

ASSISTANCE TO INDIGENT FOREIGNERS.

The question of assistance to indigent foreigners was first brought up in the Child Welfare Committee in the limited form of assistance to indigent foreign minors. After a careful study of the question over several years the Committee came to the conclusion that such assistance could not satisfactorily be dealt with without taking into account the position of the families to which the minors belonged. In a subject bristling as this is with difficulties, progress has been slow. A Committee of Experts, comprising representatives of twelve countries, including the United Kingdom, France, the United States of America, Japan, and Italy, and assisted by two private international organizations, prepared in 1933 a draft convention stipulating in general that each of the contracting parties should grant indigent nationals of the other contracting parties residing in its territory, and needing material or moral assistance, the same treatment as it grants its own nationals. With this draft Convention the Committee also submitted recommendations to Governments in 1934, the underlying principle of which was that States should aim at placing foreigners, as far as possible, on the same footing as nationals in the sphere of assistance to indigent persons, and should safeguard the unity of the family, which should serve as a basis in applying measures of assistance.

While the majority of the Governments favoured in principle the drawing-up of a multilateral convention on the lines recommended by the Committee, a large number of amendments to the draft were suggested. After studying these suggestions, as well as the cognate subject of maintenance obligations abroad, the Committee, by decision of the Council in May, 1936, framed and despatched to Governments for consideration a second draft multilateral Convention which represents a compromise among the various tendencies disclosed by the communications of the different Governments. So far, only five of the States have replied.

The Fifth Committee considered that at the present time it would be premature to think of summoning a diplomatic conference to conclude a multilateral convention for assistance to indigent foreigners, and after discussion decided to submit to the Assembly the following resolution :—

“ The Assembly—

“ Noting the work of the Committee of Experts on assistance to indigent foreigners and the execution of maintenance obligations abroad, at its second session in January, 1936 :

“ Thanks the Committee for its efforts to improve the position of indigent foreigners by framing a second draft multilateral Convention on the basis of the observations of Governments ;

“ Asks the Governments to send the Secretary-General, in conformity with his Circular Letter 118, 1936, IV, dated 13th July, 1936, their observations on this second draft Convention by 1st January, 1937 ;

“ Requests the Council to take cognizance of these observations, and in the light thereof to decide whether or not it will be desirable to convene the Committee of Experts to study and report on the observations communicated by Governments and to take any other or further action which may seem appropriate.”

PENAL AND PENITENTIARY QUESTIONS.

It will be remembered that, in order to ensure an improvement in the penitentiary system, the Assembly requested Governments in 1934 to communicate to the League of Nations, if possible annually, and if necessary with the collaboration of qualified associations, the experience obtained and any other observations relating either to the application of the Standard Minimum Rules for the Treatment of Prisoners which was drawn up by the International Penal and Penitentiary Commission and recommended to Governments by the 1934 Assembly, or the reforms in general brought about in penitentiary matters.

The Fifth Committee had before it the replies of Governments, including that of New Zealand, in response to the request, together with reports from a number of special organizations such as (to mention only two) the International Penal and Penitentiary Commission and the Howard League for Penal Reform. These replies and reports are reproduced in Document A. 25, 1936.

Perhaps the most important statement made during the discussion of this question in committee was that of the French delegate to the effect that the French Government had decided to abolish convict settlements, and that a Bill to this effect would be submitted to its Parliament during the present year.

The United Kingdom delegate (Miss Graves) in explaining that her Government was continuing its practice of reporting to the International Prisons Commission upon developments in prison administration, gave examples of types of recent legislation in Great Britain which had tended to reduce the number of persons committed to prison.

Particular attention was drawn to the importance of proposals aiming at reducing the number of prisoners by the introduction of measures such as the suspension of penalties, conditional release, the right to pay fines in instalments, the reduction of the maximum terms of imprisonment, &c.

It was thought that recourse might be had to the good offices of the International Penal and Penitentiary Commission with a view to inquiry into the number of prisoners over eighteen years of age existing in the different countries at the nearest possible date to 31st December, 1936, and the hope was expressed that Governments would be able to supply information to that Commission by the 31st March, 1937, so that it could submit a report to the Secretary-General of the League before 1st July next.