIA, Chief Inspector (First Grade) on the State Railways, Member of the General Council of Traffic, Italian Delegate on the Central Rhine Commission and on the International Elbe Commission ; M. Carlo VALENTINI, Engineer, Professor of Hydraulics and Inland Navigation, Chief Inspector of Roads and Bridges, Member of the Upper Council of Public Works ; M. Emilio PAGLIANO, Councillor of the Royal Italian Embassy in Madrid, Barrister-at-Law in the Supreme Court of Rome, Professor of Constitutional Law in the University of Rome.

JAPAN

DELEGATE : M. MATSUDA, Doctor of Law, Councillor of the Japanese Embassy in Paris, former Director-General of Legal Affairs and Treaties at the Ministry of Foreign Affairs.

Experts: M.S. SATAKE, Doctor of Law, former Director-General at the Ministry of Railways; M.A. KASAMA, Secretary at the Ministry of Foreign Affairs, Assistant Delegate to the Commission of Enquiry on Freedom of Communications and Transit; M. F. ADACHI, Secretary at the Ministry of Communications, Assistant to the Representative of the Japanese Government on the Governing Body of the International Labour Office.

LATVIA

DELEGATE: M. Germain ALBAT, Under-Secretary of State for Foreign Affairs.

LITHUANIA

DELEGATE: M. Vaclovas SIDZIKAIUSKAS, Lithuanian Chargé d'Affaires in Switzerland.

LUXEMBURG

DELEGATE: M. LEFORT, Member of the Council of State, Luxembourg, Chargé d'Affaires at Berne and The Hague.

NORWAY

DELEGATE: M. Ole SKYBAK, Councillor of Legation, Temporary Norwegian Chargé d'Affaires at Madrid.
EXPERTS: M. Gabriel SMITH, Director-General of Ports; M. Fredrik Samuel INGIER, Director of Traffic of the State Railways; M. Einar MASENG, Member of the Norwegian Committee for Commercial Treaties.

PANAMA

DELEGATE: M. Evenor HAZERA, Consul-General for Spain, former Under-Secretary of State for Foreign Affairs.

PARAGUAY

DELEGATE: Dr. Hector VELASQUEZ, Envoy Extraordinary and Minister Plenipotentiary, former Senator, former Minister for Foreign Affairs.

NETHERLANDS

DELEGATE: Dr. C. LELY, Former Minister of "Waterstaat," Member of the Upper Chamber of the States General
SUBSTITUTES: Jonkheer Dr. W. J. M. van EYSINGA, Professor at the University of Leyden, Member of

the Central Commission of the Rhine; M. M. A. G. KROLLER, Member of the Economic Council at the Ministry of Foreign Affairs.

EXPERTS: M. I. A. KALFF, Engineer, Director of the Netherlands Railways Companies; Dr. J.P.A. LAMAN DE VRIES, Director-General of Direct Taxation, Customs and Excise; M. D. A. van HEYST, Chief Engineer of the "Ryks Waterstaat."

PERSIA

DELEGATE: M. Mirza HUSSEIN KHAN ALAI, Envoy Extraordinary and Minister Plenipotentiary to His Imperial Majesty the Shah of Persia in Spain.

POLAND

DELEGATE: M. Joseph WIELOWIEYSKI, Assistant Delegate of the Polish Republic to the Council of League of Nations.

SUBSTITUTE DELEGATES AND EXPERTS: M. Bohdan WINIARSKI, Professor of Law at the University of Poznań; Rear-Admiral de ZWIERKOWSKI, Assistant Chief of the Department of Marine.

PORTUGAL

DELEGATE: M. Alfredo Freire d'ANDRADE, Colonel of Engineers.

ROUMANIA

DELEGATE: M. Georges CRETZIANO, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Roumania in Spain.

TECHNICAL ADVISERS: M. Georges CARACOSTEA, Engineer, Inspector-General and Director of the Commercial Service at the Ministry of Communication; M. Alex PERIETZEANO, Engineer, Inspector-General, former Director-General of Roumanian Railways; M. Georges POPESCO, Engineer, Inspector-General, Director-General of Ports and Waterways.

LEGAL ADVISER: M. Demetrius JANCOVICI.

SERB-CROAT-SLOVENE STATE

DELEGATE: M. Ante TRESICH-PAVICHICH, Envoy Extraordinary and Minister Plenipotentiary of the Kingdom of the Serbs, Croats and Slovenes in Spain and in Portugal.

EXPERTS: Rear-Admiral Dragutin PRICA, Chief of the Service of River Navigation at the Ministry of Communications; M. Ranslav M. AVRAMOVITCH, Engineer-in-Chief to the Ministry of Communications, former Expert of the Serb-Croat-Slovene State to the Peace Conference at Paris, former Member of the League of Nations Provisional Committee of Transit and Communications.

SWEDEN

DELEGATE: M. F. V. HANSEN, Director-General of Hydraulic Power and Canals of the Swedish State.
EXPERTS: M. Nils AHLBERG, Doctor of Science, Director of the Administration of the Swedish State Railways; M.P.G. HORNELL, Consulting Engineer, Member of the Royal Academy of Technical Sciences at Stockholm; M.K.I. WESTMAN, Secretary at the Swedish Legation in Paris.

SWITZERLAND

DELEGATE: M. G. CARLIN, Envoy Extraordinary and Minister Plenipotentiary to the Netherlands, Member of the Permanent Court of Arbitration.

SUBSTITUTE DELEGATE AND EXPERTS: M. J. VALLOTTON, Doctor of Law, Advocate at Lausanne and Delegate at the Central Commission of the Rhine, Associate of the Institute of International Law; M. Adolphe WIRZ, Chief of the Service of Goods Tariffs at the General Directorate of Federal Railways at Berne.

CZECHO-SLOVAKIA

DELEGATES: M. Bohuslav MULLER, Engineer, Secretary of State at the Ministry of Public Works, Envoy Extraordinary and Minister Plenipotentiary; Dr. Ottokar LANKAS, Ministerial Councillor and Director of Transport at the Ministry of Railways.

TECHNICAL EXPERTS: M. Pavel KOLLER, Engineer, Adviser on Construction to the Ministry of Railways; M. Vojtech KRBEK, Engineer, First Secretary of Legation at the Ministry of Foreign Affairs.

LEGAL EXPERT: Dr. Karel WENDL, Attaché to the Minister of Foreign Affairs.

URUGUAY

DELEGATE: M. Benjamin FERNANDEZ Y MEDINA, Minister Plenipotentiary in Spain and Portugal.

VENEZUELA

DELEGATE : Dr. Simon PLANAS-SUAREZ, Minister Plenipotentiary of Venezuela in Portugal.
There took part in the work in an advisory capacity :

GERMANY

DELEGATE : M. Karl Georg von TREUTLER, Envoy Extraordinary and Minister Plenipotentiary, Privy Councillor.

SUBSTITUTE : Dr. Arthur SEELIGER, Envoy Extraordinary and Minister Plenipotentiary, President of the International Commission of the Elbe.

EXPERTS ; M. Max PETERS, Secretary of State of the Ministry of Public Works, Privy Councillor ; Professor Alfred von der LEYEN, Privy Councillor ; M. Johann Daniel KRONIG, Councillor of State ; M. Max LUDICKE, Councillor of Administration, First Class ; M. Wilhelm von POCHHAMMER.

HUNGARY

DELEGATE : M. Emile WALTER, Ministerial Councillor at the Ministry of Foreign Affairs.

There also took part in the discussions :

M. Albert CLAVEILLE, Senator, President of the Central Rhine Commission, former French Minister of Public Works ; Colonel Henri ETIENNE, Ingénieur Diplômé, Vice-Director of the Central Office of International Transportation by Railway at Berne ; M. Jean HOSTIE, Secretary-General of the Central Rhine Commission, Member of the Organisation Committee of the Conference ; Dr. William MARTIN, Representative of the International Labour Office.

In a series of meetings between March 10th and April 20th, 1921, in which the delegates and their advisers were throughout animated with the desire to fulfil to the greatest possible degree the principles of the League of Nations which summoned the Conference and the intentions of their Governments, the Conference prepared and adopted the instruments enumerated below and annexed to the present Act ;

1. Rules for the Organisation of General Conferences on Communications and Transit, and of the Advisory and Technical Committee ;
2. Rules of Procedure for Conferences on Communi-

- cations and Transit;
3. Convention and Statute on Freedom of Transit;
4. Convention and Statute on the Regime of Navigable Waterways of International Concern;
5. Additional Protocol to the Convention on the Regime of Navigable Waterways of International Concern;
6. Declaration recognising the right to a flag of States having no sea-coast;
7. Recommendations relative to the International Regime of Railways;
8. Recommendations relative to Ports subject to an international regime;
9. Final Act.

In order to comply with the above-mentioned Resolutions of the Assembly, the Rules for the Organisation of Conferences and the Rules of Procedure, as well as the Conventions and Statutes and other instruments enumerated above, will be transmitted to the Secretariat General for all necessary action.

These Conventions and Statutes are intended to form part of the series of Conventions contemplated in Articles

338 and 379 of the Treaty signed at Versailles on June 28th, 1919, and in the corresponding Articles of the other Treaties of Peace.

The Rules will bear the date on which they were adopted by the Conference and copies will be authenticated by the signature of the President.

The Conventions, additional Protocol and Declaration will bear this day's date.

Certain delegates of States represented at the Conference, being provided with full powers authorising them to do so, have signed the Conventions and Statutes at Barcelona.

The Powers which have not signed at Barcelona may sign at a later date and the Secretary-General will take all necessary steps for this purpose.

The Conference has also adopted the following Recommendations and Declarations:

1. The Conference draws the attention of the Council and the Assembly of the League to the question of the renewal of the Advisory and Technical Committee in the event of no further Conference being held within a period of four years.
2. The Conference recommends that the next

Assembly should modify the Resolution adopted concerning the calling of the general Conference in order to permit its meeting in full session each time that at least one-third of the Members of the League make such a request.

3. The Conference recommends that the League of Nations should, as soon as possible, invite its Members to meet with a view to drawing up new Conventions for the regulation of the Rights and Duties in regard to transit of belligerents and neutrals in time of war. This was adopted by 23 votes to 5.

4. The Conference, bearing in mind the importance of the conclusion within a period of two years of a Convention on Railways, recommends that a Conference should meet in good time to permit of the preparation and conclusion of such a Convention within the period indicated.

5. The Conference, bearing in mind that it is desirable with a view to the improvement of ways of communication of international concern that States having an abundant supply of electrical power should concede a part of it to States in

want thereof, recommends that this question should be examined.

6. The Conference declares that it is highly desirable that the question of the extent to which it is possible to simplify internal railway tariffs and to bring them into greater uniformity should be studied, particularly as regards groups of contiguous territories.

7. The Conference declares, in adopting Article 10 of the Rules of Procedure, that, as this Article reproduces certain paragraphs of Article 16 of the Rules of Procedure of the Assembly, all changes introduced in the future into such paragraphs must also be incorporated in Article 10 of the Rules of Procedure of the Conference.

8. The Conference declares that it is agreed that in cases where the provisions of the Conventions and Statutes of Barcelona appear to conflict on any point with the provisions of the Treaties of Peace, the meaning to be attributed to the provisions of the Treaties of Peace will prevail, both as regards Powers which are not parties to the

said Treaties, as well as regards the signatory or beneficiary Powers referred to in Article 2 of the Conventions of Barcelona.

9. The Conference declares that the Rules laid down in the Rules of Organisation, particularly those in Article 11 as to the placing of a question on the Agenda of a general Conference on Communications and Transit, shall also apply in the case of a revision demanded in accordance with Article 9 of the Convention as to Freedom of Transit, and with Article 9 of the Convention as to Navigable Waterways of International Concern.

10. The Conference declares the nothing in the Convention and Statute on Freedom of Transit shall be understood to imply that traffic of vital importance for a country, including internal traffic, as well as import and export traffic, may not temporarily be given priority over transit traffic of minor economic importance.

11. The Conference declares that in deciding not to mention mails and postal parcels among the traffic in transit referred to in Article 1 of the Statute on Freedom of Transit, the intention was

merely to leave outside the scope of its labours a matter regulated by the Postal Convention of Madrid of 1920, and that the principle freedom of transit must be respected in regard to such mails and postal parcels.

12. The Conference declares that in laying down in Article 9 of the Statute relating to regime of navigable waterways of international concern the regime for ports situated on such waterways, there was no intention of settling any question of principle relating to the regime of national seaports.

13. The Conference declares that in Section 2, paragraph 1 of Article 5 of the Statute on the Regime of Navigable Waterways of International Concern, the words "previous Act of Navigation" refer, among others, to the Convention of Mannheim, but do not refer to the special regime created by Article 332 to 337 of the Treaty of Versailles and the corresponding Articles in other Treaties of Peace.

14. Lastly, the Conference has taken note of the declaration made by the the Delegation of Netherlands,

according to which, in proposing the present wording of Article 8, of the Statute on the Regime of Navigable Waterways of International Concern that Delegation did not envisage any restriction of existing facilities or any departure whatever from the liberal regime which the Netherlands have applied up to the present. Where Conventions confer greater facilities than those referred to in Article 8, such facilities will be maintained for the benefit of parties concerned, as laid down

in Article 20.

In faith whereof the Delegates have signed the present Act.

Done at Barcelona, the twentieth day of April, one thousand nine hundred and twenty-one, in a single copy which shall be deposited in the archives of the Secretariat of the League of Nations and of which authenticated copies shall be delivered to all the States represented at the Conference