Appendix 2.

RULES AND REGULATIONS OF THE INSTITUTE
Approved by the Governing Body at its Eighth Session, 1931.

1. RULES OF PROCEDURE

1. The Institute.

Article 1.

The seat of the International Institute of Intellectual Co-operation shall be at Paris.

Article 2.

The principal object of the Institute shall be to prepare the work to be discussed by the Committee on Intellectual Co-operation, to ensure in all countries the carrying out of the decisions and recommendations of that Committee and, under the direction of that Committee and of its Executive Committee, to promote, through international co-operation, the organisation of intellectual work throughout the world, and, generally, to develop international co-operation in literature, art and science.

Article 3.

The main lines and programme of the Institute of Intellectual Co-operation are determined:

(a) By the Assembly resolution of September 23rd, 1924, relating to the report of the International Committee on Intellectual Co-operation of July 29th, 1924;

(b) By the Council resolution of September 30th, 1924, and the French Government's letter of December 8th, 1924, and the Statutes thereto annexed;

(c) By the Council resolution of December 13th, 1924;

(d) By the report of August 11th, 1930, submitted by the International Committee on Intellectual Co-operation at its twelfth session, and the report of the Governing Body of August 20th, 1930;

(e) By the Council resolution of September 9th, 1930, and the Assembly resolution of October 3rd, 1930.

Article 4.

The authorities responsible for the control of the Institute shall be:

(a) The Governing Body;

(b) The Directors' Committee;

(c) The Director of the Institute.

Article 5.

Staff.

Before making an appointment, confirming a contract, or discharging any of the staff of the Institute, the Governing Body and the Directors' Committee shall, in each case, consult the Secretary-General of the League of Nations or his representative.

2. The Governing Body.

Article 6.

The Governing Body shall be the supreme authority of the Institute. It shall, more particularly, be its duty, as defined by the Organic Statutes and by the letter of the French Government:

(a) To draw up, with the approval of the Council of the League of Nations, the financial regulations of the Institute;

(b) To pass the budget and approve the accounts of the Institute;

(c) To submit the annual report, which under Article 14 of the Statutes, must be communicated to the Council of the League of Nations and to the French Government;

(d) To determine, by a decision approved by the Council of the League of Nations, the classes of the personnel of the Institute which enjoy diplomatic privileges and immunities;

(e) To frame the Rules of Procedure and the Staff Regulations of the Institute;

(f) To appoint the Director and, after consulting him, the principal officials of the Institute, as well as the Financial Comptroller, subject always to the provisions of Article 5.
Article 7.

In addition to the members sitting in a deliberative capacity, the three members of the Executive Committee chosen outside the International Committee on Intellectual Co-operation shall sit on the Governing Body in an advisory capacity.

The Secretary-General of the League of Nations shall have the right to take part in an advisory capacity in the meetings of the Governing Body. The same applies to the Director of the Institute of Intellectual Co-operation.

Article 8.

Members of the Governing Body shall cease to hold office when they cease to be members of the International Committee on Intellectual Co-operation. When unable to attend meetings in person, members of the Governing Body are entitled to send a deputy, provided he or she is approved by the Chairman of the Governing Body.

Article 9.

The Secretary of the International Committee on Intellectual Co-operation shall be Secretary of the Governing Body.

Article 10.

The Governing Body shall meet regularly once a year at Geneva.

Article 11.

Members of the Governing Body shall meet regularly once a year at Geneva.

Members may not accept work paid for by the Institute.

Members of the Governing Body and the Secretary shall be entitled to a travelling and subsistence allowance and the refund of their travelling expenses in accordance with the practice of the League of Nations. The same applies to the three members of the Executive Committee sitting on the Governing Body in an advisory capacity.

Article 12.

The Governing Body must be convened at least forty-five days before the date fixed for its meeting.

Article 13.

The Governing Body may discuss:

(a) Questions on its agenda whatever the number of members present;

(b) Questions not on its agenda if there is a majority of the members present and if two-thirds of the members present recognise the urgency of such questions.

3. The Directors’ Committee.

Article 14.

The Directors’ Committee, presided over by the Chairman of the Governing Body, shall consist of five members of different nationalities. The Chairman of the International Committee on Intellectual Co-operation may also attend the meetings. The three members of the Executive Committee chosen outside the Committee (who may also be called upon to sit on the various sub-committees) may attend in an advisory capacity. The Secretary-General of the League of Nations and the Director of the Institute may be present at meetings in an advisory capacity. The Secretary of the Governing Body shall be Secretary of this Committee.

Article 15.

Members of the Directors’ Committee shall be appointed by the Governing Body for a period of two years. They shall be eligible for reappointment.

When during his term of office, a member ceases to belong to the International Committee on Intellectual Co-operation or the Directors’ Committee, his successor cannot hold office beyond the term of the retiring member.

Members of the Directors’ Committee may not be replaced by deputies.

The provisions of Article 11 of the present Regulations concerning the performance of the duties of a member of the Governing Body shall also apply to persons who may be called upon under Article 14 of the present Regulations to attend the sessions of the Directors’ Committee.

Article 16.

The decisions of the Directors’ Committee shall be valid whatever the number of members present.

Article 17.

The Directors’ Committee shall meet at least four times a year. Its sessions shall be held in Paris, except in cases when it may wish to meet at Geneva. One of the sessions shall be held immediately after the ordinary session of the Governing Body and the International Committee on Intellectual Co-operation.
Article 18.

The Directors’ Committee shall set up a Budget Sub-Committee, composed of three members, which shall meet before the ordinary sessions of the Directors’ Committee. It shall be the duty of this Sub-Committee to keep itself informed of the financial administration of the Institute, prepare the draft budget for the following year with the assistance of the Director of the Institute and submit it to the Directors’ Committee at the session immediately before the July session of the Governing Body.

The Director of the Institute, the Secretary of the Directors’ Committee and the Auditor of the League of Nations may also attend the Sub-Committee’s meetings.

Article 19.

The Directors’ Committee must be convened at least twenty days before the date fixed for its meetings.

Article 20.

Subject to the provisions of the Organic Statutes, the duties of the Directors’ Committee shall be determined by the Governing Body. The Directors’ Committee shall, more particularly:

(a) Keep in touch with the work done by the Institute during the year;
(b) Nominate those officials whose appointment under the Staff Regulations is not in the hands either of the Governing Body or of the Director of the Institute.
(c) Study the draft budget prepared by the Budget Sub-Committee, and forward this budget in such form as it may approve to the Governing Body;
(d) Submit a report to the Governing Body on the closed accounts of the Institute.

Article 21.

The Directors’ Committee shall make an annual report to the Governing Body of its work.

4. THE DIRECTOR.

Article 22.

The Director of the Institute shall be appointed for a term of seven years. He shall be re-eligible for one further term. In choosing the successor of a Director leaving office, regard shall be had to the international character of the Institute.

Article 23.

The Director is required to devote his whole time to the Institute and strictly to preserve its international character.

The Director shall ensure the execution of the programme laid down by the Committee and the Governing Body. The apportionment of the work and the distribution of the staff shall be made in accordance with this programme, while avoiding any inelasticity of system in the internal organisation of the Institute.

The Director shall hold meetings of his colleagues from time to time to discuss the work of the Institute.

Article 24.

In virtue of the powers conferred on him, the Director shall appoint and dismiss the minor staff.

Article 25.

Provision shall be made in the budget for a lump sum entertainment allowance, and a lump sum allowance for the running cost of a car, to be at the disposal of the Director of the Institute.

Article 26.

The Director shall present each year a report on the work of the Institute to the Governing Body and to the Committee on Intellectual Co-operation. This report shall be accompanied by any observations that may be made either by the Directors’ Committee or by the Executive Committee.

Article 27.

The Director shall sign the Institute’s official correspondence, but may delegate this duty to the principal secretaries.

Article 28.

He shall submit each year to the Governing Body the name of an official to replace him in case of need.
5. **Miscellaneous Provisions.**

**Article 29.**

The Secretary-General of the League of Nations and the Director of the Institute may take part in an advisory capacity or be represented at meetings of committees of experts. The same shall apply to the Secretary of the Governing Body.

**Article 30.**

Any official deputed to study a particular question must attend meetings of the International Committee on Intellectual Co-operation and of the Executive Committee at which this question is discussed.

If the work in question leads to the summoning of a committee of experts, the said official shall act as its secretary.

**Article 31.**

The Institute is authorised to maintain relations with the delegates appointed by States to follow the work of the Institute, under the conditions laid down in the resolution of the Assembly of the League of Nations dated October 3rd, 1930.

The relations of the Institute with the National Committees are governed by the same resolution.

II. **Financial Regulations.**

**Article 1.**

The budgetary year of the International Institute of Intellectual Co-operation shall be the same as the calendar year.

**Article 2.**

The funds of the Institute are:

(a) The annual subsidy granted by the French Government;
(b) Any other subsidy granted by the French Government or by foreign Governments;
(c) All gifts, bequests, etc., which may be offered to the Institute and accepted by the Governing Body;
(d) The income from movable and immovable property belonging to the Institute;
(e) The revenue from the Institute's normal work.

**Article 3.**

The annual subsidy granted by the French Government shall be paid annually to one or more banks selected by agreement between the Secretary-General of the League of Nations and the French Government. Any other subsidies which may be received shall be deposited with the same banks.

The Directors' Committee may authorise the opening of a postal cheque account.

**Article 4.**

Before May 15th of each year, the Director shall draw up a draft budget on the basis of the reports of the responsible officials and give the necessary explanations in support of the requests for credits.

This draft shall be submitted to the Budget Sub-Committee constituted in accordance with Article 18 of the Rules of Procedure. This Sub-Committee shall study it and submit it, together with a report, to the next meeting of the Directors' Committee.

The draft budget, as approved by the Directors' Committee, shall then be submitted for final approval to the Governing Body.

**Article 5.**

After approval by the Governing Body, the budget shall be immediately forwarded, under the signature of the Chairman and the Director of the Institute, to the Secretary-General of the League of Nations for communication to the Council and the Assembly. The budget shall be accompanied by a general report drawn up on behalf of the Governing Body, giving all the necessary explanations.

Copies of the budget and of the report shall also be sent to the French Government.

**Article 6.**

Any amendments to the budget which may be proposed in the course of the financial year shall be submitted to the Budget Sub-Committee for its observations. The Chairman shall then forward the Sub-Committee's observations to the Directors' Committee. In exceptional cases, the Chairman may authorise by written order the adoption of urgent amendments proposed by the Director. Such amendments shall also be communicated to the Directors' Committee at its next session and subsequently to the Governing Body for confirmation.

Transfers within a particular chapter of the budget shall be authorised by the Chairman on the proposal of the Director.
Article 7.

The surplus from a financial year shall constitute a special fund from which the Governing Body may authorise expenditure on the Institute's work during subsequent financial years. At the same time, the Directors' Committee shall be entitled to approve expenditure up to 50 per cent of new grants in the year of their actual receipts, and up to 50 per cent of any available surplus. This provision shall not apply to donations for special work approved by the International Committee on Intellectual Co-operation or by the Executive Committee.

Sums included in the budget for any financial period but not received during that period are not, when subsequently received in arrears, considered as new receipts and the Directors' Committee may dispose of such special receipts without restriction.

Article 8.

A Working Capital Fund shall be established in order to meet temporarily normal requirements of the Institute which cannot be paid out of income at the time when they are due. Payments from the fund shall be given in the form of advances to the Director of the Institute, and such advances shall be repaid to the fund as soon as the necessary income is available. Recoverable advances from this fund shall be authorised by the Governing Body or, in urgent cases, by the Directors' Committee, as required, for work undertaken by the Institute.

Sums drawn from the Working Capital Fund by way of recoverable advances under the terms of the last paragraph, but which the Governing Body subsequently decides cannot, in fact, be recovered, shall be repaid to the fund, either by means of a transfer approved by the Governing Body from some other part of the budget for the current year or by means of a specific vote for the purpose in the budget for the year following that in which they were declared by the Governing Body to be irrecoverable.

The Working Capital Fund shall be deposited with the same banks with which the other funds of the Institute are deposited.

Article 9.

In the case of every proposed item of expenditure, the responsible officials shall fill up a form stating:

(a) The name and address of the recipient;
(b) The object of the outlay;
(c) The expenditure involved;
(d) The item of the budget to which the expenditure is chargeable.

Article 10.

The Director shall examine the form referred to in the preceding article, and, if he approves of the disbursement, shall forward it with his signature to the Chief Accountant for checking and entry in the register of approved expenditure.

Article 11.

Payments shall be made by means of cash orders. Cash orders shall be signed by the Director after being seen and approved by the Financial Comptroller. Cash orders for collection and payments must show:

(a) A detailed specification of the individual or corporation paying or receiving the money;
(b) The signature of the Director and the Chief Accountant or their deputies as a receipt or authorisation;
(c) An exact statement of the reason for the collection or payment and the item of the budget to which the expenditure is charged.

Article 12.

The Institute shall have a steward, who shall prepare and keep up to date an inventory of the property in use by the Institute, and of the property owned by the Institute.

Article 13.

The accounts of the past financial year shall remain open until March 31st of the following year. The accounts shall be submitted before May 1st to the Auditor of the League of Nations. The accounts must be approved by the Directors' Committee and by the Governing Body and sent to the Secretary-General of the League of Nations, who shall communicate them to the Council and Assembly of the League of Nations.

Certified copies of the accounts and of any reports annexed thereto shall also be communicated to the French Government.
Article 14.

Should certain sums be included in the budget for unforeseen expenditure, their employment shall be subject to the following conditions:

(a) Up to 5,000 French francs for any one transaction, and, to a total amount of 15,000 French francs, the expenditure must be authorised by the Director;

(b) For larger amounts the expenditure must be proposed by the Director and authorised by the Directors' Committee.

Article 15.

As regards expenses of officials sent on missions, the Institute shall refund the following items:

(a) Travelling expenses, according to the rules adopted by the Directors' Committee for the various classes of officials;

(b) Cost of maintenance or daily subsistence allowance, varying according to scales determined by the Directors' Committee.

The rules shall be subject to ratification by the Governing Body.

Article 16.

For all cases not provided for in the present Regulations, reference shall be made to the analogous provisions in force at the League of Nations.

Article 17.

The present Regulations may be revised by the Governing Body, provided always that a motion showing the articles to be revised has been placed on the agenda.

III. STAFF REGULATIONS.

1. Duties and Obligations of Officials.

Article 1.

The officials of the Institute must always bear in mind the essentially international character of their duties.

They may accept no outside employment without the consent of the Director, who shall decide whether such employment is compatible with their duties at the Institute.

Officials shall observe the utmost discretion in regard to all questions dealt with at the Institute.

Article 2.

The normal period of attendance at the offices of the Institute shall be seven hours on each ordinary working-day.

A half-holiday will, however, be given on Saturday, subject to the necessities of the service.

2. Appointments and Promotions.

Article 3.

All positions on the Institute shall be open equally to men and women.

Article 4.

The recruitment of higher officials shall be effected with special regard to the international character of the Institute and the importance of securing the collaboration on its staff of nationals of the greatest possible number of countries.

Article 5.

The staff of the Institute shall be appointed:

(a) By the Governing Body in conformity with Article 7 of the Organic Statute and Article 6 of the Rules of Procedure in the case of the Director, the principal secretaries and the Financial Comptroller;

(b) By the Directors' Committee in conformity with Article 20 of the Rules of Procedure in the case of secretaries and persons assimilated thereto;

(c) By the Director in conformity with Article 24 of the Rules of Procedure in the case of other categories of the staff. The approval of the Directors' Committee is, however, necessary in the case of chief clerks.
Article 6.

No person shall be appointed as a permanent official until the Director has been satisfied by a certificate from a duly qualified medical practitioner that the person is free from any physical defect or disease likely to interfere with the proper discharge of his duties.

The Director may, for the purpose of the preceding paragraph, require a candidate for appointment to submit to examination by a medical practitioner named or approved by the Institute. The cost of examination in this case shall be borne by the Institute.

Article 7.

Appointments made for a period exceeding two years shall not become permanent until after a probationary period of one year, unless other conditions have been made in writing at the time of the appointment. If the appointment is made for less than two years, the official should normally go through a period of probation equal to one-quarter of the length of the contract.

Article 8.

The duration of each appointment shall be determined by the authority responsible for making the appointment under the terms of Article 9; in certain cases, and for officials of a rank not lower than chief clerk, the duration of the appointment may be for a maximum period of seven years.

In accordance with the right reserved in Article 37 of the present Regulations, the system of short-term contracts will be used whenever the nature of the work permits.

Article 9.

Appointments are subject to renewal, without their holders being in any way entitled to regard this possibility as laying the Institute under any moral obligations towards them, or to regard non-renewal as indicating any lack of appreciation of their services.

Decisions regarding the renewal of a contract should, as far as possible, be taken at least three months before the date of expiration of the said contract.

Article 10.

With the exception of the minor staff, officials shall receive a letter of appointment signed by the Director or by an official duly authorised by him for that purpose, together with a copy of the Staff Regulations. Acknowledgment of the receipt of this letter shall constitute the contract of engagement.

Officials whose appointment becomes final after the period of probation laid down in Article 7 of the present Regulations shall receive a letter of confirmation delivered in identical conditions.

Article 11.

For the purposes of these Regulations, the period of an official's appointment and his service, and also in the absence of an express stipulation to the contrary in his letter of appointment, the payment of his salary, the prerogatives attaching to his duties, such as diplomatic privileges and immunities, shall begin on the date upon which he actually enters upon his duties and shall end on the date on which he relinquishes them.

3. ORGANISATION OF THE STAFF AND SCALES OF SALARY.

Article 12.

The present Regulations shall apply solely to the permanent staff. They shall not apply either to the Financial Comptroller or to the Medical Officer attached to the Institute. The minor staff shall be treated in accordance with local custom.

Article 13.

Except in the case of the Director of the Institute and of posts equivalent to that of Principal Secretary, the governing organs of the Institute shall have full freedom to engage specialists temporarily as experts without entering into contracts with them as officials.

The Director may accept the collaboration of voluntary officials, subject to authorisation by the Directors' Committee and the maintenance of the balance of nationalities.

Article 14.

Without prejudice to the rights appertaining to officials in virtue of the contracts in force and the guarantees accorded to them by the Regulations in the case of termination of these contracts, no post shall be maintained once the object for which it was created has been achieved.
Article 15.

Officials of the Institute shall be appointed at the scales of salary fixed for the various categories of officials by the Governing Body on the proposal of the Director. Family allowances shall be assigned to them on conditions laid down by the Governing Body, and on production of documents certifying the civil status of the persons entitled. Officials may be required to furnish such evidence yearly.

4. Salaries.

Article 16.

In the absence of a decision of the Director to the contrary, the salaries of the officials of the Institute shall be payable at the end of each month in respect of the past month. In the case of an official's death, the Directors' Committee may grant the persons who were wholly or partly dependent upon him an allowance at least equal to three months' pay.

In the interval between two sessions and in urgent cases the President is authorised to grant an advance in respect of the said allowance.

Article 17.

Periodical increments of salary may be granted, subject to the financial resources available and in accordance with the scales of salary provided for in Article 15 of the present Regulations.

5. Sick Leave.

Article 18.

Every official absent on the ground of illness must submit, after three days, a medical certificate stating that he is unable to perform his duties and giving the probable duration of incapacity.

A sick official may also be required to submit to examination by a medical practitioner named by the Director and at the expense of the Institute.

Article 19.

In maternity cases, special leave will be allowed which in normal cases shall not exceed six weeks before and six weeks after confinement.

6. Holidays and Annual Leave.

Article 20.

Subject to the exigencies of the service, officials will have leave on the following public holidays, which will not be deemed to be part of their annual leave:

(a) From Good Friday to Easter Monday inclusive.
(b) Ascension Day and Whit-Monday.
(c) Christmas Day and New Year's Day.
(d) The other days which are legal public holidays in France.

Article 21.

Officials appointed for at least one year are entitled to annual leave as indicated hereunder:

(a) Officials of a grade at least equal to that of clerk (rédacteur) are entitled to thirty-six working-days in each year;
(b) Other officials are entitled to twenty-eight working-days in each year;
(c) The date of the leave shall be fixed by the Director, regard being had to the exigencies of the service.

An official who spends all or part of his annual leave in his country of origin is entitled to add to his leave the time required for the journey there and back by the quickest route (except by air) or by an approved route. This privilege may not be exercised more frequently than once a year. Officials desiring to proceed to a distant country may, by way of exception, be authorised by the Director to hold over two-thirds of their annual leave during two years and to add such period to the ordinary leave for the third year.

 Officials appointed for less than one year are not entitled to any annual leave until they have served for at least six months in the year; in such cases they will be granted leave, so far as is compatible with the exigencies of the service, at the rate of six working-days for each period of three months' service.
Special leave may, if requested by an official, be granted by the Director for exceptional reasons so far as is compatible with the requirements of the service.

Article 23.

An official entering or quitting the service during the course of a year shall only be entitled in respect of that year to an amount of annual leave proportionate to the period served by him during the year, and shall not be entitled to any leave if the period is less than four months. On quitting the service, an official, in so far as he has not received the annual leave which is allowable to him under Article 21 of the present Regulations, may be granted, in proportion to the duration of his service, a number of days' leave on full pay equivalent to such arrears of leave, or an equivalent sum of money.

7. Travelling and Removal Expenses and Subsistence Allowances.

Article 24.

The travelling expenses of officials authorised to travel on the business of the Institute shall be defrayed by the latter in accordance with a scale approved by the Governing Body.

Article 25.

The travelling and removal expenses on arrival and departure of an official entering the service of the Institute and not domiciled at Paris or in the immediate suburbs shall in principle be defrayed by the Institute. Nevertheless, such reimbursement shall only be due if it has been formally stipulated in the letter of appointment provided for in Article 14 of the present Regulations, and subject to the conditions stated in the said letter. The absence of such stipulation in the letter of appointment indicates that the parties have by common agreement renounced the possibility of a subsequent claim for such reimbursement by the official.


Article 26.

As soon as the financial situation permits, a system of pensions or retired pay shall be instituted for the benefit of the permanent staff of the Institute, by means of special regulations which the Director shall submit to the Directors' Committee with a view to subsequent approval by the Governing Body.

Each official shall be regarded, in virtue of his engagement, as having agreed to accept as a contribution to the pensions or retired pay fund any deduction from his salary which may be fixed or stipulated in application of the first paragraph of the present article.


Article 27.

Diplomatic privileges and immunities as provided for by Article VII of the Covenant of the League of Nations and recognised by Article 11 of the Organic Statute of the Institute shall be confined to officials of a grade at least equal to that of secretary.

The Director is instructed to conclude all the necessary agreements with the competent administrations with a view to ensuring for the persons entitled the full exercise of the diplomatic privileges and immunities, subject to the terms of Article 28 of the present Regulations.

Article 28.

The diplomatic privileges and immunities provided for in Article 27 are conferred on officials in the interests of their functions. They do not exempt the officials who enjoy them from discharging their private obligations or from observing the laws and police regulations in force.

When they are obliged to claim the benefit of the said privileges and immunities, the officials of the Institute shall report the matter to the Director, who shall decide whether these privileges and immunities shall be waived, subject to the Directors' Committee being informed at its next session.

10. Termination of Contracts.

Article 29.

The appointment of an official guilty of misconduct may be terminated at any time. In such case, the official shall not be entitled to claim such notice and allowances as are provided for in the other articles of the present Regulations, or the leave to which he would ordinarily have a right.
Article 30.

The appointment of any official may be cancelled by the Institute either in virtue of the rule laid down in Article 5 of the present Regulations, or as the result of circumstances necessitating a reorganisation of the work, account being taken in both cases of the legitimate interests of the official as guaranteed by the Regulations. The decision shall be taken by the authority making the appointment.

Officials must be notified of the cancellation of their appointments at least six months in advance; this period is reduced to three months when the duration of the contract or the period for which it is still valid does not exceed two years.

Any termination of contract under the present article entitles the official to the compensation provided for in Article 35 of the present Regulations.

Article 31.

In the case of sickness lasting more than three consecutive months, the authority which appointed the official concerned may terminate the engagement, subject to the payment of the compensation provided for in Article 35 of the present Regulations.

Article 32.

An official on probation may be discharged at one month’s notice if he fails to perform his duties in a satisfactory manner. The decision in such cases shall be taken by the Directors’ Committee if the official has been appointed by that Committee or by the Governing Body, or by the Director if the official has been appointed by him.

Article 33.

In each individual case a decision must be taken at the end of the period of probation regarding either the final appointment of the official or the extension of the period of probation. This decision shall be taken by the authority who made the appointment under Article 5 of the present Regulations.

Article 34.

The Institute may dismiss immediately any official entitled to notice under Articles 30, 31 and 32 of the present Regulations, provided he is paid the salary for the period of such notice.

Article 35.

An official whose contract of service is terminated under Article 30 or Article 31 of the present Regulations shall be allowed compensation calculated on the basis of two months’ salary per year’s service, but the said compensation shall not be less than three months’ salary or more than a year’s salary.

The provisions of this article shall not affect the application of the Regulations regarding the granting of pensions or retired pay provided for in Article 26 of the present Regulations,

11. MEANS OF REDRESS. ¹

Article 36.

Any official who considers that a decision taken in regard to him by an organ of the Institute is, from the legal point of view, contrary to the terms of his appointment shall be entitled to apply, within fifteen days from the date on which the decision is notified to him, to the Governing Body for the purpose of securing the re-examination of the case.

The decision taken by the Governing Body after the matter has thus been submitted to it shall be communicated to the official in writing.

Within one month from the date of such communication, the official shall have the right to submit to the Administrative Tribunal of the League of Nations for arbitration the question

¹ The duties devolving on the members of the Administrative Tribunal of the League of Nations under the present article were decided after an exchange of letters between the Chairman of the Governing Body of the Institute and the Secretary-General of the League of Nations on the one hand, and the Chairman of the Governing Body and the members of the Administrative Tribunal on the other.

The following are annexed (see Sub-Appendices):

(a) Letter dated February 3rd, 1931, from M. Painlevé, Chairman of the Governing Body of the Institute, to the Secretary-General of the League of Nations, communicating a report by M. Pilotti, M. Nisot and M. Weiss, concerning the settlement of disputes relating to decisions taken by the Institute in regard to its officials;

(b) The Secretary-General’s reply to M. Painlevé, dated February 26th, 1931;

(c) M. Painlevé’s further reply to the Secretary-General, dated March 6th;

(d) Letter dated May 8th, 1931, from M. Painlevé to each member of the Administrative Tribunal.

The members of the Administrative Tribunal having signified their acceptance, the terms of Article 36 are finally settled.
whether the decision taken by the Governing Body is, from the legal point of view, contrary to the terms of his appointment. Should he avail himself of this right, he shall advise the Governing Body thereof by registered letter; the Chairman of the Governing Body shall represent the Institute before the Administrative Tribunal. This Tribunal, acting in an arbitral capacity, shall not be bound by any legislation and shall lay down its own procedure. Its decision shall be final and bind the official and the Institute.

The allowances and the travelling expenses, if any, of the members of the Administrative Tribunal when acting in accordance with the present article shall be borne by the Institute. The latter shall refund to the Secretariat of the League of Nations any other expenses resulting from the operation of the Administrative Tribunal in cases affecting the Institute.

The Institute shall conclude with the League of Nations and the members of the Administrative Tribunal agreements to allow of the application of the present article.

**Miscellaneous Provisions.**

**Article 37.**

Exceptions may always be made to the provisions of the present Regulations in virtue of special clauses inserted for that express purpose in the engagement contract.

**Article 38.**

The present Regulations and the annexes thereto may at any time be amended by the Governing Body in all cases, without prejudice to the acquired rights of the officials.

**Final Article.**

The present Regulations shall come into force on July 1st, 1931 and shall supersede the Regulations in force prior to that date.

Current engagement contracts shall continue to run unless by common agreement they have been replaced by fresh engagement contracts.

**Sub-Appendix (a).**

**LETTER TO THE SECRETARY-GENERAL OF THE LEAGUE OF NATIONS FROM M. PAINLEVÉ, CHAIRMAN OF THE GOVERNING BODY, CONCERNING THE SETTLEMENT OF DISPUTES RELATING TO DECISIONS TAKEN BY THE INSTITUTE IN REGARD TO ITS OFFICIALS.**

International Institute of Intellectual Co-operation,
Paris, February 3rd, 1931.

I have the honour to transmit to you herewith the report forwarded to me by M. Pilotti, M. Weiss and M. Nisot, who were instructed by the Directors’ Committee of the International Institute of Intellectual Co-operation, at its meeting in January 1931, to consider certain legal points concerning the new Regulations for the staff of the Institute.

This report, which deals with the question of the settlement of disputes relating to decisions taken by the Institute in regard to its staff, contemplates, in particular, the possibility of submitting these decisions to the Administrative Tribunal of the League of Nations.

You will observe that the report in question contains, not only the text of an article with a view to this solution, but also a draft letter ¹ to the members of the Administrative Tribunal, which defines the special features of that arrangement.

As the proposed article cannot come into force without the consent of the Secretary-General of the League of Nations, I venture to refer the matter to you herewith, so that I may be in a position to inform the Directors’ Committee of the Institute, which will have to decide next April.

(Signed) Paul Painlevé,
Chairman of the Governing Body.

**REPORT FORWARDED TO THE CHAIRMAN OF THE GOVERNING BODY OF THE INTERNATIONAL INSTITUTE OF INTELLECTUAL CO-OPERATION BY M. PILOTTI, M. WEISS AND M. NISOT CONCERNING THE SETTLEMENT OF DISPUTES RELATING TO THE DECISIONS TAKEN BY THE INSTITUTE IN REGARD TO ITS OFFICIALS.**

At its session in January 1931, the Directors’ Committee of the International Institute of Intellectual Co-operation instructed the undersigned to draw up provisions to be included in the new Staff Regulations of the Institute for the settlement of disputes relating to the decisions taken by the Institute in regard to its officials.

For this purpose, several possibilities may be considered. These are indicated in the following drafts for an article. In each of these proposals, provision is made, in the first place, for the said decisions being

¹ Note by the Secretariat. — For the final text of this letter see Sub-Appendix (d).
referred by the parties concerned to the Governing Body of the Institute. The various alternatives suggested only differ as regards the authority to which the official may apply should he not accept the decision adopted by the Governing Body.

Proposed Article.

First Text.

Article 36. — Any official who considers that a decision taken in regard to him by an organ of the Institute is, from the legal point of view, contrary to the terms of his appointment, shall be entitled to apply, within fifteen days from the date on which the decision is notified to him, to the Governing Body for the purpose of securing the re-examination of the case.

"The decision taken by the Governing Body after the matter has thus been submitted to it shall be communicated to the official in writing.

"Within one month from the date of such communication, the official shall have the right to submit to the Administrative Tribunal of the League of Nations the question whether the decision taken by the Governing Body is, from the legal point of view, contrary to the terms of his appointment. Should he avail himself of this right, he shall advise the Governing Body thereof by registered letter; the Chairman of the Governing Body shall represent the Institute before the Administrative Tribunal. The decision of the Administrative Tribunal shall be final and bind the official and the Institute.

"The allowances and the travelling expenses, if any, of the members of the Administrative Tribunal, when acting in accordance with the present article, shall be borne by the Institute; the latter shall refund to the Secretariat of the League of Nations any other expenses resulting from the operation of the Administrative Tribunal in cases affecting the Institute.

"The Institute shall conclude with the League of Nations and the members of the Administrative Tribunal agreements to allow of the application of the present article."

Under the article as worded above, the members of the Administrative Tribunal of the League of Nations would be given jurisdiction not provided for in the Statute of that Tribunal. The article cannot therefore come into force unless the Institute first of all secures the consent of the individual members of the Tribunal (see the annexed letter, Sub-Appendix (d), for this purpose).

This first text would further require the consent of the Secretary-General of the League of Nations. His opinion should therefore also be obtained.

Second Text.

"Article 36. — Any official who considers that a decision taken in regard to him by an organ of the Institute is, from the legal point of view, contrary to the terms of his appointment, shall be entitled to apply, within fifteen days from the date on which the decision is notified to him, to the Governing Body for the purpose of securing the re-examination of the case.

"The decision taken by the Governing Body after the matter has thus been submitted to it shall be communicated to the official in writing.

"Within one month from the date of such communication, the official shall have the right to submit to arbitration the question whether the decision taken by the Governing Body is, from the legal point of view, contrary to the terms of his appointment. Should he avail himself of this right, he shall advise the Governing Body thereof by registered letter; the Chairman of the Governing Body shall represent the Institute.

"The arbitral decision shall be final and bind the official and the Institute. It shall also decide as to the costs of arbitration.

"The arbitrator shall not be bound by any legislative provisions. He shall himself lay down the procedure.

"There shall only be one arbitrator, who shall be chosen by common consent by the Chairman of the Governing Body of the Institute and the official concerned.

"If, within fifteen days of the notification to the Governing Body provided for in paragraph 3 above, it has not been possible to reach agreement as to the appointment of the arbitrator, the latter shall, at the request of the official concerned, be appointed by the President of the Permanent Court of International Justice."

Third Text.

"Article 36. — Any official who considers that a decision taken in regard to him by an organ of the Institute is, from the legal point of view, contrary to the terms of his appointment, shall be entitled to apply, within fifteen days from the date on which the decision is notified to him, to the Governing Body for the purpose of securing the re-examination of the case.

"The decision taken by the Governing Body after the matter has thus been submitted to it shall be communicated to the official in writing.

"Within one month from the date of such communication, the official shall have the right to submit to arbitration the question whether the decision taken by the Governing Body is, from the legal point of view, contrary to the terms of his appointment. Should he avail himself of this right, he shall advise the Governing Body thereof by registered letter; the Chairman of the Governing Body shall represent the Institute.

"The arbitral decision shall be final and bind the official and the Institute. It shall also decide as to the costs of arbitration.

"The arbitrator shall not be bound by any legislative provisions. He shall himself lay down the procedure.

"There shall only be one arbitrator; he shall be appointed each year by the President of the Permanent Court of International Justice."
Sub-Appendix (b).

REPLY OF THE SECRETARY-GENERAL TO M. PAINLEVÉ.

Geneva, February 26th, 1931.

I have the honour to acknowledge receipt of your letter of February 3rd concerning the possibility of submitting to the Administrative Tribunal of the League of Nations disputes relating to decisions taken by the International Institute of Intellectual Co-operation in regard to its staff.

You point out that the consent of the Secretary-General of the League of Nations would be necessary for this purpose, and you were good enough to refer the matter to me in the above-mentioned communication.

As the Administrative Tribunal, under its Statute, can only deal with disputes affecting the staff of the League of Nations (Secretariat, International Labour Office and, in regard to pensions, the Registry of the Permanent Court of International Justice), the competence to be assigned to it in this case would have an arbitral character. The League would not be in any way responsible (nor would it incur any expenses) in respect of such competence, which would be exercised on the responsibility of the Institute and that of the members of the Tribunal. The members of the Tribunal would, therefore, have to give their individual consent to the mandate, which they would thus hold exclusively from the Institute. If I am correctly expressing your views, the special features of the proposed solution would also be submitted to the judges of the Administrative Tribunal in the communication, the text of which was annexed to your above-mentioned letter.

Under these circumstances, and subject to the consent of the judges in so far as they are concerned, I can inform you that I shall be very glad to authorise the official of the Secretariat acting as Registrar of the Administrative Tribunal, and also its executive services, to give their assistance to the members of the Tribunal when acting in the proposed capacity in pursuance of the following provision, which you submit to me.¹

I am particularly anxious, however, that the beginning of the third paragraph of this provision should be modified, in accordance with the actual position, to read as follows: "... shall have the right to submit to the Administrative Tribunal of the League of Nations for settlement by arbitration ..." (instead of "... shall have the right to submit to the Administrative Tribunal of the League of Nations ... ").

(Signed) ERIC DRUMMOND,
Secretary-General.

Sub-Appendix (c).

M. PAINLEVÉ'S FURTHER REPLY TO THE SECRETARY-GENERAL.

Paris, March 6th, 1931.

In a letter dated February 26th, you informed me that you agree, so far as the Secretariat of the League of Nations is concerned, to any disputes that arise between the International Institute of Intellectual Co-operation and its staff being submitted to the jurisdiction of the Administrative Tribunal of the League of Nations under a special article of the Staff Regulations of the said Institute.

You also expressed to me the desire that an addition should be made to the draft Article 36 communicated to you, indicating that the intervention of the Administrative Tribunal in the disputes in question would have an arbitral character.

I have the honour to inform you that I shall communicate your reply to the Directors' Committee at the forthcoming session, which will open on April 13th at Paris. Should this Committee accept the formula proposed by the Committee of Jurists, with the modification suggested by you, I shall forward to the individual members of the Administrative Tribunal the communication, the text of which is contained in my letter of February 3rd last.

I am certain that I am expressing the views of my colleagues in now thanking you for the sympathetic spirit in which you have examined the request I was instructed to transmit to you, and for the very valuable facilities which the Secretariat is prepared to afford our Institute with a view to dealing with its disputes.

(Signed) PAUL PAINLEVÉ,
Chairman of the Governing Body.

Sub-Appendix (d).

LETTER FROM M. PAINLEVÉ TO THE MEMBERS OF THE ADMINISTRATIVE TRIBunal.

International Institute of Intellectual Co-operation,
Paris, 2, rue de Montpensier,
May 8th, 1931.

The Governing Body of the International Institute of Intellectual Co-operation will be called upon in a few months' time to give its final approval to the new Staff Regulations of the Institute. It will accordingly examine the attached draft, which has been drawn up in concert with the Directors' Committee of the Institute.

¹ See page 20, First text, Article 36.
As you will see, this draft contains an article reading as follows:

"Article 36. — Any official who considers that a decision taken in regard to him by an organ of the Institute is, from the legal point of view, contrary to the terms of his appointment, shall be entitled to apply, within fifteen days from the date on which the decision is notified to him, to the Governing Body for the purpose of securing the re-examination of the case.

The decision taken by the Governing Body after the matter has thus been submitted to it shall be communicated to the official in writing.

Within one month from the date of such communication the official shall have the right to submit to the Administrative Tribunal of the League of Nations for settlement by arbitration the question whether the decision taken by the Governing Body is, from the legal point of view, contrary to the terms of his appointment. Should he avail himself of this right, he shall advise the Governing Body thereof by registered letter; the Chairman of the Governing Body shall represent the Institute before the Administrative Tribunal. This Tribunal, acting in an arbitral capacity, shall not be bound by any legislation and shall lay down its own procedure. Its decision shall be final and bind the official and the Institute.

The allowances and the travelling expenses, if any, of the members of the Administrative Tribunal, when acting in accordance with the present article, shall be borne by the Institute; the latter shall refund to the Secretariat of the League of Nations any other expenses resulting from the operation of the Administrative Tribunal in cases affecting the Institute.

The Institute shall conclude with the League of Nations and the members of the Administrative Tribunal agreements to allow of the application of the present article.

In so far as it provides for the intervention of the Administrative Tribunal of the League of Nations, it will not be possible for this article to be brought into operation until the Institute has obtained the consent of each of the members of that Tribunal. The latter was set up for the sole purpose of dealing with disputes affecting the League of Nations staff (Secretariat and International Labour Office); and as such it is therefore not competent to deal with matters concerning the staff of the International Institute of Intellectual Co-operation. Consequently, the members of the Tribunal would have to be given powers other than those provided for under its constitution.

As you are aware, although its legal personality is separate from that of the League, the Institute's work is carried on within the framework of the League. Hence the Governing Body, which is the supreme organ of the Institute, consists of the members, for the time being, of the International Committee on Intellectual Co-operation, which is an advisory committee of the League. In accordance with its juridical Statute, the Institute was placed at the disposal of the League, and constitutes the executive organ of the Committee.

As regards, more particularly, the question with which we are concerned, I would point out that, at its last session, the League Assembly expressed itself in favour of the proposals made by a committee of enquiry and accepted by the Committee on Intellectual Co-operation. The chief aim of these proposals was to provide the Institute's staff with regulations based on principles similar to those underlying the Staff Regulations of the League. It is on account of those provisions that the Institute is at present considering means to enable its officials to apply to the Administrative Tribunal.

This being so, and in order that I may be in a position to enlighten the Governing Body of the Institute on this matter, I have the honour to request you to inform me whether, subject to the consent of the other members of the Administrative Tribunal, you would be prepared, if desired, to accept the obligations which would result from the application of the proposed article. Judges acting on behalf and for account of the Institute would receive allowances on the same bases as are applicable to them when acting as members of the Administrative Tribunal of the League. This would also apply to any travelling expenses incurred in the unlikely contingency of matters affecting the Institute not being examined by the Tribunal at the regular sessions which it holds at Geneva in accordance with its Statute.

(Signed) PAINLEVÉ,
President of the Governing Body.

Appendix 3.

AUDITOR'S REPORT ON THE ACCOUNTS OF THE INTERNATIONAL INSTITUTE OF INTELLECTUAL CO-OPERATION FOR THE FINANCIAL YEAR 1930.

Submitted by Dr. F. VIVALDI, Deputy Auditor of the League of Nations.

Approved by the Governing Body at its Eighth Session.

For the first time since the Institute was founded, its bookkeeping has, as I recommended in my five preceding reports, been cleared of all extraneous items so that the 1930 accounts disclose nothing but the results of carrying the budget into effect. The special accounts for the publication of Latin-American classics, for the "American Enquiry" and for publishing