LEAGUE OF NATIONS

INTERNATIONAL CONVENTION FOR THE ABOLITION OF IMPORT AND EXPORT PROHIBITIONS AND RESTRICTIONS, NOVEMBER 8th, 1927

EXECUTION OF RECOMMENDATION No. 3 OF THE FINAL ACT OF THE CONFERENCE, SIGNED NOVEMBER 8th, 1927

PROTOCOLS

CONCERNING THE EXPORT OF HIDES, SKINS AND BONES

Drawn up by the Meeting of Representatives of States interested, signatories to the International Convention of November 8th, 1927 held at Geneva from March 14th to 16th, 1928.

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1. NOTE BY THE SECRETARY-GENERAL.

In order to give effect to Recommendation No. 3 of the Final Act of the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, signed on November 8th, 1927, the Council, after hearing the views of the Economic Committee, decided to convene a meeting at Geneva of all States concerned. The following Governments were invited to send representatives:

Austria
Belgium
Czechoslovakia
Denmark
France
Germany
Greece
Hungary
India
Italy
Netherlands
Poland
Roumania
Kingdom of the Serbs, Croats and Slovenes

The Council asked M. Serruys, Chairman of the Economic Committee, to preside over this meeting.

With the exception of Greece and India, all the States invited sent representatives to the meeting, which took place at Geneva from March 14th to 16th, 1928, and the two Protocols reproduced in this document were established.

The present document also contains the report by M. Serruys to the Council on the results of the meeting.

2. REPORT TO THE PRESIDENT OF THE COUNCIL BY M. SERRUYS, CHAIRMAN OF THE MEETING OF REPRESENTATIVES OF STATES INTERESTED.

[Translation.]

In accordance with a resolution of the Council of the League of Nations and in virtue of Article 6 of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, a meeting was held at Geneva from March 14th to 16th, 1928, to consider the best means of obtaining the withdrawal of certain claims to exceptions in respect of the export of hides, skins and bones. On behalf of that meeting, I have the honour to report on its work and to request you to be so good as to take the action required to ensure the continuation of this work until the desired results have been achieved.

As regards the export of hides, skins and bones, the meeting has decided to recommend the Governments represented on it to adopt an agreement providing for the abolition of all export prohibitions and for the immediate or gradual abolition of all export duties on these products.

I have the honour to submit to you two Protocols drafted by the meeting defining the obligations which the Governments would have to assume if they acted upon the recommendation of their delegates, and the steps which the latter are requesting the Secretariat of the League of Nations to take.

Action by the Governments signatories to these protocols, which is clearly defined therein, requires to be supplemented, in the opinion of the meeting, by action to be taken by the Secretary-General of the League of Nations, who should be asked to approach Governments not represented at the meeting which are nevertheless interested in the question. As regards the export of hides, skins and bones, there are a certain number of States signatory to the Convention for the Abolition of Import and Export Prohibitions and Restrictions which, without enforcing actual prohibition in regard to these articles, nevertheless levy export duties upon them.

The delegates of the States represented at the meeting rightly consider that their resolutions concerning the abolition of export duties on hides and skins and concerning the gradual reduction of the duties on bones would be likely to remain inoperative if other States which had not been represented, and which levy similar duties, did not assume the same obligations.

The meeting therefore asked the Secretary-General to forward the text of the Protocols annexed hereto to the States signatory to the International Convention of November 8th, 1927, with the request that they should state whether they are prepared to accede to them, and ultimately to communicate these replies, in the same way as those of the Governments represented at the meeting.

The two Protocols which the latter has the honour to submit to you also provide for the possibility of another meeting being held after May 15th, 1928. The Secretary-General might, after consulting the Economic Committee, invite delegates to this second meeting from States which signed the Convention of November 8th, 1927, but were not represented at the present meeting.

The meeting was unanimous in urging the necessity of re-establishing freedom of trade in these raw materials and has endeavoured to free this trade from all export duties; at the same time, in accordance with sub-paragraph 2 of paragraph 5 of the Final Act of the International Convention for the Abolition of Prohibitions and Restrictions, it has sought to draw attention to the relation which exists between improved conditions for the supply of raw materials and the system in force regarding import duties on manufactured products made from such materials.
In order to give additional weight to these considerations, it has adopted the Declaration the text of which is attached hereto.

Nevertheless, it desires to stress the fact that, in considering the question of the re-establishment of freedom of trade in skins, hides and bones, and of the duties which may be levied on these products, it was not its intention to create a precedent or to invalidate the declaration contained in Article 5, paragraph 1, of the Final Act of the Conference for the Abolition of Prohibitions.

The text of the Protocols which I have the honour to forward to you does not apply to the regime in force in certain countries placed under the sovereignty or authority of certain States which were represented at the meeting. As regards the special Agreement on skins, hides and bones, the meeting was of opinion that there was no need to establish a different procedure from the one provided for in Article 10 of the International Convention for the Abolition of Prohibitions.

I am forwarding herewith the decisions and recommendations of the meeting over which the Council asked me to preside.

(Signed) D. Serruys,
Chairman of the meeting,
Chairman of the Economic Committee.

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Annex.

Declaration.

In recommending the re-establishment of freedom of trade in skins, hides and bones, the delegates would draw the attention of their Governments to the importance they attach to the principle laid down in the second paragraph under No. 5 of the Final Act of the International Conference for the Abolition of Import and Export Prohibitions and Restrictions, in virtue of which the re-establishment of free export of certain specified raw materials should bring about an improvement of the regime applied to the import of products manufactured from such raw materials.
3. PROTOCOL

Regarding the Export of Hides and Skins.

Drawn up with a View to the Conclusion of an Agreement supplementary to the International Convention of November 8th, 1927, for the Abolition of Import and Export Prohibitions and Restrictions.

[Translation.]

The undersigned delegates of Signatory States of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, having met at the invitation of the Council of the League of Nations in pursuance of Recommendation No. 3 of the Final Act of November 8th, 1927, for the purpose of conferring together upon the means of renouncing all requests for exceptions under Article 6 of the above-mentioned Convention regarding the free export of fresh or prepared hides, skins and pelts,

Have decided to recommend that their respective Governments should conclude an Agreement based substantially on the following provisions:

**Article 1.**

The Contracting States undertake not to render the export of fresh or prepared hides, skins or pelts, subject to any prohibition or restriction, under whatever form or denomination, and accordingly renounce in respect of these products all claims to exceptions under Article 6 of the International Convention of November 8th, 1927.

**Article 2.**

They similarly undertake not to maintain or establish, on fresh or prepared hides or skins or pelts, any export duty or any charge — except a statistical fee — which under their respective laws would not be applicable to all commercial transactions in respect of these products.

**Article 3.**

The provisions of the above articles shall come into force on the expiration of the period laid down in Article 2 of the International Convention of November 8th, 1927, and shall remain in force on the same terms as that Convention.

**Article 4.**

If a request for the revision of Article 2 of the above-mentioned Convention is sent to the Secretary-General of the League of Nations by at least one-third of the States parties to the present Agreement, the other Contracting States undertake to participate in any consultation which may take place for that purpose.

If, as a result of such consultation, the revision of Article 2 demanded by a State party to the Convention is refused, or if that State cannot accept Article 2 as revised, it may resume its freedom of action, in regard to the subject of Article 2 six months after the refusal of the revision requested, or from the date of the entry into force, as between the other Signatory States, of the revised Article 2, provided that such State notifies the Secretary-General of the League of Nations, who will communicate their denunciation to the other Contracting States.

If, in consequence of denunciations communicated in accordance with the preceding paragraph, one-third of the States which have not denounced the present Agreement demand a fresh consultation, all States parties to the Agreement undertake to participate in such consultation.

The undersigned delegates shall request their Governments to inform the Secretary-General of the League of Nations before May 15th, 1928, of their decision regarding the Agreement the bases of which are indicated above. The acceptance of their Governments may be subject to acceptance by a minimum number of other States or of certain States mentioned by name.

The undersigned delegates request the Secretary-General of the League of Nations to communicate immediately after May 15th, 1928, all decisions notified to him in accordance with the preceding paragraph to all Governments whose delegates took part in the meeting which has resulted in the establishment of the present Protocol.

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1. The term "prepared hides, skins and pelts" in the present Agreement is taken to mean hides or skins or pelts prepared solely for the purpose of preservation.
The undersigned delegates agree to request their Governments to take part in any further meeting which the Secretary-General may summon, after consulting the Economic Committee, with a view to ascertaining the situation created by the notifications provided for above.

The undersigned delegates further beg the Secretary-General to bring to the notice of the Signatory States of the Convention of November 8th, 1927, the present Protocol, the decisions notified by May 15th, 1928, and the results of any further meeting which may be held in the circumstances provided for in the preceding paragraph.

Done in a single copy at Geneva on March 16th, 1928.

Austria: Dr. Richard Schüller.
Belgium: J. Brunet.
Czechoslovakia: Dr. Emanuel Kusý-Dobráv.
Denmark: I. Clan.
France: Lecuyer.
Germany: Adolf Reinshagen.

Hungary: Nickl.
Italy: E. Caravale.
Netherlands: E. Trepka.
Poland: -
Roumania: Kingdom of the Serbs, Croats and Slovenes: Const. Fotitch.
4. PROTOCOL

Regarding the Export of Bones.

[Translation.]

The undersigned delegates of Signatory States of the International Convention for the Abolition of Import and Export Prohibitions and Restrictions, having met at the invitation of the Council of the League of Nations in pursuance of Recommendation No. 3 of the Final Act of November 8th, 1927, with a view to conferring together upon means of renouncing all requests for exceptions under Article 6 of the above-mentioned Convention in respect of the export of raw or dried bones and waste thereof, horns and hoofs and waste thereof, and glue-stock hide:

Having decided to recommend their respective Governments to conclude an Agreement based substantially on the following provisions:

Article 1.

The Contracting States undertake not to render the export of raw or dried bones and waste thereof, horns and hoofs and waste thereof and glue-stock hide, subject to any prohibition or restriction, under whatever form or denomination, and accordingly renounce as regards these products all requests for exceptions under Article 6 of the International Convention of November 8th, 1927.

Article 2.

The Contracting States reciprocally agree to recognise the right to maintain or establish, on exported products enumerated in the preceding article, an export duty not exceeding three gold francs per hundred kilogrammes, but to exclude any charge — apart from a statistical fee — which, under their respective laws, would not be applicable to all commercial transactions in respect of these products.

The maximum duty established by the preceding paragraph may only be levied for a period of two years from the expiration of the period laid down in Article 2 of the International Convention of November 8th, 1927.

The Contracting States undertake to meet during the six months immediately preceding the expiration of the above-mentioned period of two years, with the object of abolishing all export duties or reducing the maximum rate indicated above.

Article 3.

The provisions of Articles 1 and 2 shall remain in force on the same terms as the International Convention of November 8th, 1927.

Article 4.

If any States parties to the International Convention of November 8th, 1927, but not signatory to the present Agreement, were led to make it a pretext for establishing or raising export duties on the products enumerated in Article 1, so that States parties to the present Agreement would be faced by a new situation, and if at least one-third of the latter States demand that a conference should be held, the other signatory States agree to take part in such conference. Any States not parties to the present Agreement which, after its entry into force, establish or raise export duties on the articles to which it relates shall also be invited to such conference.

The conference might, by a two-thirds majority of the Signatory States of the present Agreement, revise Article 2 thereof.

Should the conference not adopt revisions proposed by Signatory States, or should it adopt a modification of Article 2 such as could not be accepted by some of them, the States unable to accept the conference's decisions may resume their freedom of action in regard to the subject of Article 2 six months after the refusal of the revision requested, or from the date of the entry into force, as between the other Signatory States, of the revised Article 2, provided that such States notify the Secretary-General of the League of Nations, who will communicate their denunciation to the other Contracting States.

1 Bone waste includes parings (commonly known as "dentelles") of bone used in the manufacture of buttons and similar articles.
If, as a result of denunciations communicated in accordance with the preceding paragraph, one-third of the States which have not denounced the present Agreement demand a fresh consultation, all the States parties to the Agreement undertake to participate in such consultation.

* * *

The undersigned delegates shall request their Governments to inform the Secretary-General of the League of Nations before May 15th, 1928, of their decision regarding the Agreement the bases of which are indicated above. The acceptance of their Governments may be made subject to acceptance by a minimum number of other States or of certain States mentioned by name. The undersigned delegates request the Secretary-General of the League of Nations to communicate immediately after May 15th, 1928, all decisions notified to him in accordance with the preceding paragraph to all Governments whose delegates took part in the meeting which has resulted in the establishment of the present Protocol.

The undersigned delegates agree to request their Governments to take part in any further meeting which the Secretary-General may, at the instance of the Economic Committee, be required to summon with a view to ascertaining the situation created by the notifications provided for above.

The undersigned delegates further beg the Secretary-General to bring to the notice of the Signatory States of the Convention of November 8th, 1927, the present Protocol, the decisions notified by May 15th, 1928, and the results of any further meeting which may be held in the circumstances provided for in the preceding paragraph.

Done in a single copy at Geneva on March 16th, 1928:

Austria: Dr. Richard SCHÜLLER.
Belgium: J. BRUNET.
Czechoslovakia: Dr. Emanuel KUSY-DÜBRAY.
Denmark (ad referendum): I. CLAN.
France: LECUYER.
Germany: Adolf REINSHAGEN.
Hungary: NICKL.

Italy: (ad referendum): E. CARAVALE.
Netherlands:
Poland: RONMANIA.
Kingdom of the Serbs, Croats and Slovenes:

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