

# LEAGUE OF NATIONS

## *Official Journal*

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SPECIAL SUPPLEMENT No. 57

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# RECORDS

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OF THE  
EIGHTH ORDINARY SESSION

OF THE  
ASSEMBLY

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MEETINGS OF THE COMMITTEES

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MINUTES

OF THE  
THIRD COMMITTEE

(REDUCTION OF ARMAMENTS)

GENEVA, 1937

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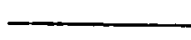
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## LIST OF MEMBERS.

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*President:* His Excellency Dr. E. BENEŠ (Czechoslovakia).  
*Vice-President:* His Excellency Dr. J. G. GUERRERO (Salvador).

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- Abyssinia:* His Excellency Badjeronde ZELAKA,  
Ato Woldé MARYAM (Substitute).
- Albania:*
- Australia:* The Rt. Hon. Sir George Foster PEARCE, K.C.V.O.
- Austria:* His Excellency M. E. PFLÜGL,  
Dr. M. LEITMAIER.
- Belgium:* M. L. DE BROUCKÈRE.
- British Empire:* The Rt. Hon. the Earl of ONSLOW, C.B.E.,  
The Hon. A. CADOGAN, C.M.G. (Substitute).
- Bulgaria:* His Excellency M. A. D. BOUROFF.
- Canada:* The Hon. R. DANDURAND, C.R., C.P., LL.D.,  
Mr. W. A. RIDDELL, M.A., Ph.D. (Substitute).
- Chile:* His Excellency M. P. F. INÍGUEZ,  
His Excellency M. J. VALDES-MENDEVILLE (Substitute).
- China:* His Excellency Dr. OUANG TING TCHANG.
- Colombia:* His Excellency Dr. F. J. URRUTIA.
- Cuba:* His Excellency M. ORTIZ,  
His Excellency M. C. DE ARMENTEROS (Substitute).
- Czechoslovakia:* His Excellency Dr. E. BENEŠ.
- Denmark:* General BIRKE.
- Dominican Republic:* Dr. T. F. FRANCO,  
M. S. E. PARADAS (Substitute).
- Estonia:* General J. LAIDONER,  
M. K. TOFER (Substitute).
- Finland:* His Excellency M. R. HOLSTI,  
M. J. W. KETO (Substitute).
- France:* M. PAUL-BONCOUR,  
M. JOUHAUX,  
M. CASSIN.
- Germany:* Count BERNSTORFF,  
M. GÖPPERT (Substitute),  
Baron VON WEIZSÄCKER (Substitute).
- Greece:* His Excellency M. N. POLITIS,  
M. V. DENDRAMIS (Substitute).
- Guatemala:*
- Haiti:* His Excellency M. A. NEMOURS.
- Hungary:* General TÁNCZOS,  
Colonel SIEGLER D'EBERSWALD (Substitute).
- India:* The R. Hon. the Earl of LYTTON, G.C.S.I., G.C.I.E.  
His Highness the Maharaja of KAPURTHALA, G.C.S.I., G.C.I.E.,  
Sir Edward M. des CHAMPS CHAMIER, K.C.I.E.
- Irish Free State:* Mr. John A. COSTELLO,  
Mr. Michael MACWHITE (Substitute),  
Mr. Joseph WALSHIE (Substitute).

- Italy* : His Excellency General DE MARINIS STENDARDO DI RICIGLIANO,  
Captain Don F. RUSPOLI,  
Count GRAVINA.
- Japan* : His Excellency M. H. NAGAOKA.
- Latvia* : His Excellency M. F. CIELENS,  
His Excellency M. W. SCHUMANS (Substitute).
- Liberia* : M. N. OOMS.
- Lithuania* : His Excellency Professor VOLDEMARAS,  
His Excellency M. V. SIDZIKAUSKAS.
- Luxemburg* : M. A. WEHRER.
- Netherlands* : His Excellency Jonkheer J. LOUDON.
- New Zealand* : The Hon. Sir James PARR, K.C.M.G.
- Nicaragua* : His Excellency M. T. FRANCISCO MEDINA,  
Dr. A. SOTTILE.
- Norway* : Dr. F. NANSEN.
- Panama* : M. F. VELARDE.
- Paraguay* : Dr. Ramon V. CABALLERO.
- Persia* : His Highness Mohammad Ali Khan FOROUGHI,  
Dr. P. KITABGI Khan.
- Poland* : His Excellency M. F. SOKAL,  
Professor ROSTWOROWSKI,  
M. S. LEPROWSKI (Substitute),  
M. T. GWIAZDOWSKI (Substitute).
- Portugal* : His Excellency General FREIRE D'ANDRADE,  
His Excellency Dr. A. DE VASCONCELLOS.
- Roumania* : His Excellency M. N. P. COMNÈNE,  
M. M. DJUVARA (Substitute),  
M. B. STOICA (Substitute).
- Salvador* : His Excellency Dr. J. G. GUERRERO.
- Kingdom of the Serbs,  
Croats and Slovenes* : His Excellency Dr. V. MARINKOVITCH,  
His Excellency M. J. KOUMANOUDI,  
M. K. FOTITCH (Substitute).
- Siam* : His Highness Prince VARNVAIDYA,  
Khun PRASIRT MAITRI (Substitute).
- South Africa* : Mr. J. S. SMIT.
- Sweden* : M. R. J. SANDLER,  
M. E. HENNINGS.
- Switzerland* : His Excellency M. G. MOTTA,  
Colonel BOLLI.
- Uruguay* : Dr. A. DE CASTRO; or  
Dr. A. D. CAMPORA.
- Venezuela* : His Excellency M. D. ESCALANTE.
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**THIRD COMMITTEE**  
(REDUCTION OF ARMAMENTS)

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**AGENDA.**

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**I. QUESTIONS CONCERNING ARBITRATION.**

1. Arbitration, Security and the Pacific Settlement of International Disputes.
2. Study of the Principles of the Geneva Protocol and Work of the Preparatory Commission for the Disarmament Conference.

**II. QUESTIONS CONCERNING SECURITY.**

1. Settlement of International Disputes : Declarations concerning Wars of Aggression.  
Proposal by the Polish Delegation referred to the Committee by the Assembly at its Meeting of September 10th, 1927 (afternoon).
2. Proposal by the Committee of the Council with a view to recommending to the Assembly the adoption of a General Resolution embodying the Principles of the Obligation for the Governments Members of the League of Nations to facilitate by all the Means in their Power the Meeting of the Council in case of Crisis.
3. Working of the Organs of the League in Times of Emergency.
4. Methods or Regulations which would enable the Council to take such Decisions as may be necessary to enforce the Obligations of the Covenant as expeditiously as possible.
5. Studies referring to Article 16 of the Covenant.
  - (a) Documentation prepared by the Legal Section of the Secretariat ;
  - (b) Financial Assistance in support of States Victims of Aggression.

**III. QUESTIONS CONCERNING DISARMAMENT.**

Work of the Preparatory Commission for the Disarmament Conference.

**IV. SPECIAL QUESTIONS.**

1. Private Manufacture of Arms and Ammunition and of Implements of War.
  2. Right of Investigation in the States subjected to Investigation by the Treaties of Versailles, St. Germain, Trianon and Neuilly.
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## FIRST MEETING.

*Held on Tuesday, September 6th, 1927, at 11 a.m.*

Chairman : M. BENEŠ (Czechoslovakia).

### 1. Election of the Vice-Chairman.

The meeting opened with M. Beneš (Czechoslovakia) in the Chair.

The CHAIRMAN thanked his colleagues for the great honour they had done him in selecting him to preside over their work. He thought that, by their choice, they wished to place on record his personal attachment, and above all the attachment of his country, to the ideas of the League of Nations and to the idea of peace which were so closely bound up with all the problems which would be discussed in the Committee. He assured the members of the Third Committee that he would endeavour in all circumstances to carry out the work to the best of his ability and in perfect good faith.

He asked the Committee to elect a Vice-Chairman.

M. COMNÈNE (Roumania) proposed M. Guerrero, whose great capacities were appreciated by them all.

M. LOUDON (Netherlands), M. PAUL-BONCOUR (France), M. POLITIS (Greece) and other members of the Committee seconded this motion.

M. GUERRERO (Salvador) *was unanimously elected Vice-Chairman of the Third Committee.*

M. GUERRERO (Salvador) thanked M. Comnène, as well as all other members of the Committee who had so kindly proposed him. He also thanked the Committee as a whole. He was happy to accept the office of Vice-Chairman.

### 2. Agenda of the Committee.

The CHAIRMAN reminded them that at its second meeting on Monday, September 5th, the Assembly had referred Question No. 24 of its Agenda to the Third Committee in the following terms :

“ Proposal of the Committee of the Council that the Assembly should be invited to adopt a general resolution affirming the principle of the obligation incumbent upon the Governments Members of the League to facilitate the meeting of the Council in case of emergency by every means in their power. ”

He also reminded them that at the same meeting M. Loudon had stated that, during the discussion of the Council's report, he would ask that the portions of this report and of the supplementary report which concerned the question of disarmament should be referred to the Third Committee. As the Assembly would probably accede to this request, the result would be that the Committee would have to examine the following points in addition to Question No. 24 :

Arbitration, Security and the Pacific Settlement of International Disputes :  
Preparatory work for the Disarmament Conference.

#### (a) Working of the organs of the League in Times of Emergency :

- (1) Methods of facilitating the meeting of the Council and the organs of the League in times of emergency ;
- (2) Methods or regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible.

#### (b) Studies referring to Article 16 of the Covenant :

- (1) Documentation prepared by the Legal Section of the Secretariat ;
- (2) Financial assistance to States victims of aggression.

#### (c) Work of the Preparatory Commission for the Disarmament Conference.

Private Manufacture of Arms and Ammunition and of Implements of War.

The Chairman stated that for the greater part of these questions sufficiently definite proposals had been made and that it would not be necessary to reopen the whole of the discussion. Other questions would certainly be referred to the Third Committee. For the moment

he suggested that the Committee at its next meeting should begin the general discussion of the points which had been submitted to it, after which a methodical classification of the questions on the agenda could be made and the Committee would take decisions upon them in turn.

M. POLITIS (Greece) asked the Chairman to do his best, in collaboration with the Chairman of the First Committee, to enable the First and Second Committees to meet at different times.

The CHAIRMAN assured M. Politis that the necessary arrangements would be made to that effect; it has already been decided in principle that the First, Second and Sixth Committees would meet on one day and the Third, Fourth and Fifth on the following day.

The date of the next meeting would be indicated by the Bureau of the Assembly.

*The meeting rose at 11.35 a.m.*

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## SECOND MEETING.

*Held on Monday, September 12th, 1927, at 3 p.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

### 3. General Discussion.

The CHAIRMAN reminded the members of the speeches which has been made in the previous week in the Assembly with regard to the questions before them. There had been, on the one hand, certain criticisms and expressions of impatience concerning the work of the Council and of the League itself with regard to arbitration, security and disarmament. On the other hand, they had heard explanations and justifications for the procedure which had been followed. Lastly, several speakers had spoken of the results gained. If entire satisfaction had not been given to all it had nevertheless been unanimously agreed that it was possible to retain all hope and to proceed with confidence in order to obtain the desired results. The depression which had shown itself at the commencement of the Assembly had gradually disappeared during the course of the speeches and the situation was becoming clearer.

It was necessary to make three remarks concerning the results obtained. Regarding arbitration, there was no doubt that since 1924 great progress had been realised. It was sufficient to consult the documents published by the Secretariat in order to be convinced of that. As regarded security, although the desired ends had not been reached, considerable progress had also been made. The Treaty of Locarno should be specially noted in that connection, as by its application, the security of a large part of Europe, as much in the East as in the West, was assured, and that had noticeably consolidated the whole international situation. The League of Nations had carried out in this matter other works of less importance perhaps, but highly appreciable. The Committee for Communications and Transit had been examining by what means communications with the League of Nations could be made more rapid and more efficient. Another and even more important point was that, during the examination of Article 11 of the Covenant, certain precedents in the decisions of the Council had been recorded, leaving to the Council the necessary liberty, which would serve as a guide in the event of the crisis of war or of conflict, and ensure more effective and more rapid intervention by the Council.

With regard to disarmament, it might be said that, if they had not gone as far as had been desired, the Preparatory Commission for Disarmament had been able to propose certain texts which showed agreement on very important points. Nevertheless, there remained much to do and the work of the Committee especially consisted in indicating in what direction the results already obtained could usefully be developed. The Assembly had decided to forward to the Third Committee the following proposal submitted by the Netherlands delegation:

“ The Assembly,

“ Convinced that, without reopening the discussions on the Geneva Protocol of 1924, it is desirable to consider whether the time has not come to resume the study of the principles of disarmament, security and arbitration, which are expressed in the Covenant;

“ Considering it of the highest importance that the Assembly should give an impulse to the work of the Preparatory Commission for the Disarmament Conference :

“ Decides to refer to the Third Committee the study of the above-mentioned principles and the chapter of the Report and Supplementary Report on the Work of the Council and of the Secretariat relating to disarmament. ”



The Committee also had before it the following proposal submitted by the Polish delegation :

“ The Assembly,

“ Recognising the solidarity which unites the community of nations ;

“ Being inspired by a firm desire for the maintenance of general peace ;

“ Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime ;

“ Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament :

“ Declares :

“ (1) That all wars of aggression are, and shall always be, prohibited ;

“ (2) That every pacific means must be employed to settle disputes, of every description, which may arise between States.

“ The Assembly declares that the States Members of the League are under an obligation to conform to these principles. ”

From the speeches made in the Assembly it had been shown that public opinion in all States welcomed the statements made concerning the results accomplished, but, on the other hand, showed a certain impatience to see the continuation of the work, with the hope that it would enable a fresh step forward to be made during the following year along the path of consolidation of peace.

M. LOUDON (Netherlands) said that he would make a brief statement concerning the progress of the work of the Preparatory Commission on Disarmament. He thought that a short recapitulation of the work accomplished would serve to show its importance, which was strangely under-estimated, and its future. The programme of work of the Commission was given in the questionnaire adopted by the Council, to which the Preparatory Commission itself had added fresh questions.

That programme obviously included questions which, being essentially political, showed, from the technical point of view, very different aspects. As a result of its work, the Preparatory Commission to-day possessed definite reports on all these questions. It thus possessed very full documentation. Those — alas! too few — who were not content with looking at the text of the draft Convention adopted at the first reading, but had taken the trouble to study this documentation, were the only ones who could understand its value as a contribution to the solution of the vast problem of disarmament.

The results secured could be classified under four main headings :

*First: Investigation of questions relating to the principle of security.*

That work was entrusted to the Committee of the Council. As a result, there was a volume of documentation bearing upon the two following questions : (a) the working of the organs of the League of Nations in times of crisis, not only as regards material facilities to be given to ensure greater efficiency but also with regard to the general lines to be followed, especially by the Council, in order to apply Article 11 of the Covenant ; (b) studies concerning the legal and economic aspect of Article 16 of the Covenant.

*Secondly: Armaments properly so called.*

That heading covered the consideration of the armaments to be limited and of the methods to be applied in limiting those armaments, men, material, budgets, men serving with the colours, trained reserves, total tonnage or tonnage by classes — the two points on which there was still such divergence of opinion — aircraft, horse-power and number of machines, etc. Those subjects had been discussed in the course of a long session which had occupied almost half of 1926.

*Thirdly: Questions concerning the relations between economic and military power of nations.*

These questions, which concerned what had been called the “ war potential ”, had become a work of the greatest interest. It was now known what importance the economic factors have in relation to disarmament. That point, which was one of the most serious obstacles to agreement, was now defined, and agreement was almost complete as regards the rôle which should be attributed to it in questions of disarmament.

*Fourthly: Special questions.*

These might be divided into four.

The first was chemical warfare. The aim in that case was to gauge as accurately as possible the danger of converting the chemical plant available in industrially developed countries to warlike uses and the measures to avoid that danger. Here, also, the matter had been simplified thanks to the assistance given to the Committees by the most distinguished experts. The danger was known and concrete proposals had been made to attempt to combat it. He wondered whether it would not be desirable to refer the whole question of chemical warfare to a committee of experts.

He would pass to the question of the relation between civil and military aviation as it affected disarmament. That point was a very delicate one and was a determining factor not only in the problem of the limitation of air armaments but also, by reason of the interdependence — almost universally recognised — of the three categories of arms, the limitation of armaments as a whole. Here again it was also necessary to estimate the danger of using for warlike purposes powerful resources of civil or commercial aviation, and to find means of averting it. That danger was all the greater inasmuch as the air arm was one of the most efficient means of waging chemical warfare. Thanks to the work of the Commission, precise facts and concrete proposals had been given.

Thirdly, studies had been undertaken in order to secure a minimum of homogeneity in the national defence budgets of the various countries. Whilst respecting the liberty of each country to prepare its budget in its own fashion, the problem was to find an international formula which would in some way enable national budgets to be drawn up in accordance with a single model statement. They now had before them a definite proposal complete in all its details, submitted by the duly authorised experts of a dozen different countries.

Finally, the Commission had studied methods for ensuring the carrying out of the future convention and the mutual confidence which engendered respect. The economic and other consequences of a complaint and of the procedure of investigation had been carefully explored by the Commission and, as was known, a definite opinion had been formed in the matter.

He noted that the report of the Preparatory Commission containing the texts adopted at first reading with or without unanimity represented the result of a long series of efforts, which he had just described, and was the first attempt to present the whole of the technical work in the form of a draft Convention, in which nothing should be omitted except the figures. That first attempt should not be considered as a setback and it would be unjustifiable to speak of it as a failure.

The draft Convention was an attempt at a limitation of armaments. He considered that it was limitation which should be first dealt with, because it was limitation which would stop the dreadful race in armaments. It was a step in the direction of the reduction demanded by Article 8 of the Covenant, and he believed that for the moment they should not try to go further.

As regards the text of the preliminary draft, in its provisional form, it was to be noted that there was unanimity regarding the chapter on effectives, but not concerning the chapter on naval armaments as a whole. The chapter on air armaments, on the other hand, had met with unanimity on almost every point. The divergencies still remaining with regard to budgetary expenditure, certain general provisions, and what had unfortunately been called "control" did not appear insuperable. The Third Committee would no doubt refrain from discussing these texts, all the more as they had only been adopted at first reading and it was necessary not to overlap the work of the Preparatory Commission, the latter being the better-qualified, the better-equipped and the better-informed organ.

He wondered why public opinion had been disappointed by the first results of the work of the Preparatory Commission. In his opinion, it had been dazzled too much by the vision of general disarmament, had expected agreement on everything, and consequently, when differences of opinion became manifest on certain essential points, it was interpreted as indicating failure.

He remembered that, at the close of the last session of the Preparatory Commission, he had ventured to say that, the ground having been cleared, the Commission should only meet again when the ideas which it had put forward had ripened, when Governments had thought matters over, and when intelligent public opinion had been able to express its views. He doubted if the Governments had thought matters over sufficiently; on the other hand, he had noticed that the Press, to whom he had addressed a moving appeal to aid the efforts to inform public opinion, had hardly responded to this appeal.

He considered that the next meeting of the Preparatory Commission should be more thoroughly prepared for by the various Governments than the last one, especially by means of conversations between them. What had occurred in March last should be avoided, namely, that the Commission should be called upon to take hurried decisions following on a feverish exchange of telegrams between the delegates and their Governments. The precise date of the next meeting mattered little. He had thought that they would be able to meet during the month of November, but he hesitated to suggest a date, because, after all, a delay of a few weeks or even of a few months was not a matter of moment considering the great importance for the future of the task in view. The main thing was that nothing should be neglected

to make the next meeting a success, and that the Commission should not meet again until an exchange of views between those Governments whose opinions were the most strongly opposed pointed to an agreement or a compromise.

If, as he believed, the eighth session of the Assembly, representing almost fifty Governments, should prove once more to the world by its declarations that the great principles of the Protocol, so closely bound up together — of disarmament, security and arbitration — were still alive, although that instrument itself lay dormant for the moment; if the Assembly did not allow itself to be discouraged by the setback of the so-called Three Power Naval Conference which, although it had nothing to do with the League of Nations, encroached somewhat on its province; and if, with the full weight of its authority, the Assembly gave full support to the Preparatory Commission, it would have effectively contributed towards that moral disarmament which was essential for the establishing of satisfactory conditions with regard to security, declared in the resolution of 1925 to be a condition for the convening of the Disarmament Conference, which he felt sure would be only the first of a series. It was for the Third Committee to take a strong initiative in that movement.

The CHAIRMAN thanked M. Loudon for his statement, which indicated the solutions towards which the Third Committee should move. The Committee would have to vote on a resolution submitting its conclusions to the Assembly.

M. SANDLER (Sweden) said he would like to make an observation with regard to the documentation of the question of disarmament. It had sometimes been said that the Preparatory Commission had not worked fast enough. Whether that was done or not might be discussed later; in any case, the Preparatory Commission had worked faster than the printers, whose duty it was to make known the results of the work to those interested. The most important work was not that described in the report submitted to the Council on June 15th last. That report only contained a meagre summary. On the other hand, a certain number of documents were annexed to that report and the result was an *embarras de richesses*. Nevertheless, as the representative of the Netherlands had said, only the members of the Preparatory Commission were able to understand what had already been accomplished. He wondered what efforts had been made during the work of the Preparatory Commission and why those efforts had led to varying conclusions. He would like to know the opinions of the various delegations, and the real value of the result of the first reading made by the Commission. Even without knowing all these points, it was necessary for the Committee to examine the questions which had been submitted to them, and their deliberations would then perhaps have a less concrete and more general character. Nevertheless, the fact remained that, except for those who were well informed on the work and deliberations of the Preparatory Commission, it was impossible to form a fair opinion on the work already accomplished, and therefore on its possible development. Perhaps the deliberations which had taken place may have thrown some light on the political conditions which were indispensable to the solution of the question, both on those which at present existed and on those which were still to be secured.

He concluded by requesting the Chairman to have the Minutes of the Preparatory Commission laid before the Committee.

M. LOUDON (Netherlands), replying to the delegate for Sweden, stated that the Preparatory Commission had requested the Council to forward the Minutes to all the Members of the League of Nations. M. Sandler could ask for them from his Government and he could also find them in Geneva.

The CHAIRMAN said that it had not been possible to carry out the decision taken to forward the Minutes to all the Governments on account of technical difficulties. The printing of so large a number of documents, begun in the middle of June, was not yet finished, and other work more urgent had to be given precedence on account of the meeting of the Assembly. Nevertheless, he would again consult the Secretariat with regard to the possibility of giving satisfaction to the delegate of Sweden, whose remarks were to a certain extent justified.

M. SANDLER (Sweden) said he was in entire agreement with the Chairman, and thanked him for his reply.

M. PFLÜGL (Austria) asked if it would be possible to have two or three copies of the Minutes available in the office of the Secretary of the Committee. The delegates would then be able to consult them.

The CHAIRMAN considered that the suggestion was a good one and should be easily carried out.

M. GUERRERO (Salvador) said that the Chairman of the Preparatory Commission had spoken on one aspect of the question only. There was a certain tendency to include in the question of general disarmament the question of the private manufacture of arms, a tendency which he regarded as wrong, since the two questions were entirely distinct. By "disarmament" was meant the reduction or limitation of armaments, but by the "supervision of the private manufacture of arms" was meant not limitation but simply publicity with regard to manufacture on similar lines to those adopted in the Convention on the International Trade in Arms.

The delegate for Salvador reminded the Committee that the question of the private manufacture of arms had always increasingly — and quite justifiably — engaged the attention of the Assembly. He quoted the second paragraph of the resolution passed in September 1925 by the Assembly, in which the Assembly called upon the Council to continue the preparatory work in connection with the supervision of the private manufacture of arms. That resolution expressed a wish that the Conference should be convened if possible before the 1926 Assembly in the following words: "The Council *shall*". That desire was, however, not realised. In the report which he had submitted in the name of the Third Committee, in 1926, the difficulties encountered were related.

It was difficult not to attach full importance to the slowness with which the solution was being reached in one of the most important problems relating to disarmament. It might be said that it did not seem that the Council and the Assembly were working as harmoniously as they had hoped, and that this had resulted in a certain delay in spite of the insistence with which the Assembly each year wished to see a rapid solution arrived at. It would be desirable, not only in connection with this particular problem but generally, to ensure that the Assembly did not pass resolutions which the Council was unable to carry into effect.

As to the substantive matter, a few remarks submitted by the delegate for Italy to the Council in the month of June last seemed to show that a misunderstanding had arisen. The League of Nations had to deal with the question of the supervision of the trade in arms and war material for two reasons: first, because of Article 23 of the Covenant, and, secondly, because a considerable number of those who dealt with the questions of private manufacture thought that it was impossible to exercise supervision over it without supervising the trade in arms. The League of Nations had convened a Conference for the International Supervision of Arms, which had met in June 1925. That Conference had found it obvious that the Convention which it had prepared placed the non-producing and the producing countries on a footing of flagrant inequality, since purchases of arms by the former were made public, whereas no publicity was given to the manufacture of arms by the latter for their own requirements. The Convention of 1925 for the Control of the International Trade had only been ratified so far by two States — France and Venezuela — the first ratification still being dependent, in fact, on that of other producing countries.

If, from the point of view of the supervision of traffic in arms, the Convention for the private manufacture and State manufacture was essential, it was not less necessary from the point of view of general disarmament. It was impossible to envisage limitation of war material without a Convention giving a minimum publicity to particulars from which the existence of material could be ascertained, viz., particulars of international trade and of manufacture. Moreover, a Convention which would control private manufacture without controlling State manufacture would be useless. For all these reasons, he concluded that the Assembly was right in impressing on the Council on many occasions the urgency of this question, and it was to be hoped that the 1927 Assembly would renew the desire expressed by the preceding Assemblies, dwelling this time on the experience already obtained so that next year a Conference might at last be convened.

Count BERNSTORFF (Germany) said he was not sure if he had clearly understood a passage in the speech of the President of the Preparatory Commission for Disarmament, but, if not, he would like to remind them that the Disarmament Conference should deal with the reduction of armaments and not only with their limitation. The countries which had reduced their armaments in order to carry out treaties considered that the other signatory countries should also observe the treaties, and, in order to do that, a mere limitation would be insufficient. A conference which did not deal with reduction would not be a Disarmament Conference. As to the date on which the second reading of the draft would be dealt with, the President of the Preparatory Commission had said, at the end of the last meeting of that Commission, that the next meeting would certainly take place during the course of the present year. He was of opinion that such a meeting was necessary. If they wished the Conference to be better prepared and the Governments to be able to discuss this important question, it would be necessary for them to have a more comprehensible document before them than the draft already adopted at the first reading, which was a mere collating of different texts.

With regard to the private manufacture of arms, the special committee had worked very hard. But several of the members had wished only to deal with the private manufacture, while others had wished to include also State manufacture. The divergent points of view were such that he considered that it was better to adjourn this work until the Preparatory Commission met again.

M. LOUDON (Netherlands) wished immediately to reassure Count Bernstorff. The Disarmament Conference should be a conference for the reduction and limitation of armaments. There was no doubt on that point. He had expressed his personal opinion that limitation was the first point to be settled, but it went without saying that the process should not stop there.

He would have been very pleased if the Commission could have met in November, but since the last session public opinion and the Governments appeared to have thought too little about this question. It would be a good thing if the Governments were better prepared.

before having a fresh discussion at a meeting of the Preparatory Commission. It did not seem useful to open a fresh session before the Governments were in agreement or, in any event, had endeavoured to find a compromise on the points on which they were so far apart.

The CHAIRMAN suggested that the general discussion should finish at the following meeting. The Committee should then take, one after another, the various proposals which had been forwarded to it in order to draft resolutions for submission to the Assembly. These resolutions were the proposals of the Netherlands, Polish and Finnish delegations, and the proposal of M. Guerrero. The proposal of the Finnish delegation had been forwarded by the Council to the Assembly together with the Minutes of the discussion which had already taken place on this subject. All these proposals might be the subject of special resolutions ultimately gathered together in a single report and sent to the Assembly.

M. PAUL-BONCOUR (France) agreed with the desire expressed by the Chairman that they should proceed quickly and he would be ready to agree to the procedure indicated; nevertheless, in his opinion the general discussion should not be cut short. The Third Committee was in a special position. The criticisms to which reference had been made were mainly directed to the questions with which it was being asked to deal. The Committee had to deal with several proposals, which separately did not show their real value; the preparatory work for disarmament overshadowed them and the proposals could not be considered without reference to that work.

The Preparatory Commission had almost arrived at the complete fulfilment of its task, and the difficulties with which it had met could not be solved by itself alone, because they were related to the question of international security itself.

Therefore, while agreeing with the Chairman, he was able to understand the delicate position of several members of the Committee who, like the public, judged the situation only from the statement just made by M. Loudon. It was right that they should have time to reflect and to understand the texts—to know, in a word, what had been done by the Preparatory Commission, which had been so unjustly reproached. In conclusion, he felt that the general discussion could usefully be prolonged.

Sir George Foster PEARCE (Australia) asked whether the different texts which were to be found in the draft Convention which had been prepared by the Preparatory Commission were before the Committee for discussion or if the said drafts were awaiting study by the various Governments with a view to compromise and the ultimate drawing-up of a single draft.

The CHAIRMAN replied that the Committee would not discuss the texts themselves. Its duty was to examine the conditions which would enable the Preparatory Commission to carry on its work. He agreed with M. Paul-Boncour that certain members of the Committee should have time to think over the declarations which they intended to make. He had never intended to abbreviate the general discussion, but in his position as Chairman it was his duty to announce his intention of proceeding rapidly.

M. MOTTA (Switzerland) agreed with the representative of France that it would be useful if the general discussion could cover all the points with which the Committee had to deal, the various proposals being studied during the general discussion. There would doubtless arise certain legal questions, which would have to be forwarded to the First Committee, and it would be well that the latter should be given the chance to study them as quickly as possible.

The CHAIRMAN agreed with M. Motta.

M. SOKAL (Poland) considered that the work of the Third Committee was somewhat different from that of Assembly Committees which, so to speak, carried out the routine duties each year. The problem which they had before them was of the greatest importance, and the question might be put in the following terms. What was the League of Nations to do with regard to disarmament and security? Public opinion awaited the reply which was to be made to this question, and it was that reply which should dominate their discussion. He agreed with M. Motta that it was impossible to separate the various questions and proposals in the agenda and discuss them one by one. What should be done, he repeated, was to reply to the question he had just formulated. Public opinion awaited that reply with much impatience.

The CHAIRMAN agreed on the procedure thus indicated, and stated that the general discussion would be carried on at the following meeting.

*The Committee rose at 5.30 p.m.*

### THIRD MEETING.

*Held on Tuesday, September 13th, 1927, at 3 p.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

#### 4. Remarks by the Chairman.

##### (a) *Minutes.*

The CHAIRMAN informed the Committee that he had received a letter from the Secretary-General in which were set out the terms of the resolution adopted by the Bureau on September 7th. This resolution laid down that the Minutes of the Committees were not verbatim shorthand reports, but were summaries of the principal points brought out by the discussion.

Delegates should forward the necessary corrections to these summaries before the meeting which immediately followed that at which the Minutes were distributed.

The Chairmen of the Committees would, if they thought necessary, submit the proposed corrections to the members of the Committees, who would be entitled to decide the final text of the Minutes and to authorise their publication.

##### (b) *Financial Arrangements.*

The CHAIRMAN also informed the Committee that he had received a letter from the Chairman of the Fourth Committee drawing his attention to Article 19, paragraphs 2 and 3, and to Article 16, paragraphs 5, 6 and 7, of the Rules concerning the administration of the finances of the League of Nations.

According to these arrangements, no resolution concerning expenditure could be voted by the Assembly before the Supervisory Commission and the Fourth Committee had given their opinion on the expenses contemplated, taking into consideration the general budgetary arrangements.

The Committee had been asked to inform the Supervisory Commission as soon as possible of any proposal which was not covered by the credits allowed in the estimates for 1928.

#### 5. General Discussion (*continuation*).

M. DE BROUCKÈRE (Belgium) drew attention to the large number of items on the agenda of the Committee and considered that the first part of the proposal submitted to the Assembly by the Netherlands delegation tended to bring before the Committee all the work of the year, which was particularly vast. During the present year there had been much work done and the problems to be solved were of particular importance. Of greater importance, however, was the uneasiness from which the world was suffering, and in order to be able to create a better atmosphere the cause of this unrest must be sought. Public opinion believed that this uneasiness was due to the failure, as it has been called, of the Preparatory Commission. The word was incorrect and M. Paul-Boncour was right in saying so.

However, if the Preparatory Commission had not failed, it must nevertheless be admitted that it had not yet succeeded in completing the preliminary work for the Disarmament Conference.

The speaker recalled that last year it was the unanimous wish of the Assembly to see not only the Preparatory Commission but the Disarmament Conference itself concluded before the present date.

The unrest of public opinion was therefore easily understandable, and it would not be so serious if the setback had not come after so many other setbacks. Each year, for the last eight years, great hopes had arisen concerning arbitration, security and disarmament, but, one after the other, the same thing had happened to the Treaty of Mutual Guarantee, the Protocol and the Disarmament Conference. It was believed that they merely had to walk along a straight road, but hardly had they made several steps when seemingly insurmountable difficulties came to delay any solution.

It was therefore a good thing to examine one's conscience and ask if the road followed was the right road. Would it not be better to change the method in order to prevent these setbacks which were accumulating?

Work was carried out at Geneva in order to organise peace, and, though progress was not as general as might be wished, it was, however, evident in certain directions. Unfortunately, whilst the forces of peace were being thus organised, the forces of war were also being developed. It was like a race between war and peace, and it was necessary to establish peace on a solid basis before war could arrive to upset the newly created institutions of peace and to destroy them hopelessly.



The speaker wondered what could be done to move more quickly and more surely. It was incontestable that if in the region of facts they had not advanced very much, remarkable progress had taken place in ideas. The Protocol was not dead; it existed in a very real way. It was a source of inspiration and served as a model for special agreements, at the same time showing the possibility of organising peace. He did not partake of the pessimism shown by the representative of Germany when he said that the work of the Preparatory Commission was of such a nature that the Governments had not understood it. However intricate that work might be, it had already begun to exercise a happy and considerable influence on public opinion, and an important part of public opinion was being spontaneously organised in order to assure peace. In that connection, the work of the Disarmament Commission had been the means of bringing together the divergent points of view which for the last two years had shown themselves in France, Germany and elsewhere. It appeared more clearly each day to public opinion that it was possible to organise peace, and one wondered with some anxiety what were the forces which were opposed to it. The great problem for to-morrow would be to reply to this question. However that might be, it could be truly said that the causes which prevented the success of the efforts were not all under the control of the League of Nations, and that the latter should not always carry the responsibility of their consequences.

It was, however, a region where the League of Nations was largely mistress of its own actions. The League of Nations should develop the powers which it derived from the Covenant. The study of the Covenant should never cease, as it was constantly evolving and fresh methods of action were always being found in it. It was not for the League of Nations to give a more or less ingenious interpretation to the Covenant. It had not the right to give an authoritative interpretation of it, but it could find other possibilities of action and of increasing its pacific power if it wished, in a continuous and systematic manner, to reply to the three following questions. How, under the present circumstances, could each State Member of the League carry out to the best of its ability the obligations of the Covenant? Had the League itself carried them all out? How, having carried them out, could it find possibilities of action in the Covenant itself?

He had no intention of undertaking an examination of these questions, but, before finishing, he wished to illustrate what he had just said by several examples, and show what extension could be made to the possibilities created by the Covenant. After the introductory articles, the first article of essential importance with regard to the question of disarmament was Article 8. As Count Bernstorff had said on the previous day, that article laid down that "the Members of the League recognised that the maintenance of peace depended upon the reduction of armaments" — not only on limitation. Contrary to a very widespread idea, the obligation resulting from Article 8 to reduce national armaments to a minimum compatible with national security and with the execution of international obligations did not depend on the conclusion of a general agreement on disarmament, nor even on an elaboration of the general plan of disarmament by the Council. Each Member on its own account had recognised that the maintenance of peace depended on the reduction of its armaments to a minimum. Each Member had undertaken to make the necessary efforts to maintain peace. Consequently, no Member could be justified in ignoring its obligations because another had not made the same effort as it had done. It could be said that without a general agreement there was not that security which would allow of a reduction of armaments. But security did not come solely from disarmament, just as disarmament did not ensure complete security. There were elements of security outside disarmament. Perhaps the first form of disarmament which a country would make when it recognised that its armaments were greater than the needs of its security would be a form of spontaneous disarmament — a voluntary reduction of its armaments. It was often easier to reduce the number of soldiers than to agree to reduce the number. If it could be said that each voluntary reduction of armaments simplified the problem of general disarmament, making it at the same time less complicated and easier, perhaps it would be recognised that it would be better not to speak only of a general convention on disarmament but to include also the obligation under which each country stood to reduce its armaments to the limit compatible with national security and the execution of its international obligations, obligations which applied directly and at that moment to every country.

M. Briand had shown in his admirable speech the great efforts which each country had made in that direction. If the whole situation were to be examined, it would possibly be found that, side by side with several partial reductions, there had been considerable increases in armaments. Whatever the individual effort of each nation had been, it was certain that the work of disarmament was a duty the importance of which was shown more clearly each day.

Article 8 also contained two points of great importance. Paragraph 5 referred to private manufacture; with M. Guerrero, he regretted that more progress had not been made in the matter, but it would be unjust to blame the League of Nations or its organs. A draft had been prepared, but, as had been said, when the Conference had met, one series of States had not wished to collaborate if State manufacture was discussed, and the others refused to participate if it were not discussed. Ought a conference to have been convened only to lead to a complete breakdown? Such an event should be noted. The League was not responsible for it, but it had resulted in paralysing its work.

In Article 8 would also be found paragraph 6, with regard to which he wondered if it had been entirely carried out: "The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes, and the condition of such of their industries as are adaptable to warlike purposes". Could it really be said that this paragraph was carried out when the information received from the Governments was not submitted to a sufficiently detailed examination so that public opinion might appreciate their significance? If paragraph 6 was really applied in its proper spirit, an important step would be made towards disarmament, thanks to the publicity thus secured.

If the following articles were analysed, just as many opportunities for action on behalf of disarmament would be found as in Article 8. Article 9 constituted a permanent commission to advise the Council on all questions concerning disarmament. If the preparatory work had shown one thing clearly, it was that disarmament was not essentially a military operation. It had military aspects, but it had also economic and financial aspects, as well as innumerable political and civil aspects. In these circumstances, if there was a real wish to apply Article 9, would it be altogether wise to entrust the duty of advising the Council on disarmament matters to a Committee composed solely of generals, admirals and air officers? Would it not be better to advise the Council by means of a Committee composed of all circles which were interested in disarmament, and which would have disarmament really at heart?

Without entering into a long controversy on Article 10, he would remind the Committee of the last lines: "In case of any aggression or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled." Each State was under a double safeguard in the event of an aggression, the safeguard resulting from its own defence, and the safeguard resulting from the defence which the other States would lend it. Each State had carefully organised the first guarantee, not only in military matters but also in economic and political matters. By signing the Covenant, States had undertaken the obligation to help other Members of the League. What had been done to prepare for such assistance? Was it sufficient to say they would take steps when the danger arrived? That would be like a body of firemen who, on learning that a fire had broken out, called together a committee in order to discuss the necessity of buying fire-engines. Did the League of Nations fulfil its duty of defence if it did not organise itself for defence?

It might perhaps be said that security also depended on the application of the following articles, but were those articles entirely applied? Article 11, for example, said that all wars or threats of war concerned the whole League, which should take the necessary action to safeguard efficiently the peace of nations. What did the League do to prevent the peace being broken? What were its powers? It had at least been recognised that Article 11 preceded Article 16, just as the threat of war preceded war, and that it was necessary to act under Article 11 not only when the catastrophe had occurred but when the catastrophe threatened. But it was not sufficient to recognise that in theory; it must be put into practice. Doubtless, by intervening too soon, the Council might aggravate the conflict, but before the Council intervened ought not the League to follow the course of the conflict in order that it might keep itself informed? The whole world was informed as to the international situation; officially, the League had no information. It had services of all kinds. It gathered a prodigious amount of information, but it had not a political information service. It was obvious that in several parts of the world peace was not stable. It was necessary to know what was happening. Did not the application of Article 11 insist that the League of Nations should create an official source of information which at the present moment it did not possess?

Article 13 laid down what should be done with regard to arbitration. With regard to this also, would it not be possible to do more? Was it not necessary, for example, to elaborate a text by which States could undertake to submit certain classes of conflict to arbitration? Was it not necessary to help States in order to permit Article 13 to have its full significance?

As to Articles 18 and 20, he wondered if the League of Nations fulfilled its duty by simply registering the treaties which had been submitted to it, without making sure that the obligation laid down in Article 20 had been carried out? There were endless ways of showing what could be done, without going outside the limits of the Covenant, simply by applying it in a systematic manner.

The point on which he had insisted was not new. The attention of the Council or the Assembly was often drawn to a portion of the Covenant which had not been applied or to some further application of it, but, although it was impossible to undertake great things or to conclude a fresh Protocol or something to replace it, the work of exploration could still be undertaken in a systematic manner and not in a haphazard fashion. That was a work which could be continued. It was difficult to make even a little progress in the matter. The few applications which he considered feasible had possibly frightened certain members of the Committee already. It was none the less true that it was possible to achieve some progress each year with each of the questions envisaged. Thus, little by little, the League of Nations would develop by an accumulation of precedents, but they should be grouped in a systematic fashion and an attempt made to elicit fresh activity by giving to the work of the League the systematic character which it lacked.

At the same time, it was necessary to look for means by which the Committee and the Assembly might be able to gauge the progress made, to state what work appeared urgent



and to take into consideration the reasons for which solutions had not been arrived at on a given point. That would doubtless be a very modest work, but at least it would be something. It would not satisfy the present opinion of the world, but it would perhaps allow them to follow the advice of M. Politis to await developments. It was necessary to wait. The work which was to be undertaken did not depend on themselves alone. The League of Nations was a reflection of the Governments, which in their turn were the reflections of their people. The League of Nations could not create the opportunity, but work could be done in order to make a favourable use of it when it came. Then, continued M. de Brouckère, let us work while waiting. In his opinion, that was what M. Politis had meant to say. For, according to the representative of Greece, the waiting should not be passive. He had not said: "The end is far off, the road is rugged; sit down by the side of the road and wait till the mountain comes to you." On the contrary, he had intended to say: "Wait for favourable circumstances, but take care to be in a position to profit by them".

Not a day should be lost in commencing this modest work, which would prepare men's minds for greater tasks and maintain hope in their hearts. Hope waited on those who acted and who proved their confidence in the future by always working for the future. Work would enable them to wait with sane minds, without losing contact with facts; by working to conquer small obstacles, the large obstacles which remained to be surmounted would be better understood and the League would be in a stronger position to conquer them. It was necessary to do something while waiting for the day when greater hopes might be entertained and greater achievements realised. He would say, in conclusion, that it was perhaps too optimistic to believe that the day would come; nevertheless, it was for him a profound conviction. To explain the grounds for it would take too long. He insisted, however, that the day would come, because he knew the requisite conditions: the day would come when the people understood the position.

General DE MARINIS (Italy) stated that he would like to make a remark in connection with the supervision of the private manufacture of arms and munitions on the application of the system of licences to this manufacture and the publicity to be given to it. M. Guerrero, whose valuable collaboration everyone appreciated, had said that the publicity of private manufacture should be associated with the publicity of State manufacture, and had quoted the attitude of the Italian delegation on this point. He would supplement the interesting remarks made by M. Guerrero by stating that the Italian delegation has not been alone in the Special Commission in defending its point of view. The Japanese delegation had been of the same opinion, as was shown by the very clear declaration which it had made and which was set out on page 10 of the Report of the Special Commission (document C.219.1927.IX).

However, the draft of the Special Commission showed for certain articles alternative provisions. It was not yet definite and it would be for the future Conference to specify in a final text those things which would be the result of reciprocal concessions and agreements, and the Italian delegation would prove its good will by doing all within its power to remove all difficulties.

The postponement of the meeting of the Conference had been due to the attitude of the Council, as M. Guerrero had already said, and that attitude was in conformity with the conclusions of the Special Commission, which had finished its report — M. Guerrero taking part — by stating unanimously:

"That the question the study of which had been entrusted to it was too closely bound up with the question of the limitation and reduction of armaments for it to be possible to arrive at once at a unanimous text when no such text had yet been reached for a general conference for the limitation and reduction of armaments. The Commission considers it its duty to report this situation to the Council and to propose that the studies already begun should be continued *pari passu* with the work of the Preparatory Commission for the Disarmament Conference concerning the General Convention.

"As regards the fixing of a date of an international conference to be convened with the object of concluding a draft convention, the Commission could not but note the above-mentioned considerations relating to the connection between this question and the question of the limitation and general reduction of armaments".

Italy was ready to take part in the Conference mentioned as soon as was desired, and it would participate with every hope of arriving at satisfactory results for everyone. In conclusion, he would thank M. Guerrero for the opportunity which he had given him of making that statement.

M. GUERRERO (Salvador) thanked General de Marinis for his kind words. He would like to dispel any possible misunderstanding. Speaking, the day previous, of the private manufacture of arms, he had not had the Italian delegation in mind, nor did he wish to make it appear that they were opposed to any point of view whatever. His intention had simply been to make known one of the arguments used by M. Scialoja in the Council. He had sat in a number of commissions and conferences with the Italian delegation, which had always shown a conciliatory spirit in endeavouring to reach agreement with other delegations.

M. SOKAL (Poland) said that the question of disarmament had entered upon a decisive stage. After the technical work, it was indispensable to deal definitely with the political aspects of the question. He was greatly struck by the statement made by the President

of the Preparatory Commission. M. Loudon had made a very true observation, which had thrown a clear light on the nature and causes of the difficulties met with by that Commission. On the one hand, the points of view of the respective Governments were too far apart, and on the other hand, in spite of the efforts made, the task undertaken by the Commission had not been given that publicity by the Press which it deserved. That last circumstance was due to the technical nature of the work of the Commission. The work of the latter therefore remained unknown to the public.

The real reason for the slow rate of progress of the work of the Disarmament Commission and for the difficulties which it had met with in endeavouring to bring the Governments to an agreement in adopting a minimum common programme should, above all, be looked for in the state of unrest, uncertainty and suspicion which still existed in international relations. While the idea of war was not completely banished while there existed a fear of aggression, any discussion concerning disarmament would be dominated by the anxiety of Governments to take the necessary precautions in order to ensure the defence of their countries. In spite of all efforts, it appeared evident that disarmament would only result from security, and security had a double aspect, legal and moral. On the one hand, a system of sanctions was indispensable in order to ensure the triumph of justice, and, on the other hand, a connection of security by the people constituted the best means of giving confidence and permitted the building up of a complete structure of security.

But if it were not possible to do so to-day, it was not true to conclude that there was nothing to be done. It was most important to dispel the fears of war which existed among the peoples. By making nations less suspicious, the time would be brought near when conversations with a view to establishing sanctions could usefully be started, which alone could complete the work of security. If the peoples were brought to believe that the danger of aggression was not near, that war had been made more difficult than in the past, it would facilitate and stimulate the work of security and of disarmament.

It was that which had led the Polish Government to believe that the moment had come to take the initiative in producing a salutary and lasting impression on the opinion of the world. He was glad of the welcome which the proposal of the delegates of Germany, France and the British Empire had received. He especially agreed with M. Stresemann regarding the primary importance of moral factors in the conduct of human affairs. He thanked the delegates of France, the British Empire, and also President Motta, who had so kindly supported the proposal of the Polish delegation with their great authority. Their appreciation was most helpful, and the ultimate discussion of the problem would be greatly facilitated.

Certain members might have wished to see a more complete draft. He recognised that the proposal of the Polish delegation was modest but he thought that it was better successfully to achieve a modest result than to embark on a more ambitious discussion, which could not at present lead to practical conclusions. It was more prudent to proceed by stages and give up for the time being a more detailed discussion. He was convinced that, in the near future, it would be possible to advance more easily.

He would next refer to the opinion of M. Scialoja, who had expressed fears concerning the weakening of the Covenant which a common declaration — in his opinion, a repetition of Article 10 — would make. Personally he felt, on the contrary, in agreement with the representatives of France, Germany and the British Empire, that a solemn reminder would result in strengthening the influence of Article 10 in the mind and imagination of the peoples.

M. Scialoja had said that the proposal of the Polish delegation was useless and even dangerous. In this connection, he would refer to a speech made by M. Scialoja before the First Committee of the Assembly on September 17th, 1923. M. Scialoja had expressed himself as follows :

“ Article 10 had an appearance of force which would be destroyed if it were shown to lack legal sanction. Its real value was due to the fact that the principles which it expressed would in the future form part of the conscience of nations. These principles would then have a greater value than a merely legal value because moral conscience was worth more than law. ”

It was from the speech of M. Scialoja that Poland had borrowed a large part of the arguments which had inspired its proposal. Leaving on one side the question whether the declaration proposed by Poland had a legal value, he did not believe that it made up completely for the deficiency of Article 15 of the Covenant. It was evident that the text could not be considered as increasing in a concrete manner the general security and as being sufficient in itself. But did the legal side predominate ? And had not the *leges imperfectae* carried greater weight in history than the *leges perfectae* ? In this connection, he would recall a principle of the decalogue, “ Thou shalt not kill ”, which had become a basis of our system of morals and law. It seemed that, in leaving the League of Nations to say to humanity “ Thou shalt not wage war ” “ Thou shalt not attack ”, they would be doing good work, because large masses of the people would attach a precise significance to such an order.

In order to achieve the principal object of the League of Nations, it was necessary to put repeatedly before the eyes of the world the sacred engagements which all States had

accepted. He wondered why the League of Nations should refuse to make this solemn demonstration of the renunciation of aggression and force, to quote the expression used by M. Stresemann.

In conclusion, he would express his profound conviction that, in voting for this declaration, the Members of the Assembly would be acting in the interests of the League of Nations, the supreme hope for mankind.

M. LOUDON (Netherlands) said that the object of the draft resolution submitted by the Netherlands delegation was to reopen the study of the three great principles — arbitration, security and disarmament — which were already in the Covenant and which had constituted the basis of the 1924 Protocol. The first delegate of the Netherlands, M. Beelaerts van Blokland, had explained that the Netherlands delegation did not intend to revive the Protocol, which slumbered, though its spirit hovered over the deliberations of the League of Nations and urged on the Governments, whether consciously or subconsciously. As the delegate of Greece had said, the obstacles against which the putting into force of the Protocol had broken down had not disappeared. But, since 1924, ideas had changed. Numerous fresh facts justified the hope that progress could be realised in the application of the great principles which he had just mentioned.

In regard to arbitration, only seventeen States had at present adopted the optional clause on compulsory arbitration, but he saw with great satisfaction that Germany was one of them. France had adopted it subject to the condition that the Protocol should be adopted. It would be a great thing if this condition could be removed, and he trusted that efforts would be made in that direction. About twenty fresh treaties of compulsory arbitration and conciliation had been made. At Locarno, France, Belgium, Germany, Poland and Czechoslovakia had declared that they were ready to accept arbitration in all cases where there was a question of right at issue. The number of arbitration treaties concluded proved to what extent arbitration had gained ground. Not only was arbitration regarded as desirable, but it was becoming all the more necessary on account of the increase in the number of Members of the Council, which would make it more difficult in the future to obtain unanimity in the cases where the Council would have to settle differences.

Along with arbitration, one of the great principles of 1924 was the outlawry of war. Since then, this idea had progressed. After the failure of the Protocol, the resolutions of M. Quiñones de León had been put forward. Then came Locarno, where Germany on the one hand and France and Belgium on the other undertook never to have recourse to war. In the United States a strong propaganda was being undertaken for what was termed "outlawry of war". This propaganda was not receiving any opposition either from the Governments or from the people.

M. Stresemann, in his recent speech before the Assembly, gave his agreement to the idea of proclaiming once more in a solemn and decisive form the wish of States to abolish all recourse to violence. This idea had also inspired the proposal of the Polish delegation.

With regard to security also progress had been made. At Locarno, seven Powers — four of them great ones — had stated that they were disposed to accept obligations going further than those contained in the Covenant. It was known with what activity the study of preventive measures based on Article 11 of the Covenant had been urged by the council. Repressive measures, on the contrary, had not been sufficiently studied. France, Finland and Poland had made proposals relating to security during the speeches on disarmament.

Locarno had brought about the convening of the Preparatory Commission for the Disarmament Conference, but the difficulties met with by the Preparatory Commission were one of the chief reasons for the proposal of the Netherlands delegation. The speeches in the Preparatory Commission had shown that reduction and limitation of armaments was largely dominated by the question of security.

M. Politis had said that the case of the Protocol would be badly served by redrafting it piecemeal. It was exactly for that reason that a study of the whole was necessary. Everything proved that there had been a change since 1924, and how close was the connection between the three problems. If the Third Committee was in agreement about taking up that study again, how should it be accelerated? That could be done by a solemn affirmation that treaties of conciliation and arbitration were an efficient means of settling international differences. On the other hand, it was necessary that the making of treaties of conciliation and arbitration should be stimulated by the drawing up of a model treaty which could be signed by States in pairs and which would enable uniformity to be achieved in this sphere. Could they not consider which were the most efficient types of arbitration? For example, lately the American author, Mr. Hyde, had suggested the idea of a mixed committee composed of the same number of arbitrators for each of the parties and working without an arbitrator having the casting vote.

The Council had already completed a great work for security in reference to the carrying out of Article 11 of the Covenant. It considered that Article 11 gave authority to take steps in the case of a threat of war. Such steps would make a revision of the Covenant less necessary. Nevertheless, certain questions remained to be studied, such as admonitory measures, naval or air demonstrations. Was it not also necessary to determine what was to be done if a State did not carry out the recommendations of the Council?

The scope of Article 16 of the Covenant was not sufficiently defined. The Assembly should renew its recommendation in favour of the ratification of the 1921, 1924 and 1925 amendments. As long as doubts existed the Governments hesitated to propose legislative measures to give effect to Article 16.

With regard to financial and economic sanctions, the Secretariat had done useful work, but the organs of the League of Nations should be instructed to study this question. Article 12 of the Protocol contemplated such a study. Although the Protocol had not been adopted, the study was none the less necessary. The idea of the outlawry of war had also made good progress. The Union of the Associations for the League of Nations had urged a general treaty relating to non-aggression as well as treaties of non-aggression. The resolution submitted by Senator Borah in September 1926 and the draft treaty of perpetual peace by Mr. Shotwell would be remembered. Finally, the draft of the Polish delegation also proposed to forbid wars of aggression. Could they not go further than that? M. Sokal had kept in view illicit wars, but should not legal wars also be forbidden, that is to say, those which were admitted by Article 15, paragraph 7, of the Covenant? It was necessary to have a formula similar to the security clause of Locarno, which forbade any recourse to war except in three instances, namely — violation of that agreement, application of Article 16 of the Covenant, and by order of the League of Nations. It was true that, by instituting such an interdiction without compulsory arbitration, the duty of determining the aggressor fell upon the Council. But in the majority of cases the State refusing arbitration would be put in a bad position, which would probably facilitate the decision of the Council.

These were merely suggestions, but he felt sure that the truth would finally emerge from the clash of ideas.

M. PAUL-BONCOUR (France) said he would deal not so much with each of the individual points on the somewhat heavy programme submitted to the Third Committee as with the link that held them together. The development of each of these questions is, besides, subordinated to the more or less rapid completion of the preliminary work entrusted to the Preparatory Commission for the Disarmament Conference.

It was, he said, a commonplace that the present session had opened in an atmosphere of uneasiness; but it could already be said that, as far as the Assembly was concerned, that uneasiness had been very largely dispelled. The wisdom and generosity displayed by various speakers had created in the present session an atmosphere of confidence, peace and understanding which in itself represented an undoubted gain to the League. He was referring in particular to the enlightened and understanding wisdom of the first delegate of France, who had uttered a warning against the tendency to feel that every year should bring fresh progress, quite apart from the political circumstances with which the various national communities that formed the League had to cope. In the language of prudence he had urged, in the League's own interests, that the limits imposed by circumstances should not be exceeded.

But the Third Committee was in a somewhat peculiar position, which it would not be unduly pessimistic to describe as a difficult position. The Committee was up against a problem which it could not avoid, as it was raised in Article 8 of the Covenant, and which the League — faithfully interpreting the Covenant in accordance with the general will of the nations — had brought into prominence when in 1925 and again in 1926 the Assembly had urged the necessity of pushing forward the preparatory work for disarmament so as to allow of the summoning of an international conference.

Moreover — and this was the rather tragic aspect of the situation — the solution of the problem did not take the form of one of those legal constructions which the League so painfully put together, and for which, as M. Briand in his wisdom suggested, the atmosphere was not always favourable. The problem of disarmament had such great force as a symbol and the peoples, rightly or wrongly, attached such importance to its solution that, even if on every other point — and he would not say that such was the case — the League discharged all its obligations, a failure in this one matter would mean the bankruptcy of the League.

And the peoples were not wrong. When they clamoured for the reduction of armaments, for the mitigation of the burden of armed peace, they were listening in their hearts to the voices of the fallen, of those who fell in what they believed to be the last war. But there was nothing to regret. In 1925, when the Locarno Agreements, that partial and regional realisation of the Protocol, were being negotiated, in order to make sure that all the preparations would be made and all the material collected by the time the general atmosphere of security enabled an international conference to be held, the necessary technical work had been attacked; in 1926, the Assembly, recognising that a certain degree of security had, beyond dispute, been realised at Locarno, had urged the Preparatory Commission to expedite its work, and had even, by an act of faith, about which certain wiseacres had doubts, fixed a provisional date for the Conference.

It was a commonplace to say that the Preparatory Commission had come to a deadlock, or, as some people more kindly put it, to a virtual deadlock. He did not agree. Still less did he agree with the habit of exaggerating this deadlock or semi-deadlock by saddling it with the failure of the Naval Conference.

He would speak guardedly of this non-League conference, but he thought that the difficulties it had encountered constituted a justification of the principles on which the Third Committee based its work. He did not, of course, rejoice over that failure, but he

thought it was fair to say that those who tried to debit it to the League, and in particular to debit it to the Preparatory Commission, were running directly counter to the whole justification of the position the League had adopted.

Facts had shown that the disarmament problem could not be solved piecemeal; a solution could only be found by affirming the interdependence of the three forms of armament. What was more, it was in that very Committee that it had been said that disarmament could not be usefully pursued except by all the Powers collectively, and that even those countries which, under an international convention, would have no reductions of armaments to offer because their armaments had already been reduced to a minimum had the greatest possible interest in conferring with the others on the subject of disarmament. To discuss disarmament was to discuss the conditions for peace.

The failure of the Naval Conference must not be set as a black mark against the League. But even as regards the League and the Third Committee, where was there any failure? In order to measure the degree of failure, the results achieved must be set against the aims in view.

The Preparatory Commission had not been told to achieve disarmament; it had simply been instructed to prepare the programme for a conference. Well, that programme had already practically been complete in the previous March or April, at the Commission's second session. The main points in it had been thoroughly discussed even before the 1926 Assembly; the French and British delegations in particular had set out their opposing views, and, with the Council's approval, a number of questions, which in themselves constituted the programme of the conference, had been laid before the technical committees. The technical committees had worked for months. People might laugh at them, but, thanks to their efforts, the League now possessed a collection of documents without which no conference could usefully attempt to do anything.

The Preparatory Commission and the statesmen of which it was composed might have been content to do a little clearing in the undergrowth of this work, to cut paths through it, so as to enable the public to find its way, and thus succeed in drawing up a programme for the conference. They wanted to do more than that, and for that very reason they had plunged into the difficulties for which they were now being blamed; they had not wished the projected conference to end in failure, because such failure would have a deplorable effect throughout the world.

Like the earlier speakers, he would quote from the Bible: the members of the Preparatory Commission and the members of the Third Committee were like the scapegoat that every year the people of Israel loaded with the sins of the community and drove out into the desert.

The reason was that, instead of simply co-ordinating the work of the technical committees, they had been ambitious enough to draw up a preliminary draft Convention which would have left the conference nothing to do but to fill in the blanks with figures.

It was not surprising, therefore, if the same difficulties that a conference would have met with had been encountered. But the fact remained that the Preparatory Commission had to a great extent succeeded in hastening and facilitating the meeting of a conference as soon as other conditions which he would refer to — conditions that did not depend on the Preparatory Commission — were fulfilled.

He admitted, however, that the documents that had been distributed did not give a correct idea of all the points on which agreement had been reached, and he quite understood the very reasonable desire of the Swedish delegate that the Minutes of the Preparatory Commission's meetings should be circulated. Only from those Minutes could an accurate idea be formed not only of the disagreements — and there were some — but also of the incontestable agreement that had been secured on many points. The method of presentation in columns seemed to emphasise differences of opinion; reservations were made, but all that merely reflected a spirit of diplomatic caution natural enough in men who, before binding their Governments, were waiting to see whether agreement was reached on other points on which the divergencies were more pronounced.

It would be seen from the Minutes that so far as concerned effectives — reductions of land armaments — the preliminary draft Convention was already complete; in regard to reductions of air armaments, there were still difficulties but they were not insuperable; it was essentially on the shoals of naval disarmament that the ship had temporarily stranded, and all hands were needed to get her afloat again.

If ever posterity should read in its history that a great international effort to achieve disarmament had failed because of the difference of opinion between the advocates of the methods of "total tonnage" and "tonnage by classes", either a shout of laughter or a howl of execration would go up against the Preparatory Commission.

The circumstance which weighed upon the preparatory work of the conference was something for which its members were not responsible. The caution that was exercised and the atmosphere of mistrust which prevailed during the discussions were due to a factor which was always present when any serious effort was made to attack the disarmament problem, namely, the question of security. Attempts were made to avoid it but it had cropped up at every turn of the road, holding a finger to its lips like the statue of Silence. In any attempt to facilitate and expedite the preparatory work of disarmament the heart of the problem lay in this question of security.

M. Loudon had suggested that Governments should negotiate with one another to frame a single text, but, even supposing that the technical aspects of the question were completely cleared up and existing disagreements removed, would they not incur the reproach referred to by M. Briand in connection with negotiations by private conversations? Undoubtedly preparation was necessary and very fruitful negotiations could be carried on at Geneva in public. Vital points had been discussed and they were no longer faced with two irreconcilable cases, but with a single case and some compromise proposals.

He feared, however, that, once the preparatory work was finished, and the draft Convention established, new difficulties would arise when it came to filling in the blank spaces with figures, unless there was some international organisation already in existence to guarantee security. He was afraid that States which had to give undertakings without receiving their *quid pro quo* would enter figures so high that disillusionment would only be increased and it would be more correct to speak of super-armament than disarmament.

This brought them back once again to the straight and open road which could alone lead to disarmament; they were led to recognise the inevitable bond between disarmament and security. It was recognised in 1924 as regarded arbitration, it was recognised as regarded the Treaty of Mutual Assistance and also as regarded the Protocol, which, whatever people might say, was not dormant but was a living reality which had been ratified by some Powers and which was awaiting ratification by the others.

Work on disarmament began with the creation of the League. The Locarno Agreements were looked upon as a partial and logical realisation of the Protocol and as the first of a series of separate agreements which, taken together, would result in a settlement being found for all local dangers. Unfortunately, matters stopped there. Diplomacy, the chancelleries and all other organisations must derive inspiration from democratic faith. The League of Nations was a living expression of democracy. The statesmen who had brought about the Locarno Agreements had only been successful owing to the impulse given by the League through the framing of the Protocol. This impulse had been arrested and the Locarno Agreements had not had any sequel.

He desired to know what was now to be done. From the technical point of view, the work of the Preparatory Commission could be regarded as finished. It was necessary to continue the study of political conditions, especially as the principles of the Protocol were being revived. Nevertheless, he fully realised the difficulties. He remembered the eloquent and moving declaration by the first delegate of the British Empire, to whose political honesty he desired to pay his tribute, and who represented a great country which was as cautious in incurring obligations as it was faithful in observing them. At the same time, something had to be done, and several solutions offered themselves. The suggestions of M. de Brouckère and M. Loudon might be adopted and the Preparatory Commission asked to embark upon the enquiries recommended by those two speakers. He himself had a suggestion to offer. He thought that continuity in the work of the League was a necessary condition of its effectiveness as well as of the League's prestige. The Protocol was in existence. Could it not be amended or made more elastic to meet the objections which certain great Powers were led to raise by the very constitution of their Empire.

In the Protocol it had been sought to create an instrument of universal application. He did not think that was Utopian. On the contrary, universality was becoming more and more essential, since a gun fired in China reverberated in the very heart of Europe. He was convinced that, in aiming at universality, the authors of the Protocol were the true realists, for in the future no measures in this direction would any longer be possible except on an international scale.

But even supposing that, for fundamental reasons, certain countries could not incur indefinite undertakings, was it not possible to establish a greater variety of obligations? It was a surprising fact that, after texts were laboriously framed, no one made it his business to enlighten public opinion. Those familiar with the Protocol knew that Article 13 contained the germ of an exceedingly elastic scheme. Complaints were made of a rigidity which did not exist, for Article 13 provided for a graduated scale of military, naval and air sanctions, which constituted the main concern.

Moreover, M. Politis had proposed that even the principle of obligation should be given that measure of variety which had been provided for the application of sanctions. Was this not possible? Looking at things at their worst, and supposing that no formula could be found sufficiently elastic to allow all States Members of the League to sign the Protocol or its substitute, what difference was there between a system of complicated separate agreements and that comprehensive agreement implied in the Covenant, comprehensive but, all the same, leaving room for special interests — an agreement to which those nations which felt themselves most directly concerned would find it possible to put their collective signature.

He would repeat that he was not making definite proposals. He was himself seeking a way out. At the same time, it was necessary to have the courage to attack the heart of the



problem and to state that the difficulties encountered in the matter of disarmament were due to a factor which had already faced them several times, namely, that there was no international organisation of security.

*The meeting rose at 6.45 p.m.*

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#### FOURTH MEETING.

*Held on Wednesday, September 14th, 1927, at 4 p.m.,*

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Chairman : M. BENEŠ (Czechoslovakia).

#### 6.. General Discussion (*continuation*).

General TANCZOS (Hungary) wished to make a few remarks on the questions on the agenda. He had had the honour of representing his country in the Third Committee for the last five years. In 1923, he had taken part in the discussion on the draft Treaty of Mutual Assistance. Hungary had accepted the idea of a general treaty of mutual guarantee combined with special treaties which should comprise at least all the States of the same continent.

In 1923, the Assembly had requested the Council to forward to the Members of the League the recommendation not to exceed the total military, naval and air expenditure estimated for the budget of 1923 — which already constituted a limitation of armaments — for a period necessary for the drawing up and adoption of a general plan for the reduction of armaments. This first step, he thought, should be carried out.

In 1924, in discussing the Geneva Protocol, he had stated in the Third Committee that Hungary greeted with pleasure the action initiated by the Prime Ministers of France and Great Britain, an action of particular importance to Hungary, to the success of which the Hungarian Government had promised to contribute to the utmost of its power.

In 1925, he had made a short speech agreeing either with the system of the Covenant completed by special agreements or by a system of a common Protocol, on condition that one or the other fulfilled the promise of general disarmament solemnly made to Hungary in the Preamble to Part V of the Treaty of Trianon.

In 1926, he had again upheld the proposal of the French delegation with regard to the primary work on disarmament and he had even submitted a very detailed memorandum on the whole of the problem.

Two fresh draft resolutions were now being submitted which served to create a favourable atmosphere for disarmament — one by the Netherlands delegation and the other by the representative of Poland.

Faithful to the attitude taken by him in the preceding years, he was of opinion that these two proposals could serve as a point of departure for their discussion, provided that they had for their goal the realisation of a general reduction of armaments.

He had studied with great attention the results of the work of the Preparatory Commission. Unfortunately, he had not had the Minutes of the meetings of the Commission. That was a regrettable omission, as had been stated by the representative of Sweden. He entirely agreed with the President of the Preparatory Commission that the work of that Commission had been strangely under-estimated; in fact, the Commission had done remarkable work on the technical side of the question.

Unfortunately, on many questions of primary importance a wide divergence of opinion was noticeable in the points of view expressed by the members of the Preparatory Commission, but that was not the fault of the Commission. It was solely the natural consequence of the fact that the political basis for disarmament had not yet been created.

That was an important point, bad for public opinion, which waited with an increasing impatience, justified by the experiences of the last years, for something positive to be done for the reduction of armaments. Instead of disarmament, one could read almost every day in the newspapers news which showed a contrary tendency; promulgation of new laws for military service, introduction of new arms, the creation of air fleets, field manoeuvres, etc.; in a word, the States which had not been forced to disarm held passionately to their arms, apparently considering them the sole means of safeguarding their national security.

The question was : Who would guarantee the national security of Hungary according to the terms of Article 8 of the Covenant ? It might be urged that security was assured by Article 10, which guaranteed political independence and territorial integrity to all the Members of the League of Nations. But if that security was sufficient for disarmed Hungary, it should suffice *a fortiori* for all the other Members of the League.

In a word, there existed and would exist in Hungary that feeling so well characterised by a speaker at the Assembly : " It consists in regarding the world as divided into conquerors and conquered, into nations which have their freedom to arm and nations upon whom the obligation to disarm had been imposed. "

In order to set its mind at rest, patience had been recommended to the 1927 Assembly; Hungary had stated that it was willing to wait because it had not yet lost all hope, and it would once more greet with special satisfaction a sincere continuation and acceleration of the work of the general reduction of armaments.

General DE MARINIS (Italy) said that he wished to reply to M. Sokal, who at the last meeting had stated that there was a contradiction between the point of view expressed by M. Scialoja in 1923 and that expressed by him in his speech to the eighth session of the Assembly. Far from there being any inconsistency, the opinion of the first Italian delegate was to-day, as ever, that the realisation of the aims set forth in the Covenant could only be achieved by increased understanding in public opinion or even by means of a moral propaganda amongst the people. The clauses of the Covenant, however, were of so great a force that they could not be strengthened by simple verbal declarations made in the Assembly, whose duty it was to study and develop their application. If they succeeded, they would have accomplished their duty; but, supposing they did not reach their goal in all the directions under consideration, that would not bring about any weakening of the strength of the Covenant. The greatest service that could be rendered to the League of Nations was to instil confidence in the Covenant in the public mind. Proposals such as those put forward by the representative of Poland would, in his opinion, instead of increasing the moral value of the Covenant in public opinion, weaken its force. It would appear to be admitted that its provisions were insufficient and should be strengthened by mere recommendations, whereas, such recommendations, however solemn they might be, had only a verbal value and really added nothing to the facts.

M. Scialoja, holding to the opinion which he had expressed several years ago, considered that every effort should be made to increase the authority and prestige of the Covenant in the universal conscience.

In conclusion he would emphasise that the observations of the first delegate of Italy had not been intended as a rejection of the Polish delegations proposal, which the Italian delegation was even disposed to accept if the representative of Poland insisted upon it; M. Scialoja had only made an appeal to the Assembly not to take up proposals which had already been made and which by repetition, far from increasing the moral value of the Covenant as it stood, would in certain respects tend to weaken it.

M. SOKAL (Poland) thanked the Italian delegation for the good will it had shown. On the main point at issue — that the force of the Covenant remained unaffected — there had never been any disagreement between the Italian and Polish delegations. If the Polish delegation persisted in its proposal, it was because of the reason touched on by M. Scialoja in his speech : the idea of moral propaganda. The strength of the Covenant would in no way be weakened.

Dr. NANSEN (Norway) said that his country was not represented on the Preparatory Commission and therefore he spoke as an outsider. He fully appreciated, however, its work and thought it had made a most important beginning, the value of which M. Loudon had not exaggerated. For that reason, it might be hoped that those responsible for the future work of the Commission would not too long delay its next meeting. It had a long programme of work before it, and the sooner it started on its task of finishing the first draft of the Convention the better.

With regard to specific points in connection with the work, there were one or two of importance which had been raised in the debate. First, there was the limitation of budgetary expenditure. In that connection he reviewed the report of the Committee of Experts and said he hoped that the Assembly would pass a very strong resolution in favour of the question of budget limitation, in which event the Commission would have to meet again to consider the proposal. The same applied to limitation of war material for land and air forces. He did not agree in principle, however, with those delegations which only wanted to limit material actually in use by armed forces, leaving out of account material in reserve.

With regard to private manufacture of arms, his delegation strongly supported what had been said by M. Guerrero. They all knew the attitude of certain Governments which considered that the regime suggested by the Committee could not be generally applied to the arms produced by State factories, but it did not seem that these objections were sufficient to hold up all progress. If the difficulties were plain, the obligations of Article 8 of the Covenant were still more plain. At a later stage he would suggest that the Third Committee, following M. Guerrero's lead, should pass a resolution urging the Council to proceed on the basis of the work accomplished and to summon a conference to draw up an international treaty. They would then have a body of obligations in existence which could be accepted as and when the Governments desired. If some Governments felt unable to be present at such a conference, that should not be a fatal objection.



As for chemical warfare, M. Loudon had suggested that a Committee of Experts on Gas Warfare might be set up, and he hoped that the Assembly would support that suggestion. Such a Committee should not consist of professors but of experts who actually took part in gas warfare during the last war.

Another point was the question of reductions of armaments. M. Loudon had suggested that in the first treaty no reductions might be possible but that it would be sufficient if mere limitation were enforced. There he warmly supported what Count Bernstorff had said. No doubt limitation would be infinitely better than nothing, because it would stop competition, but considerable reductions might be anticipated even in the first instance. The level of armaments to-day was immensely high, almost as high as on the eve of war in 1914. In that connection, he would refer to certain figures given to the Economic Conference by the Swedish delegation.

Coming to the broader political aspects of the great problem of disarmament, the Committee had before it those political aspects in the clearest and broadest possible way as the result of the resolutions of the Netherlands and Polish delegations, and he himself desired to make a modest proposal which he thought might help to bring a concrete result out of the important discussion that had taken place. It was plain that the vast majority of delegations desired to make further progress in regard to security and arbitration. Such progress, he thought, could be made on the basis of the Covenant as it stood, and without raising controversial issues on which the Assembly might be divided. He welcomed especially M. de Brouckère's speech of the previous day; both he and M. Loudon, and, indeed, M. Paul-Boncour, had made proposals in broad outline as to the action that might be taken on the basis of the Covenant simply by developing obligations which Members of the League had already accepted. The proposal which he was about to circulate simply aimed at following up these proposals of principle. He was making the proposal during that general discussion, and not when they came to discuss the resolution of the Netherlands delegation, which might seem to be the right time, because he thought that the suggestion was one which could be sent to the First Committee and that the Third Committee would not need to do more than have a general discussion on it. His proposal was for a simple treaty which should enable Members of the League which desired to do so to promote the more general acceptance of obligatory arbitration. There was already an optional clause attached to the Statute of the Court under which States which desired to do so could accept the jurisdiction of the Court in legal disputes. The draft now put forward simply proposed that a similar arrangement should be drawn up under which States could accept also compulsory arbitration in non-legal disputes if the Council was unable, under Article 15, to secure a settlement of them. It did not in any way change or affect the rights and duties of the Council under Article 15, but merely provided for pacific settlement in cases in which the Council had failed to secure a solution. The draft was as simple as possible and it might be that the First Committee would wish to make a number of changes in it, but he attached importance to nothing but the main idea.

The suggested new engagement would not affect the rights and duties of States under any other arbitration treaties, but would only come into force when other treaties did not cover a given dispute. Also it was not suggested that definite action should be taken on the draft that year, but merely that the Assembly should adopt the procedure followed in the case of the Slavery Convention. In other words, he proposed that the Assembly should provisionally draw up a draft optional treaty of the kind he had described and ask the Council to send it out to the Governments for their consideration with a view to its adoption at next year's Assembly.

The text of the proposal was as follows :

*" Draft Optional Convention for Obligatory Arbitration of Disputes.*

" 1. The Signatory States undertake to submit all questions of every kind arising between them, which it has not been possible to settle within a reasonable time by the normal methods of diplomacy, either to judicial decision or to decision through the procedure defined in the following articles.

" 2. *Legal Disputes.* — In all legal disputes, including those with regard to which the parties are in conflict as to their respective rights, and in particular those mentioned in paragraph 2 of Article 36 of the Statute of the Permanent Court of International Justice, the Signatory States recognise as compulsory, *ipso facto*, and without special agreement the jurisdiction of the Court. In cases of doubt as to whether any dispute is one in which the parties are in conflict as to their respective rights, or falls within those mentioned in paragraph 2 of Article 36 of the Statute of the Permanent Court, the Permanent Court itself shall decide the question.

" 3. In all disputes not covered by the preceding article, in which a settlement cannot be reached through the intervention of the Council of the League of Nations in accordance with the procedure of Article 15 of the Covenant, the Signatory States agree to comply with the following procedure.

" (a) The question in dispute shall be referred to arbitration and the parties shall appoint a Committee of Arbitrators to be constituted by agreement between the parties.

" (b) If the parties cannot agree in whole or in part on the number, names and powers of the Arbitrators and upon the procedure, the Council shall, by a majority, settle these points remaining in suspense and constitute the Committee of Arbitrators.

" (c) The parties undertake to accept and carry out in good faith within a reasonable time the award of the Committee of Arbitrators, which shall be made within six months unless otherwise agreed.

" 4. This treaty in no way affects the rights and obligations of signatory parties under arbitration treaties already existing or to be concluded in the future."

The CHAIRMAN said that Dr. Nansen's proposal would be put on the agenda of the Committee, and that it would be discussed in detail.

M. COMNÈNE (Roumania) said that, in his double quality as an old member of the Third Committee and as the representative of his country in the Preparatory Commission, he wished to submit several observations which he considered would contribute, on the one hand, to dispel a misunderstanding which seemed to have entered certain minds and, on the other hand, to bring a modest help to the work of peace which the League of Nations was endeavouring to bring about.

He advised the sceptics who were anxious to proclaim the failure of the Preparatory Commission to read the copious documentation and Minutes of that Commission. They would thus see the error of their ways, for they would find that all questions having any bearing whatsoever on war or its preparation had been studied with a care without precedent and always without losing sight of the goal which it was hoped to reach, namely, limitation and reduction of armaments. On the other hand, all the political problems bearing on this grave question had been minutely examined by the political representatives of the Governments, assisted by the technical military advisers.

Thanks to that work, the idea of disarmament, as M. Paul-Boncour had stated, had ceased to be a mystery. It had become a dynamic idea — as the philosophers said, a reality.

That was already an appreciable result, but there were better. The Preparatory Commission had prepared the ground. It had carried out the necessary winnowing. It had drawn up a certain number of texts on which agreement had been reached. The Commission had thus carried out useful work which had not been sufficiently appreciated. It had thus come to know exactly the points of view of the various Governments, and therefore it could not be stated that the Commission had only succeeded in producing a record of failure.

In speaking thus, he considered that he was expressing the opinion of a large majority, if not the entire number, of his colleagues on the Preparatory Commission. The task would have been easier if they had commenced with the organisation of security and then passed to disarmament, as was advised by Article 8 of the Covenant. They had adopted another method, but, in spite of differences concerning the method and the difficulties, which sometimes appeared insurmountable in the first stage, it had been accomplished. That which yesterday seemed to be Utopian to-day appeared strongly realisable. Since working for the League of Nations, he had always endeavoured not to practise a verbal pacifism, in order to flatter public opinion, because nothing was more dangerous than to make the world believe that the League of Nations could do more than it could. He wished to express once more in all sincerity his indestructible faith in the future of the League of Nations. In the present state of things, he did not consider that certain great problems, such as trained reserves, total tonnage or tonnage by classes, or civil aviation could be solved in a few weeks. He was firmly convinced, however, that agreement could gradually be arrived at on each of the questions if the nations could be offered the necessary guarantees of security.

In addition to the proposals of the Netherlands, Polish and Finnish delegations and the suggestions made in the Preparatory Commission, the work of the Council and, above all, the Treaty of Non-aggression and the Regional Agreements showed that the problem of security was becoming more and more important and that soon they would succeed in solving side by side or simultaneously the two great problems which in reality only formed a single indivisible and indissoluble whole.

Passing to the examination of the various proposals now before the Committee, he was of opinion that the Polish delegations proposal was far from being superfluous. M. Sokal had been kind enough to attribute to him a certain part in the forming of this resolution. Indeed, the Roumanian delegation wondered if, while being careful of certain legitimate susceptibilities, it would not be possible to find a formula guaranteeing a minimum security to the signatories of the future Disarmament Convention by considering that the signature to this Convention would practically have the same effect as the conclusion of a treaty of non-aggression between the contracting parties. This idea had been taken up by M. Sokal and, in accordance with the present spirit of the League of Nations, had been very much attenuated in form.

He accepted that form because, in his opinion, the League of Nations could not reject any formula, however tentative it might be, which would tend to fix more firmly in the universal conscience what his colleague, M. Lupu, the other day had called the eleventh commandment — "Thou shalt not make war."

In the opinion of the Roumanian delegate, the Polish delegations proposal should be retained by the Committee, and the formula proposed by the Netherlands delegation should not be excluded. No one was better qualified than the President of the Preparatory

Commission to state that the work could not seriously progress unless a certain degree of security was realised. In making his proposal, the Minister of Foreign Affairs for the Netherlands, helped by such a collaborator as M. Loudon, appeared not as a participant but as an expert in the matter, an expert whose opinion should be taken into serious consideration. But others had joined with him in showing the necessity for an organisation of security, and he himself was absolutely convinced that, when listening the previous day to the marvellous speeches by M. de Brouckère and M. Paul-Boncour, the most formidable adversaries of the theses which those speakers had submitted must have been deeply impressed.

With M. Paul-Boncour he considered that the Assembly should give the Preparatory Commission authority to see what could be done, but he joined issue with M. Paul-Boncour in that he considered it absolutely necessary to begin with a diplomatic preparation. The publicity of the discussing was a guarantee which should not be given up, but it was necessary to precede the discussions first by preparing the position as between the Governments and by the preparation of public opinion.

Here it was useful to recall a resolution lately taken at the Conference of Press Experts. That resolution had been specially emphasised by Sir Austen Chamberlain before the Council and it was relevant to moral disarmament. Moral disarmament was impossible if the newspapers carried out unjust or insinuating campaigns against certain Governments. While respecting the liberty of the Press, he was of opinion that Governments which were sincerely pacific had the right to point out to those who did not realise it how much harm was done to the idea of peace by engaging in such campaigns, conducted sometimes with violence.

He agreed with M. Loudon that it was better to put back the meeting of the Preparatory Commission by a few months in order to allow Governments, the Council of the League of Nations and the Press to work in the direction which he had indicated. Too great rapidity in this matter might be fatal, as Viscount Cecil had said. Care must be taken to avoid any solution badly prepared if they wished to bring to a successful conclusion the work of peace and good will without which the League of Nations would no longer have any reason to exist.

M. POLITIS (Greece) said that he wished to help in the work of ascertaining if there were not fresh directions in which search could be made with a view to completing the guarantees of security which the Members of the League of Nations found in the Covenant and complementary Conventions; and that he would do it with the same sincerity which had inspired him when he spoke in the Assembly.

It was a sense of duty which impelled him. Duty was certainly not always very agreeable to perform, but seldom had it appeared to him so difficult. There was an impression that he had abandoned to some extent the ideas which were dear to him and that he might be regarded, in respect of the work undertaken three years ago, as a cruel father anxious to hide and almost to do away with his child.

There was also an impression, still more unpleasant, that he was in contradiction with the representative of a country which he admired, and offending the people who represented it and were his friends.

The advice to "wait", with which he had finished his speech, had been taken to convey a kind of resignation due to impotence, an abandonment of the work begun, discouragement. He would leave such judgments to those who read the reports of the Assembly, but he would say at once that the meaning of that word had been misunderstood, which did not convey any of the pessimistic, negative or stationary meanings which they had wished to attribute to it.

On the contrary, he had summed up by that one word a maxim of encouragement and hope which had become traditional in ancient Greece and in modern Greece, translating almost word for word a celebrated verse in *The Persians* of Æschylus, asking his countrymen to carry on in spite of all dangers the fight from which emerged the liberty of mankind, saying: "On, sons of Greece! be bold of heart! To-morrow may perchance bring a kindlier fate." One could not see any pessimism there — neither a wish to stop nor discouragement of action; but he recognised, especially after the invitation of M. Briand to distrust short formulæ, that it was regrettable that he should have attempted to sum up in a single word the noble thoughts of the Greek poet in his tragedy.

In spite of what he hoped was only a temporary disappointment, to those who had the same ideal as himself, and whose friendship was dear to him, M. Politis was not sorry for what he had done. In his opinion, it was essential that hopes which could not be immediately realised should not be awakened in the hearts of men, for failure would then have fatal consequences.

What he had wished to say was that, in the present state of the world, one could not undertake any great work which could be fulfilled immediately; but he had never contended that the effort should not be continued or that the preliminary work should not be followed up.

Besides, in the speeches of the representative of the British Empire, he had found a phrase which showed that all the Members of the League should make a common effort to progress. That which was not possible to-day would be possible to-morrow, Sir Austen Chamberlain had said, when the atmosphere of peace was more widespread. This progress might perhaps be made to-morrow; it should be undertaken, and it was in this spirit that M. Politis agreed with the Netherlands delegation's proposal, inviting the League to follow up its studies. Those studies had to be continued at many different points, and already M. de Brouckère had indicated a vast field in which researches could be carried out, and that field had, moreover, been more clearly defined by more precise proposals. With regard to

the Polish delegation's proposal, for example, he considered that a solemn declaration by which war would be outlawed would be of great educational value. The result would not be an immediate and real supplement to the guarantee of security; but that should not prevent the adoption of the proposed resolution. On the other hand, he was much inclined to accept the advice of M. Loudon, tending to give this proposal a far larger scope by condemning not only wars of a certain category, such as wars of aggression, but in general all wars.

To this idea he would add another, borrowed from the thoughts that were beginning to make their way in the world. Several months ago it had been proposed to outlaw war in a solemn treaty concluded between France and the United States. M. Politis hoped that this treaty would shortly be concluded — not that it would add anything to the guarantee of peace between two States which were bound to remain eternally at peace, but because such a proclamation would exercise an immense influence on the evolution of ideas and on the development of international law. Also, if that first treaty were followed by others concluded between other European Powers with the United States, it would perhaps solve a somewhat technical difficulty, which had enormous consequences and was one of the obstacles that had barred the road to arbitration in 1924. He was referring to the idea of neutrality. One of the objections raised to the Protocol had been that even economic sanctions could not be applied so easily as had been believed unless there were some form of *entente* with the large States which remained neutral during a repressive war undertaken by the whole of the League of Nations against an aggressor. It had even been said that the full exercise of the economic sanctions foreseen by the Covenant would risk giving rise to a still greater conflict between those Powers which, in execution of the Protocol, endeavoured to repress the aggression and those which remained neutral. At the same time that the idea of outlawing war developed, progress was also made in the United States with the idea of reforming the notion of neutrality. It had been required with unanswerable logic that a country which remained neutral should not use its rights of neutrality so as to create obstacles to a public sentence established in a treaty signed by a large number of States, because, if the neutral country did not wish to join in punishing the aggressor, at least it should not lend it any help, either directly by maintaining relations with it or indirectly by furnishing supplies — thus prolonging its resistance against those which, armed with the right of justice, were repressing its crime. He therefore hoped that studies with a view to finding by what means an *entente* could be arrived at between countries which, inspired by the same ideal, hoped that peace might receive guarantees would be continued for the reform of the notion of neutrality in accordance with the new conceptions of the relations between civilised States.

With regard to the Netherlands delegation's proposal, he considered that many things could be achieved in the near future in connection with arbitration and security. Arbitration, it had been said, had in the last few years made immense progress, thanks not to treaties but to special treaties. If a general treaty had not yet been achieved, it was because arbitration was based on an idea of confidence, and confidence was not yet the same between all States. In virtue and in moral qualities, nations were not, any more than individuals, absolutely equal, and it was comprehensible that a country which undertook to submit all the legal points which concerned it, even those which touched its "vital interests", to the judgment of a third party could not have the same confidence towards all.

On the other hand, during the last five years, some forty special arbitration treaties had been concluded, and he would pay a tribute to the President of the Swiss Confederation, who was the best and chief worker in this great movement. These special treaties should be studied from various points of view. He would mention only one, the most important. They differed in methods but had a common basis. In this connection, he could not help thinking of the network of telegraphs and telephones which bound States together, and this thought brought with it another: fifty years ago, in regard to postal arrangements, matters were very much as they were to-day in regard to arbitration. There were only special treaties. Then one day these treaties were multiplied, repeated one after the other, and the idea naturally came to extract the common basis in order to make a convention which would be open to all. Thus was born in 1874 the Universal Postal Union. It was perhaps ambitious to predict that the same cycle would be gone through for arbitration, but he had a conviction that it would be so. The day would come when the common basis of special arbitration treaties would be extracted in order to make a general convention open to all Governments of good faith, and, side by side with this vast *entente*, and even within its limits, would be found *ententes* even closer.

He hoped that the studies which were to be undertaken would show the practical value of that idea. It approached the Netherlands delegation's proposal, contemplating a model arbitration treaty, and also the proposals of Dr. Nansen, which contemplated a draft of a model treaty. He hoped that, once the model treaty was drawn up, a certain number of States, followed by a larger number, would adhere to it, and finally that there would be the gradual adhesion of all States, whose help was necessary in order to constitute what he would call the legal union of the civilised world, the basis of the first guarantees of security. If such a legal union were to come about, it would have at its disposal the indispensable sanction without which obligatory arbitration was impossible. It would be found in Article 13 of the Covenant, which gave the Council the right to carry out the necessary steps to ensure that a decision be fulfilled. It was in the direction indicated by the representative for Belgium that search must be made, if not to complete the text of Article 13, at least to discover the procedure and the means by which the Council could, if necessary, enforce a decision which

had not been respected. Such were the resources which might be sought and found, in the direction of arbitration, and thus might the problem of security be related to them. In the Covenant could be found the foundations of security on which to base the arbitration *entente*.

But in the region of security itself, there was much work to be undertaken. M. de Brouckère had shown it by quoting the articles of the Covenant and by examining the hidden riches which they contained, and it would be of interest to extract them and embody them in internal rules for the execution of the constitutional articles of the League.

But there was more. A year ago, the Assembly had adopted a resolution which, admitting the value of the Locarno Agreements, had affirmed its conviction that it was possible to admit the general ideas contained in those agreements among the basic rules which should govern the foreign policy of civilised nations : the Assembly also expressed the hope that such rules would be recognised by all the States, and put into effect as soon as possible. Lastly, it invited the Council to recommend the Members of the League to apply these principles and to offer its good offices for the conclusion of appropriate agreements for the establishment of confidence and security. It had been stated on the previous day, and it must be admitted with sorrow, that this invitation to the Council had not yet been followed by practical results. He had no doubt that these good offices would have been accorded if they had been asked for. The text had doubtless been understood to mean that the Council might put itself at the disposal of States which wished to conclude similar agreements. He wondered whether this resolution, which should be maintained, could not be completed : if the Council should not make a further step in that direction, not limiting itself to offering its good offices each time that they were asked for, but endeavouring to create opportunities for its intervention, encouraging certain States to conclude such agreements when, rising above merely local considerations, it saw it was possible to do so.

Doubtless there was danger that the Council, by proceeding thus, might interfere too much with the affairs of Members of the League. But that was a question of tact and the Council would certainly act with such discretion that it would never enter the minds of anyone to make such a reproach. If the idea were embodied in a text, it would also be well to adopt rules of procedure which, submitted to the approval of a later Assembly, might become a law common to all whose application would not appear to anyone as an interference.

He saw further possibilities. Here he had reached a rather delicate point, and he would ask permission to express himself freely. He had stated, and hoped that all his hearers had agreed, that the Protocol remained alive and that one day, as soon as the obstacles which had been met with in 1924 had disappeared, it would be a reality. That hope was singularly strengthened by a very clear statement which the representative of the British Empire had made in his speech : " There was no possibility of taking up the Protocol until, on one side or the other, there had been some approximation of the views of the parties ". That was a valuable indication, because it allowed of the day being foreseen when, as the result of successful stages of approximation, the Protocol could be applied in its entirety. How could this approximation be brought about ? It was difficult to say to-day, but he could see already the general idea which would render it possible. The main objection to the Protocol, the main obstacle, had again been stated, and now he understood it better. He now understood that there had been impossibilities, both political and material, against which the good will of certain Governments could do nothing. They arose from the fact that the obligations of the Protocol were general and indefinite, and that they could be brought into play in any conflict by any country in any part of the world.

If this diagnosis were correct, the logical conclusion followed that, in order to bring together the points of view, the standard of obligations, on the one hand, must be lowered and, on the other hand, these lessened obligations must be accepted.

How could the standard of obligations be lowered ? M. Paul-Boncour had the day previous expressed an idea which he had been turning over in his mind for several days : namely, to look in the Protocol itself for a possible solution of the problem. He remembered with what elasticity Article 11 of the Protocol had been drafted. If the preparatory work was glanced at, it would be seen that this elasticity had been thrust upon it by the special circumstances in which certain countries were situated, by the diversity of their geographical situations and by differences of armaments. This elasticity, which in 1924 had appeared indispensable for the application of the sanctions, could, it might be hoped, be embodied in the essential principles of the Protocol. The establishment of a set of obligations in stages might be considered, going from the weakest to the strongest, each State choosing the stage which it would consent to recognise. There would be a solidarity between the parties, whatsoever the degree of the obligation accepted by them. All the inhabitants of a building, if it was exposed to a storm threatening to blow it down, the various tenants — those of the ground floor together with those of the higher floors — would be firmly joined together in an effort for the common safety.

He could not go further into the details of application. He hoped that the organs of the League of Nations would do all that was possible. He was almost certain that practical solutions would emerge from such an idea. He was also disposed to accept the idea that the necessary studies should be entrusted to the Preparatory Commission presided over by the

representative of the Netherlands. Working on disarmament, it must also work on the preparation of solutions of the problem of security so intimately allied with disarmament. The continuity of effort which was one of the essential marks of the progress of the League of Nations would thus be affirmed. The Preparatory Commission must retain the most complete freedom of action to consult experts, but, all enquiries having been made, it would be for itself alone, in full liberty, to formulate proposals to be submitted for approval to each Assembly.

Thus work could be undertaken which he foresaw would be fertile and useful. He agreed with M. Vandervelde, who had said that the peoples could not remain in the shadow of the valleys. He also wished that they might follow the mountain roads in order to arrive in time at the summits where they could contemplate the rising of the splendid star of peace. But he had not forgotten that mountains were not climbed at a rapid pace, that their paths ran by the side of precipices and that those who wished to arrive in time for the dawn at the summit which they had seen from below should walk at a steady pace, with care and with calm. Such was the idea which it appeared to him necessary to repeat once more, while affirming his entire faith in the success of the work of which he had witnessed the beginning.

The Earl of ONSLOW (British Empire) said that the previous day M. de Brouckère had argued that he was at some disadvantage as having been a member of the Preparatory Commission, but he, the speaker, felt that he was at some disadvantage in not having been a member of that Commission, because his last participation in the debates of the Third Committee had taken place last year, and, although he had studied the Committee's report and some of the Minutes, he could not claim to have read all the documents. He would therefore only briefly touch upon the proceedings of the Preparatory Commission, since the attitude of his Government had been very clearly and definitely stated to the Assembly by Sir Austen Chamberlain. Perhaps it was true that the work done since they had last met had not produced all the tangible and immediate results which they had hoped for, and they had heard during the debates some regrets expressed that more had not been done, but he thought it would be a great mistake to think that little or nothing had been done. He considered a great deal had been done, and he was very glad to hear that M. Paul-Boncour did not take a pessimistic view of the success of the deliberations of the Preparatory Commission. M. Paul-Boncour had said that, as far as land armaments were concerned, agreement was practically complete; he would suggest, however, with very great respect, that such a statement was perhaps a little optimistic, since it would seem from a study of the report that there were several points on which a divergence of view was still manifest.

His own Government felt that it was committed to a search for the reduction of armaments on the lines of the Preparatory Commission and it intended to do everything in its power to ensure the success of that search. Its intentions and policy were quite clear on that subject.

With regard to the question of the private manufacture of arms, his Government was quite prepared to consider the question of the private manufacture, or, if it was so wished, to add to that consideration the question of State manufacture; but one thing it did feel — and there he was in disagreement with Dr. Nansen, who had said that even partial consideration was better than nothing — namely, that, if there was a desire to go into the question of private and State manufacture, a decision should be arrived at and all the principal countries at least should take part in the enquiry.

Turning to the Polish delegation's proposal, he welcomed that motion on behalf of his Government, Sir Austen Chamberlain had done, not because it contained anything new, but because M. Sokal had invited the Assembly to join in a solemn resolution to pursue the paths of peace and avoid the paths of war.

The matters referred to in the speeches made by M. Sokal and M. Paul-Boncour had been very largely, if not entirely, dealt with by Sir Austen Chamberlain in the Assembly. He thought, however, that he ought to make the attitude and meaning of his Government perfectly clear, and he would therefore repeat that Great Britain was unable to add to the guarantees or responsibilities which it already bore on its shoulders, and in those circumstances it would deprecate the revival of the discussion on the Protocol in the Preparatory Commission. Great Britain felt that such a discussion could not but lead to disagreement and therefore to a result which must be inimical to the interests of the League as a whole and, therefore, to the interests of every Member thereof.

The proposal made by Dr. Nansen was, in his view, a modification of the suggestion of the delegates whose speeches he had just mentioned. He had not yet had time to study it thoroughly, but his delegation would give it its earliest attention. At first sight, however, it seemed to be a matter rather for the First than for the Third Committee, but that question would be considered later on when they dealt with the agenda.

The speech of M. Politis contained various proposals, among which was one which seemed to him to be very much on the same lines as that of the delegate of Norway. There were a large number of special items on the agenda, and on a certain number of them he would have observations to make later on, especially on the Finnish delegation's proposal for financial assistance in support of States victims of aggression. Sir Austen Chamberlain



had already indicated the British attitude towards that proposal, and therefore he need not elaborate the views of his delegation at the moment. With regard to the other points on the agenda, his delegation would deal with them as they came up.

COUNT BERNSTORFF (Germany) did not think it was for him to speak in that Committee in order to describe a programme of disarmament, for it was somewhat indiscreet for Germany, waiting for the other countries to disarm, to tell them how it should be done. Germany accepted any method of disarmament whatsoever, provided it was effective.

With regard to the words spoken on the day previous by M. de Brouckère concerning the stipulations of the Treaty of Versailles relative to disarmament, he would remind the Committee of the interpretation given by M. Clemenceau, on behalf of the Allied and Associated Powers, in a Note of June 16th, 1919, in which it was stated that the "disarmament of Germany also constitutes the first step towards that general reduction and limitation of armaments which the said Powers consider as one of the surest measures of preventing war, a reduction and limitation of armaments which it would be one of the first duties of the League of Nations to urge".

In the same Note, it was stated that, after Germany had shown the way, the Allied and Associated Powers could follow suit with all security, which, translated into the terms of the trilogy, meant security by disarmament. This interpretation, signed by Germany at the Treaty of Versailles, was still its interpretation to-day, security by arbitration and disarmament.

During the years when Germany was not yet a Member of the League of Nations, notably during the 1926 Assembly, it had been declared that the state of security was sufficient to convene the Preparatory Commission for Disarmament, and since then M. Loudon had stated that security had been greatly strengthened. He was not therefore able to understand why the security at the present time was not sufficient to render it possible to take a first step on the way to disarmament. Arbitration and security were constantly progressing, whereas disarmament, on the contrary, had not made a single step forward since the Treaty of Versailles. He considered it his duty to give a serious warning, important for the prestige of the League of Nations. The idea was growing more and more amongst the peoples that the word "security" was a pretext for not disarming.

He was grateful to M. de Brouckère for having mentioned Article 8, paragraph 6, of the Covenant on the previous day. That provision of the Covenant had never been noted until now. It was, however, the most important, for, if the Powers which wished to disarm were inclined to observe faithfully that paragraph and to interchange information concerning their armed forces and material, it would not be difficult to take the first step towards disarmament by deciding, for example, to reduce their forces by 10, 20 or 30 per cent. That would be an accomplishment which would give to the world not only proof of a desire to talk of arbitration and security but the wish to carry out disarmament.

He congratulated M. Sokal on his speech to the Committee, and expressed the hope that the Polish delegation's proposal would be accepted by the Committee without any change and confirmed by the Assembly.

If the Netherlands delegation's proposal were intended to hasten the work of the Preparatory Commission, and, the proposal should be discussed, he did not see why the convening of the Preparatory Commission should be delayed. While listening to the speech of M. Paul-Boncour, he had received the impression that it was the opinion of the delegate of France that there should be a full and quick discussion in order to arrive at results later. From the discussion in the Assembly he had gathered that it was desirable to apply a new form of trilogy: Wait, hope, and act. The German delegation said simply "Act quickly and with energy" in the interests of the Covenant and in the interests of the world.

## 7. Procedure.

M. PAUL-BONCOUR (France) wished to know what were the intentions of the Bureau concerning the procedure which was to be adopted for the continuation of the work of the Committee. The general discussion would probably be finished during the following meeting, and it would be useful to know whether the proposals which had been submitted would be forwarded to sub-committees while the Committee continued the examination of special points, or if, on the contrary, they would only be forwarded after this examination.

The CHAIRMAN replied that he had been about to inform them on this matter. There were still three speakers to come, and the general discussion would be finished at the following meeting.

He believed that, with regard to the Netherlands delegation's proposal and the proposal of Dr. Nansen, a decision could be taken immediately. The Polish delegation's proposal, on the main points of which the Committee appeared to be in unanimous agreement, could doubtless be voted on without being forwarded to a sub-committee. The First Committee would also have to examine it from the juridical point of view, and, if necessary, a mixed

committee could be arranged between the two Committees. With regard to the other proposals on the agenda, the Committee would have to decide on Friday if it was necessary or not to forward them to sub-committees.

M. PAUL-BONCOUR (France) thanked the Chairman, and asked for time to think over the matter.

*The Committee rose at 7 p.m.*

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## FIFTH MEETING.

*Held on Friday, September 16th, 1927, at 10 a.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

### 8. General Discussion (*continuation*).

M. HOLSTI (Finland) stated that he would like to draw the attention of the Committee to the question of financial aid for States; he reminded them of the proposal submitted by Finland under which the Council had been requested to undertake the examination of special arrangements whereby the reduction of armaments accepted by States unfavourably placed, owing to geographical or other exceptional circumstances, might be compensated in order to meet their requirements for security.

This proposal took into consideration financial, economic and military assistance. With regard to financial assistance, the Finnish delegation had prepared a detailed programme. A certain number of small States, which did not possess either raw material or war industries, would, during peace-time, be forced to buy stocks of war material to satisfy their possible needs in case of emergency, or else to keep stocks of raw material and create an industry. If a small State exposed to danger had not taken any of these precautions, in the event of attack it would be forced to import immediately everything that was necessary to its victorious defence, and such purchases would doubtless exceed the financial capacity of the majority of small States Members of the League. In these circumstances, arrangements could possibly be made beforehand which would allow the Council to assist by financial aid a small State which was a victim of an aggression. If the Members of the League, or several of them, were ready in certain conditions and up to a maximum limit to offer these guarantees, the Council could, if the case arose, take all steps for the immediate floating of a loan; it could then put these resources at the disposal of the attacked State, taking into consideration both the economic, financial and military capacity of the State to defend itself until the general assistance foreseen in Article 16 of the Covenant could intervene and the corresponding resources of the aggressor.

At its meeting of December 26th, 1926, the Council had forwarded this proposal to the Financial Committee, which in its turn had made a report which had been forwarded by the Secretary-General to the Governments, asking their opinion on it. Three replies had already been made. The first was by Sir Austen Chamberlain, who several days previously made a favourable declaration towards the Finnish delegation's proposal. He thanked the British Government for that declaration. The second came from the Minister of Foreign Affairs of Finland, and contained certain observations which, on the whole, were favourable to the suggestions of the Financial Committee. The third had been made by M. Beneš, to whom the speaker was most grateful for the replies which he had given to the suggestions of the Financial Committee. When a suitable time came, he would himself present a draft resolution, but for the moment he would confine himself to thanking the Financial Section, the Financial Committee and the Disarmament Section for their efforts in studying the suggestions of Finland.

M. SANDLER (Sweden) stated that, amongst the various proposals or suggestions concerning arbitration, security and disarmament, the Committee had to examine a proposal by the Norwegian delegation; he was not a jurist and he did not wish to enter into an examination of the proposal, which appeared to him to belong more properly to the First Committee, but he would like to point out that it contained a question which the Swedish Government had been following for a long time and was similar to the initiative taken two years ago by the Swedish delegation. He would remind the Committee of the draft resolution submitted in 1925 by M. Undén in the name of Sweden, according to which the Assembly asked the Council to submit the provisions relating to that subject contained in the Protocol to a fresh examination by a Committee of Experts in order to facilitate the acceptance of the principle of obligatory arbitration for the settlement of international disputes by all the Powers.



In this resolution, the Swedish delegation suggested the conclusion of a general treaty open to signature by all States; such a draft would permit the adherence with reservation of States whose situation made it difficult for them to accept compulsory arbitration pure and simple. The system thus suggested rested on the same principles as Article 36 of the Statute of the Permanent Court.

The Assembly requested the Council to examine the proposals made and to report to the Assembly at its seventh ordinary session on the progress achieved. The Council adopted two reports: one enumerated the treaties of arbitration which had been concluded, and emphasised the importance of the Locarno Agreements from the point of view of security; the second gave a résumé of all the ideas on this subject submitted to the sixth ordinary session of the Assembly; the report finished by stating that it did not seem advantageous to lay down too precise rules, and it recommended the conclusion of special agreements as a method of arriving at a more general system. The similarity between Dr. Nansen's proposals and the Swedish delegation's proposals was apparent, but there were certain divergencies; in particular M. Undén's proposal provided for the possibility of adherence to a general convention with reservations.

The attitude of Sweden towards the question of arbitration had always been the same: Sweden was ready to collaborate with other States in order to instil into the public mind, and to embody in law, the principle of the peaceful settlement of international disputes by compulsory arbitration. Consequently the Swedish delegation considered it useful and opportune that the original proposal should be submitted to a fresh examination, when the proposals of the Norwegian and Netherlands delegations came up for discussion.

It remained to determine whether if arbitration was valueless if it were not accompanied by a system of guarantees and sanctions. He would refer in that connection to the compulsory arbitration treaties which, without reservations, had been concluded between the countries of Northern Europe and whose value did not depend on guarantees or sanctions. In view of the existing political situation, it was certainly possible to conclude compulsory arbitration treaties and to derive valuable results from them, without their being based on a system of guarantees or sanctions. It would not, however, be inferred that such was always and everywhere the case. It was possible that such treaties would not have the same effect in other parts of the world. Conditions of security varied. It was therefore natural that security should be organised.

But of what value was security if it were not based on a considerable reduction of armaments? Once the famous gap in the Covenant had been filled, would there be no room for war? If there were no disarmament, one could not be sure. It was not lack of skill on the part of jurists which allowed war to come in through some gap into a peaceful world, neither was it because there was a gap in the Covenant that war could re-appear; it was rather because war was always considered to be a horrible and real possibility that the gap still existed.

If all the necessary conditions were carried out and the gap were filled, would it then be possible to lock the door against war? Suppose there was no possibilities of locking the door, or suppose there was a lack of readiness to do so. For that was to be feared in an over-armed world, where the peoples were excited by feelings of suspicion resulting from the competition in armaments. Would the circumstances then be favourable to a peaceful settlement? And if hostilities commenced, if the recognised aggressor were one of the great Powers, did not that mean that there would be a general conflagration? In order that the machinery of justice should work, M. Politis had said, a calm atmosphere was necessary. In order that the system of sanctions should work, it was necessary to have the atmosphere of disarmament. For that reason it was obvious that the Protocol was bound up with disarmament. According to Article 17, the Protocol would not come into force unless a general plan of disarmament had been agreed upon. If the Protocol had been ratified by a sufficiently large number of Powers, what would be the position to-day? It could not have been put into force if the work of the Preparatory Commission and the Disarmament Conference had not been carried out. Therefore, if security depended on putting the Protocol into force, it finally depended on the progress of disarmament.

He hoped he had been able to show how important it was for the future of the principles of the Protocol that the work of the Preparatory Commission on Disarmament should achieve a result. On that point he was not in agreement with Count Bernstorff, as he did not think it desirable to entrust this Commission with further tasks. M. Paul-Boncour had shown the other day that difficulties arose from the fact that the Preparatory Commission had wished to prepare not only a programme but also the success of the Disarmament Conference, and he had feared that the present conditions did not help that work and thought that care should be taken that "over-armament" did not become the bitter result of the work of disarmament. He would thank M. Paul-Boncour for the frankness and courage with which he had spoken. Realities must be faced in order that the Governments, whose business it was to remove the obstacles, could show that they had the necessary spirit of conciliation to make sufficient concessions. On the other hand, it was necessary that all those who desired to see the work of the League of Nations regarding disarmament brought to a successful conclusion should contribute towards forming a public opinion sufficiently strong to compel the Governments to accept the compromises desired.

There were strong reasons to believe that public opinion was now on the alert and suspicious that something was being hidden from it. It imagined perhaps a greater danger

than existed in reality, with the result that it might lose confidence. That would be very serious, and it was indispensable that all those who wished for peace should use all the resources at their disposal.

To return to the relationship which existed between security and disarmament, he was of opinion that security would never be ensured between Powers which exhausted their strength under always increasing military expenditure. On the other hand, he did not consider that they could bring about really general disarmament unless, for certain peoples, some progress has been made towards that security.

If there could be no disarmament without security and no security without disarmament, how was it possible to escape from the vicious circle? In view of the complexity of the problem, it must be attacked from several sides at once, and, according to circumstances, the most practicable way must be followed in the conviction that each step forward in one direction would facilitate progress in another direction, and the most certain way of putting this idea into action was to take, in the first place, a firm, though perhaps modest, step forward along the path of disarmament.

He would remind them of the words of M. de Brouckère, who had said that the Members of the League of Nations should not limit themselves to waiting for a more or less complete solution of the disarmament question by way of mutual agreements, but that they were under the obligation, separately and independently of any other solution, to make such a reduction of their own armaments as was compatible with their national security.

He was convinced that by such a method important results could be obtained, on condition, however, that the great military Powers gave proof of their good will. He earnestly appealed to those countries and asked them, in view of the work of the Preparatory Commission to make those indispensable concessions which would permit that Commission to complete its task. That was an essential condition which he had already emphasised at the Assembly.

As to propaganda and moral disarmament, it was necessary to advene moral armament against armaments. As M. de Brouckère had said, a sinister race was being ran between peace and war the result of which depended on the alternative — disarmament or "over-armament". Mankind was like the man before the Sphinx. All activities, all intellects, all united forces should strive towards the ultimate goal, which was to solve the enigma, conquer the Sphinx and win victory for mankind.

Count BERNSTORFF (Germany) was afraid he had not been understood in his last speech. He had never had the least desire to burden the Preparatory Commission with fresh work. He had only wished to say that, if anyone desired to speak about the trilogy in the Preparatory Commission, he had no wish to prevent him from doing so.

Personally, he was in entire agreement with the delegate for Sweden, not only on this point but on all the other points on which he had spoken.

The Earl of LYTTON (India) said he had no wish to prolong the general discussion, which had already proceeded in the Committee for three days. On the contrary, if he intervened, it was chiefly with the object of suggesting that the Committee might now proceed with the detailed examination of the subjects submitted to it. He had listened with great interest and attention to the speeches which had been made in the Assembly and in the Committee, and he desired to say in a very few words how those speeches had impressed one who was new to the League's debates.

The country which he represented as the head of the Indian delegation was less intimately concerned with the subject than others whose delegates had taken a prominent part in the discussions. India had hitherto depended for its defence in the main upon the British fleet and on the solidarity of the British Empire. In that connection, therefore, her interests were in the charge of the British delegation. The army maintained in India, partly for purposes of internal security and partly for the defence of its land frontiers, had been considerably reduced in recent years. He should, however, point out that it was engaged in a task very different from that which delegates had in their minds when they spoke of war. The majority of the Members who had signed the Covenant of the League were actually at peace with their neighbours, and such armaments as they maintained were maintained to deal with a contingency which they believed to be remote and which they hoped would never arise. They sent their delegates to the Assembly every year to discuss whether, and if so, those contingencies might be made even more remote, or might be dealt with otherwise than by armaments, which, if not needed, became mere burdens on their finances which they could ill afford to maintain. India, on the contrary, had on her frontier tribes whose traditions, instincts and habits of life were those of war — not war as it was spoken of in the debates of the Assembly or as it was understood in the Covenant of the League, but war in a more primitive sense, war which was practised as an almost daily occupation, as a profession of brigandage. In dealing with such neighbours, the securities against war which the League of Nations had to offer could be of no value.

In the few words he had to say, therefore, he spoke rather as a sincere believer in the value of the League of Nations to the world at large than as the delegate of a country which had any particular hopes of deriving advantages from its machinery for preventing war.

What had struck him in listening to the debates was the value which speaker after speaker had seemed to attach to the reaffirmation in some phrase or formula of principles which were already accepted by all the States Members — principles which were not merely accepted as ideals but which they had pledged themselves by treaty to put into practice should the need arise.

The Netherlands delegate has asked the delegates to consider whether the time had not come to re-examine the principles of arbitration, security and disarmament which were such prominent features in the discussion of the Protocol of 1924, but which he himself had now admitted to be also the fundamental principles of the Covenant itself.

The Polish delegate had asked the delegates to register a solemn declaration that a war of aggression was an international crime. Personally, he had no objection to the Polish delegate's resolution but, as M. Scialoja had reminded them, that did not give them anything more than the Covenant itself, and he would ask M. Sokal whether that reiteration of the fundamental principles of the Covenant was not likely to give rise to the criticism — not perhaps in that room but in the world at large — that they themselves were nervous lest their principles should be forgotten unless they were reiterated year by year at the annual session of the Assembly; whereas the real danger was not that their principles should ever be forgotten but that they should come to be regarded, even by those who had accepted them and professed them, as mere principles, mere formulæ, mere counsels of perfection, which belonged rather to a world of ideals than to the actual practice of nations. That danger, he could not help feeling, was increased rather than diminished, by the repetition of mere principles. He agreed with M. Briand that, once they had desired disarmament — and they had done more than that, as the delegates for Germany and Hungary had reminded them the other day: they had promised it — they were bound to find some means of giving it practical effect. It was the business of the Committee not merely to dream, not merely to state new principles or restate old ones, but to work out in a businesslike way their practical application in a world of realities.

Some were inclined to insist on the need for action, others on the difficulties of action. What did it matter? Both were helpful. If they were not convinced of the need, they would not be at sufficient pains to overcome the difficulties. If they were not brought face to face with the difficulties, they would find that their measures would not stand the test of action when they came to be applied. It might be felt that some of the speeches which had been delivered were like adverse winds, but those who knew how to sail a ship could advance by the aid of a head wind not less than with that of a wind astern. If one looked upon the Lake of Geneva one would see many little sailing-boats. Some were proceeding up the lake, some down, some were crossing from one side, some from the other, but it was the same wind which propelled them all. So with the problem in hand: it was the breath of the public opinion of the world which was the motive force. Some currents might appear to be contrary to the desired aims, but they could not be ignored or gone against; by tacking, either to the right or the left, even those currents might be made to serve the purpose of advancing further towards the goal. The Committee had not to define the goal. That had already been done. What they on the Committee had to do was conscientiously, laboriously and patiently to discover for themselves and to recommend to the Assembly the means by which, sooner or later, they might reach the goal. By signing the Covenant of the League, the nations of the world had registered their determination to find and to use some means of settling international disputes other than war. The repetition in the Committee of that determination was but waste of time. What they had to do, what they were asked to do, was to show the nations which had registered that determination how it might be given practical effect; and, if one means proved abortive, they must find another. If they found, as they had in the past, that the work of a whole session was rendered ineffective because their resolutions had failed to receive the same measure of unanimity from the nations which they represented as they had found among themselves, well, let them begin again. They must endeavour to find some other means which would secure a greater measure of unanimity. If one Conference on Naval Disarmament had failed, and if they were holding their meetings under the shadow of such a disappointment, well, let them begin again. They must with patience, but above all with faith, examine the causes of that failure, instead of with despair merely bewail the fact that it had failed. To improve the machinery of arbitration, to make that method of settling international disputes more effective to the peoples of the world, to give, if they could, greater security to every nation against an aggressive attack from its neighbours, and thus, by those means, to make possible that progressive disarmament to which they were not only pledged but which every country desired in the interests of its own development and progress — that was the task of the League of Nations, and it was to the Third Committee that the Assembly looked to find a practical means for the attainment of those objects. That was the task of the Committee — a task to which he hoped it would now proceed without further delay.

M. PAUL-BONCOUR (France) said he had not wished, after his first speech before the Committee, to embody immediately in a text the conclusions which, in his mind, were already clearly defined. But, as the general discussion drew to its close, he thought it well that the views which had been exchanged should be reproduced in a clearly drafted resolution to be submitted to the Assembly.

He asked their pardon for thus deciding in advance, the question of principle, namely, whether draft resolutions should be submitted on each of the questions submitted to the Committee, or whether a collective resolution, independent of the special resolutions, should be sought; in his opinion, the Committee should aim at a collective resolution.

The work of the Third Committee was that year of special importance. Its exact rôle was to give to the Preparatory Commission for the Disarmament Conference the new impulse which it required by analysing the causes of the difficulties which had been encountered,

and by taking note of the successful results which, in spite of those difficulties, had already been obtained. The whole discussion therefore should and in a very clear and decisive resolution which, if adopted by the Assembly, would have a good influence on subsequent preparatory work on disarmament.

On the substance of the matter, he regarded the views which had been exchanged in the light of his own conviction; amendments could, of course, be made in a draft resolution but all the same it was once again generally realised that the question of the organisation of security was intimately bound up with the success of the work on disarmament.

The idea of a close connection, which was already in the Covenant, had always pervaded all the work of disarmament undertaken by the League of Nations. It appeared also in Question V of the programme drawn up by the Council in December 1925 and submitted to the Preparatory Commission. That question related to "the degree of security which, in the event of aggression, a State could receive under the provisions of the Covenant, or of separate engagements contracted towards that State". In such circumstances, continuity of work was essential. It was the very condition of success and of the confidence with which public opinion should be inspired.

But, although the question of security was intimately connected with the work of disarmament, it was not sufficiently clearly defined, and that was the reason why the technical work had been encumbered by difficulties which would be greater still when the actual Conference met; if the Conference was to succeed, it must be made clear from the present discussions that the Preparatory Commission, in addition to its technical work, must concern itself with the organisation of security. In the almost general agreement which reigned on this point, two preoccupations had been expressed. The Swedish representative seemed to fear that the Preparatory Commission was overburdened. He would reply that it had always been understood that considerations of security would form a part of this work. The programme would therefore not be extended, but merely new definitions given which would supply a fresh impulse to a part of the work.

The other preoccupation had been that of the German representative, whom he would describe, without meaning anything uncomplimentary by the comparison, as playing the part of Mephistopheles to Faust. Mephistopheles was not the spirit of evil, but the spirit of negation. The German representative told them that their search was lasting a long time, and quite courteously dissociated himself from the organisation of security. He begged Count Bernstorff to consider that the organisation of security would further the realisation of the aims which, quite rightly, he had at heart. The co-operation which Germany, with her genius for organisation and her constructive energy, could contribute to the work in hand would be invaluable.

Accordingly, it was necessary in accordance with Question V of the preparatory programme, to insist that the Preparatory Commission should define the guarantees of security which States would require when the time came to fill in the figures in the blank spaces of the draft.

It should never be forgotten that a Disarmament Conference, if its way were not prepared by such definitions of security, would prove a cruel disappointment to the nations. But, while making that purely objective statement, he did not wish to be misunderstood. In speaking of security, and in thinking of his own country, he was less concerned with the security of France, which had already the advantage of agreements constituting the first application of the principles of the Protocol, than with the security of all countries and with international life as a whole.

In order that an international Conference might be a success, account had to be taken of the obstacles in its way and of the point of view of the different nations towards it. On various occasions, certain States associated with the preparatory work had pointed out how much their security might be threatened, and had reserved the right to press the claims of their special situation and to demand that they should be allowed to maintain important armaments to meet it, a claim which would necessarily influence the armaments of their neighbours. But would that not mean the insertion in the future Convention of scales of armaments greater than the actual figures, which at any price must be avoided?

There were, continued M. Paul-Boncour, two ways of approaching disarmament meetings; the first consisted in considering the idea of war as not completely excluded, and in merely seeking means whereby it might be prepared and waged as cheaply as possible. That was not his conception. On the contrary, he wanted to make war impossible, and he was desirous of defining more explicitly the guarantees of security which were not sufficiently clear under the general obligations of the Covenant, thus depriving any possible aggressor of any pretext and any chance of success.

Accordingly, under that heading there were two different considerations to be embodied in a draft resolution. One, stated by Dr. Nansen and M. Sandler, was to develop arbitration by every possible means. On that point the speaker declared himself in entire agreement.

But the tragedy was that they were engaged on a problem the solution of which represented the utmost limits to which their hopes would possibly aspire. The development of arbitration created confidence and excluded the risks of war. It was a reality as well as a hope, but when the States were asked at the Conference to strike out their own armaments on their security balance-sheet, they would seek in another column the precise aid which could be granted to them in the event of aggression. It was therefore necessary for a guarantee to be added to arbitration and to treaties: that was the essence of the Covenant; it was the

distinguishing value of the League of Nations, which represented, compared with former organisations for arbitration, an advance which had never been sufficiently appreciated by humanity.

He would recall the speech by the representative of the British Empire. He saw in it a wish to seek, by different methods, the means of attaining the same end. In that speech, the British representative had insisted upon the legal as well as the moral character of the obligations of the Covenant. None the less, whilst seeking all possible reductions of armaments, there was a need of further definitions. That had been the aim of the draft Treaty of Mutual Assistance and of the Protocol.

Now that they were seeking to give a new impulse to the preparatory work and to overcome the difficulties that had arisen, they were confronted with the same consideration. What should the draft resolution say on this matter? Everybody knew his own convictions: the Protocol should be taken up again and made sufficiently elastic to meet the serious objections raised by certain countries.

Three methods were possible:

1. To develop separate agreements, on condition that the League of Nations should seek the means of making them general and co-ordinating them, by giving to Article 20 of the Covenant its full force, *i.e.*, by verifying them and preventing the existence of treaties side by side which had sometimes a different influence on the future of peace.

2. To take the articles of the Covenant, as suggested by the Belgian and Greek representatives, to examine the exact obligation that they might imply, and to prepare for their systematic application; he agreed as to that method, for there again they would be led back to texts similar to those of the Protocol.

3. To revert to the text of the Protocol — he himself preferred that method — which was an improvement on the Treaty of Mutual Assistance, and to ask everyone concerned to state his objections, which had never been exhaustively done.

In this Protocol it would be easy to introduce the variety, elasticity and gradations which, in regard to sanctions, appeared in its Article 13 and to allow nations, outside the general obligations of the Covenant, to be free to graduate their commitments in relation to their geographical situation, their interests and the greater or less degree of solidarity between themselves and other States.

If such a solution were adopted, what would be the position? The Press, in commenting on M. Paul-Boncour's speech, had spoken of a "Continental Protocol". He could not allow that breach in the universality of the League. Anything done must come within the general obligations of the Covenant. The initial bond remained.

In the definitions to be given to the Covenant, he could conceive of agreements, varying according to the geographical situation and political constitution of States and any other considerations of which those States must be the judges, under which they would consent to incur certain obligations towards other nations, or, on the contrary which would not allow them to accept undertakings likely to cause them uneasiness.

It was possible that within the same continent — Europe, for example — a group of signatures might be affixed to one and the same agreement, but that the agreement should remain open for signature by all nations.

The guarantee of security for such-and-such a Power would no doubt not be as great as if the signatures of all the Powers in the world appeared under the agreement, but it would at any rate be an advance on the present position. A debtor's guarantee to his creditor varied with the number and value of the signatures which he brought. There was a difference in value, but there was nevertheless a real guarantee.

In any event, it was important not to close the door to the possibility of these enquiries, to keep open all possible ways for the Preparatory Commission, and not to limit initiative. He would insistently urge that, in conformity with Question V of its programme, and taking account of the ideas expressed during the discussion, the Preparatory Commission should make serious efforts to ensure that, on the day when the Conference for which it was preparing met to examine the preliminary technical draft, already almost complete, the state of security should be sufficient to make the Conference a success and not a failure.

He would conclude by submitting to the Committee the following resolution, to be referred to the Assembly:

"The Assembly,

"Taking note of the progress made on the technical side by the work of the Preparatory Commission and of the Committee of the Council towards enabling the Council to be rapidly convened and to proceed to a decision in case of emergency;

"Desirous of bringing about the political conditions indispensable to the success of the work of disarmament;

“ Convinced that such success can only be obtained if every State, sure of not having to provide for its security unaided by means of its own armaments, can also base the consciousness of such security on the organised collective action of the League of Nations ;

“ Affirming that such action should aim *chiefly* at prohibiting, forestalling or arresting any resort to war, and, *in case of need*, at giving effective protection to any State which is a victim of aggression ;

“ Convinced that the burdens imposed thereby on States will be the more readily accepted by them in proportion as :

- (a) They are shared by a greater number of States ;
- (b) Their individual obligations are more clearly defined and limited ;

“ 1. Recommends the conclusion of arbitration agreements ensuring the pacific settlement of all disputes by creating between all countries the mutual confidence indispensable to the effective continuance of the work of the Preparatory Commission.

“ 2. Requests the Council to direct the Commission to study, simultaneously with a draft Convention for the Limitation and Reduction of Armaments, measures calculated to give to all States such guarantees of security as will enable them to fix the scale of their armaments at the lowest possible figure in an international disarmament treaty.

“ The Assembly is of opinion that these measures may be sought :

“ Either in action by the League of Nations with the object of multiplying and co-ordinating special security agreements ;

“ Or in systematic preparation for the application of the various articles of the Covenant ;

“ Or in a modification of the provisions of the Protocol of 1924 in the direction of greater elasticity, which would enable the signatories, without prejudice to the general obligations of the Covenant, to graduate their commitments in proportion to the degree of solidarity existing between themselves and other States by reason of the geographical situation of the latter. ”

## 9. Procedure.

The CHAIRMAN stated that there was only one more speaker on the general discussion. He proposed that after that speech the Committee should commence with the discussion of the special questions on the agenda, in the following order :

1. Point II (1) (proposal by the Polish delegation).
2. Point II (2).
3. Points II (3) and II (4), which could be combined for purposes of discussion
4. Point II (5).
5. Points III and I, which could also be combined (the proposals of the Netherlands and Norwegian delegations, to which might be added the proposal submitted by M. Paul-Boncour).
6. The resolution submitted concerning private manufacture.

*The proposals were adopted.*

*The meeting rose at 12.55 p.m.*

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## SIXTH MEETING.

*Held on Saturday, September 17th, 1927, at 4 p.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

## 10. General Discussion (continuation).

The CHAIRMAN stated that there was only one speaker remaining for the general discussion, which would then be considered closed.

M. BOUROFF (Bulgaria) said he would not have asked to speak after so many speeches full of fine ideas and practical sense, which had exhausted the subject, if he had not feared that the impression might be given that his country was not interested in the great problem of maintaining peace under its three aspects, arbitration, security and disarmament.



Bulgaria's position was clear. The country was disarmed and it was not for his delegation to submit formulæ for the disarmament of other countries. The most he could do was to suggest that its example proved the possibility of organising disarmament. Profoundly peaceful, Bulgaria merely wished for peace and the well-being of its people. For it war was not only a long series of ruins and sufferings, but also a menace to its independent existence. It had therefore decided to contribute with all its might to any measure tending to ensure peace.

The problem was vast, complicated and difficult. It was not by a single measure or a single step that a solution could be arrived at. If success could be brought about by a collective plan, so much the better, but if deep divergencies remained and made it impossible to draw up such a plan, instead of giving up or marking time, partial and successive results must suffice. The ultimate goal would thus be arrived at slowly, but without doubt more surely. It was important to avoid at all costs giving an impression of helplessness and risking the loss of confidence in the League of Nations, whose chief task was to ensure peace by the application of the Covenant; also to avoid risking the loss of the precious collaboration of public opinion, without which no durable work could be realised. He therefore asked the League of Nations to begin resolutely with the practical work. Each step forward would prepare new possibilities, open new horizons, strengthen the confidence of the peoples in peace and increase the prestige of the League of Nations.

A decisive step could be made by the Great Powers if they could come to an agreement on a programme which could be put into practice. For that they would have the unanimous assistance of all the Members of the League of Nations and would earn the eternal gratitude of mankind. The moment had come to prove to the world that mankind, having for so long in the past organised war, was also capable of organising peace. In order to do that, they must persevere with the work so as to guard humanity against the disaster of bloodshed, of which M. Briand had spoken so eloquently, and so as to ensure the coming of peace and the blessings of peace.

Animated by these sentiments, the Bulgarian delegation would support all the proposals submitted to the Committee, and agree to any compromise which might tend to unite the various points of view.

In conclusion, he would make a confession: he had come to Geneva profoundly anxious about the problem of disarmament. After listening to so many instructive speeches full of generous sentiments, of weighty thoughts and of practical suggestions, he would leave Geneva an optimist. The work of peace was making good progress: nothing would be able to stop it.

The CHAIRMAN declared the general discussion closed. Dr. Nansen desired to speak on a matter of procedure.

#### 11. Procedure (*continuation*).

Dr. NANSEN (Norway) said that, at the close of the last meeting, the Chairman had suggested that the proposal which he had put forward could be grouped together with the proposals of the Netherlands and French delegations. It was, of course, true that his proposal was based on the Netherlands delegation's resolution, but it was a proposal which could quite well be dealt with on its own merits. Though it was in the same spirit as some parts of the other proposals, it could well stand by itself. Moreover, there would be a great advantage in dealing with it quickly. It seemed to him desirable that it should be sent forward at once to the First Committee, as he had previously suggested. That course would have the great advantage of clearing away one element from the complicated discussion which they would have on the proposals of the Netherlands and French delegations. He also thought it was desirable for the Swedish delegation's proposal to be forwarded at the same time. He therefore suggested that his proposal be dealt with separately at once, in order that it might be sent with the Swedish delegation's proposal to the First Committee.

The CHAIRMAN did not think that the Committee would raise any difficulties concerning the suggestion just made by Dr. Nansen. He reminded it what proposals were before the Committee.

There was the proposal of Dr. Nansen concerning arbitration, the proposal of M. Sandler and the proposal of M. Sokal; the general proposal of M. Paul-Boncour and the Netherlands delegation's proposal; the proposals made by the delegation of Czechoslovakia concerning item II (2, 3 and 4) of the agenda; the proposal of M. Holsti concerning financial assistance; and, lastly, the proposal of M. Guerrero concerning private manufacture of arms.

He would suggest that the Committee should commence with the questions which probably would not present any difficulties and could be dealt with at once. These were the proposal of the Czechoslovak delegation and the proposal of M. Guerrero. The proposal of Dr. Nansen regarding the procedure to be followed could be adopted with an addition. He believed that, if the proposal of Dr. Nansen were sent to the First Committee, it would be necessary for the Third Committee to make a statement of its principle from the political point of view. If it did not do this, in conformity with precedents, the First Committee would be in an awkward situation. The Chairman believed that Dr. Nansen would agree with him as to this.

*The procedure suggested by the Chairman was adopted.*

The CHAIRMAN also suggested that the Committee should take the following decisions :  
M. Sokal's proposal should be discussed in full meeting of the Committee.  
The proposals submitted by M. Paul-Boncour, by the Netherlands delegation and by M. Sandler should be forwarded to a Sub-Committee.

Count BERNSTORFF (Germany) asked whether the composition of the Sub-Committee had already been considered. He feared that he had previously been misunderstood ; far from being disinterested in the questions of arbitration and security, he had a very great interest in them.

The CHAIRMAN stated that he would make a proposal concerning the composition of the Sub-Committee at the end of the meeting.

M. HENNINGS (Sweden) explained that M. Sandler had merely wished to make a suggestion, and not to submit a concrete proposal, when he had expressed the desire that the Swedish delegation's proposal of 1925 should be re-examined during the discussion on the proposal of Dr. Nansen. Dr. Nansen's proposal would permit the States to adhere to a general treaty of arbitration by making reservations. He had not made a concrete proposal and the Swedish delegation asked the Committee to consider that no concrete document had been submitted.

The CHAIRMAN thanked M. Hennings and took note of his remarks.

Dr. NANSEN (Norway) said he had perhaps not sufficiently emphasised that the Convention was an optional one and was of course open to reservations.

*The Committee adopted the procedure suggested by the Chairman.*

## 12. Discussion of Proposals submitted by the Czechoslovak Delegation.

The CHAIRMAN suggested that the Committee should take a decision on the two proposals submitted by the Czechoslovak delegation.

The first embodied the principle of making it obligatory for Members of the League of Nations to facilitate the meeting of the Council in case of crisis and the working of the organs of the League in times of emergency.

The text was as follows :

“ The Assembly,

“ Being desirous of adopting all measures likely to make possible the prompt application of the system contemplated by the Covenant for the maintenance of peace and of giving to States Members of the League of Nations a greater feeling of security ;

“ Convinced that, in this connection, it is of the utmost importance to ensure the rapid working of the organs of the League of Nations at times of emergency ;

“ Considering that their intervention in the shortest possible time may prove to be an essential condition for the prevention of war ;

“ Trusting that greater facilities for the immediate operation of the machinery of the League of Nations will assist the work of disarmament ;

“ Inspired by the spirit and provisions of the Covenant ;

“ Reasserts that it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council at times of emergency ;

“ Invites the States Members of the League of Nations to take in advance all necessary measures for this purpose ;

“ Congratulates the Council on having studied the question, to which the Assembly attaches the greatest importance, and requests the Council to continue its studies, particularly in regard to telephonic communications between the seat of the League and the different capitals, the identification of aircraft making journeys of importance to the League of Nations at times of emergency, the establishment of a radio-telegraphic station at the seat of the League, the adaptation of a landing-ground in the neighbourhood of the seat of the League, and, more generally, provisions enabling the League of Nations to be prepared at any moment to meet any emergency with the greatest possible rapidity. ”

*This proposal was adopted without discussion.*

The CHAIRMAN submitted the second proposal concerning the methods or regulations which would enable the Council to take such decisions as might be necessary to enforce the obligations of the Covenant as expeditiously as possible. The text was as follows :

“ The Assembly,

“ Having taken note of the report approved by the Committee of the Council on March 15th, 1927, with regard to the methods and regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible,



" Approves this report and recommends its adoption by the Council as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in the event of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency. "

M. HENNINGS (Sweden) said he was able to accept the main ideas expressed in the report of the Committee of the Council, but thought that it would be desirable to introduce some amendments regarding the details of these regulations. As, however, there was not then time to enter into a detailed discussion of the question, he suggested the desirability of drafting a resolution which would not bind too closely the members of the Committee; their freedom of action should be safeguarded, so that they might in due time reopen the discussion of the question. He stated that the draft resolution which had been proposed gave him satisfaction on this point.

*This proposal was adopted.*

### 13. Discussion of Dr. Nansen's Proposal.

The CHAIRMAN asked the Committee to decide whether it considered that the proposal should be studied by the Assembly. If the Committee was of that opinion, the question would be sent to the First Committee. The decision of the Committee might be expressed in the following words :

" The Third Committee declares that, in principle, it is favourable to the consideration of an optional arbitration convention such as that which is dealt with in the Norwegian delegation's proposal, and requests the First Committee to examine the details of such convention from the legal point of view. "

Sir George PEARCE (Australia) asked whether the result would be acceptance of the principle of compulsory arbitration in all disputes, which he was not prepared to accept on behalf of the State he represented, and he suggested that there were quite a number of other States in the same position. If that were so, he failed to see what purpose would be served by sending it on to the First Committee. He submitted that the inclusion in the proposed Protocol of 1924 of the principle of compulsory arbitration in all disputes was one of the reasons why the Protocol had not been adopted. He reminded the Committee of the debate in the Assembly, when there was a clear indication that certain States were not prepared to take on further obligations of the nature indicated in Dr. Nansen's proposal, and observed, with regard to the optional arbitration clause to which certain States had given their adherence, that it had been accepted with certain reservations. He suggested that the reference to the first Committee of a principle so worded would be a waste of time when it was known that it could not be accepted by certain States represented at the Assembly.

M. DE BROUCKÈRE (Belgium) thought that there was some confusion. Dr. Nansen's proposal merely contemplated putting into practice a wish which had often been expressed with perfect unanimity. It contemplates an optional clause concerning arbitration, similar to that which had already been instituted with regard to international jurisdiction. Though all States were not in a position to accept such a clause, was it not desirable to give States which were in a position to do so a possibility of signing it? There was no intention of compelling all States to make use of compulsory arbitration. If Dr. Nansen's proposal were adopted, it would have a practical effect and at the same time a considerable moral effect.

M. CASSIN (France) agreed with the remarks made by M. de Brouckère. It was certain that, when compulsory arbitration was referred to in Dr. Nansen's proposal, it meant compulsory arbitration for those nations which wished to have it. Consequently, the delegate of Australia was right when he wished to retain freedom for his country regarding such a proposal, and it was fair that the freedom of other countries should not be restricted if they wished to adhere to an arbitration treaty.

M. Cassin thought that further confusion would be produced by the text submitted. The text said " optional arbitration convention "; certain delegates had understood that as a " convention of optional arbitration ". In order to prevent this mistake, it would be better to quote the exact formula submitted by Dr. Nansen and say " optional convention for compulsory arbitration of disputes ". There would then be no question as to the meaning.

The CHAIRMAN agreed with the remarks made by M. Cassin relative to the text.

Sir George PEARCE (Australia) withdrew his objection.

M. CASSIN (France) declared that the French delegation had never intended to ask the representative for Australia to vote against his convictions. It was therefore clearly understood that the vote would be taken on the principle of the proposal. In other words, the proposal did not contemplate compulsory arbitration for everyone but only for those who wished to sign the Convention.

*The proposal was adopted.*

14. Discussion of the Proposal of M. Guerrero concerning Private Manufacture of Arms, Ammunition and Implements of War.

M. GUERRERO (Salvador) said that, when he had spoken on the question of the supervision of the private manufacture of arms, he had not put forward any proposal, because he had waited to see what opinions were expressed during the debates. It was not until he had heard the statements made by the representatives of Italy, the British Empire, Belgium and Sweden that he had decided to draw up the following text.

“ The Assembly,

“ Having noted the report of the Special Commission appointed by the Council to draft a convention on the supervision of the private manufacture and the publicity regarding the manufacture of arms and ammunition and of implements of war ;

“ Reaffirming the importance it attaches to the establishment of a convention which would enable non-producing and producing countries to be placed on an equal footing, as contemplated in the declaration embodied in the Final Act of the Conference for the Supervision of the International Trade in Arms and Ammunition and of Implements of War ;

“ Convinced that the establishment of a convention for the supervision of private manufacture and the publicity regarding manufacture is essential for the putting into force of the Convention on the International Trade :

“ Requests the Council to convey its views to the Special Commission, in order that the latter may as speedily as possible agree upon a single text which will enable the Council to convene an international conference before the ninth ordinary session of the Assembly. ”

He thought that, although the Special Committee appointed to deal with the problem (and, if the question arose, the draft convention) was not able to find a solution, it was obvious that the League should nevertheless continue its work in the same way as for disarmament, in spite of the difficulties encountered during the study of that question.

He would remind the Committee that the Chairman of the Fourth Committee had asked the Chairman of the other Committees to inform the Fourth Committee of any proposal which might be submitted the carrying out of which would involve expenditure by the League, in order that provision might be made in the budget.

He also reminded them that, in the budgets of previous years, a sum had always been shown as earmarked for the meeting of the conference on the supervision of private manufacture. Consequently, if the Committee agreed to accept the proposal which he had made, it must authorise the Chairman of the Third Committee to refer the matter to the Chairman of the Fourth Committee.

Count BERNSTORFF (Germany) said that the Special Committee of which he was Chairman differed from ordinary committees ; that this Special Committee in fact had invited delegates to sit on it who belonged to States not Members of the League of Nations. He foresaw that, if this resolution was passed, the representative of the United States would refuse to discuss the matter if the question of State manufacture was not included in the programme. He considered that, in order to avoid this inconvenience, M. Guerrero's proposal should finish in a more explicit manner.

M. DE BROUCKÈRE (Belgium) said that no one appreciated better than he the great value of the regulation of the manufacture of arms. He was convinced that, if the problem of this regulation was not solved, fully satisfactory progress could never be made even with disarmament. When the limitation of material for land armaments was studied, one saw that it was closely allied to the regulation of manufacture. He accepted the proposal of M. Guerrero, in so far as it showed the desire of the Assembly that the work should be continued and that nothing should be neglected in order to bring it to a satisfactory conclusion. He wondered, however, if it was really useful to fix a limit to the efforts which were to be made by saying : “ It must be concluded before next year ”.

He would remind them that they had done so last year and had failed to carry their programme. He feared that declarations so repeated and not carried out within the time-limit specified would weaken the authority of the Assembly. The delegate for Germany had clearly shown the difficulties under which they worked. It was not a question of good will but of hard facts. The States concerned were profoundly divided, on the very principle of regulation. Some were in favour of the regulation of private industry but did not wish to go beyond that ; others declared that they would not attend the meeting unless the discussion did go beyond that. Under these conditions, was it worth while to meet without those who did not wish to proceed further ?

A meeting might nevertheless be held but it would be useless, for no State producer would ratify the convention if a single large producer abstained from attending the conference. Belgium had decided, in that connection, to sacrifice her considerable industrial interests if that could serve the cause of peace. She would not, however, submit to a prohibition to export arms if the arms which were not supplied by her could be delivered by a rival. That was a real obstacle. How it could be surmounted was not yet known. It did not appear

easy for the Committee to state that such a difficulty could be overcome within a year. In conclusion, he would ask M. Guerrero to delete the words referring to the time-limit. The proposal would retain all its strength, but the Committee would show that it fully understood the difficulty of the task, and that, understanding this difficulty, it was nevertheless resolved, when circumstances would permit, to take the step forward which would be possible.

M. CASSIN (France) stated, on behalf of his delegation, that it was in entire agreement with the proposal of M. Guerrero. He recalled that France, with Venezuela, was the sole Power which had ratified the Convention on the International Traffic in Arms; also that his country was at the last Assembly disposed to agree to the fusion of these two conferences on private manufacture and on disarmament, in the hope that the settlement of the question of private manufacture would be brought about sooner. As, however, it was obvious that the Disarmament Conference would not be able to meet, the French delegation, being above all desirous of bringing about practical results, went back to the former method and approved the proposal of M. Guerrero.

He would not show himself so cautious as had certain speakers who had preceded him. The great objection of the United States concerned the publicity of the manufacture by States of arms and ammunition. M. Guerrero's proposal was of a nature to meet that objection, since provision was made for the publicity of the manufacture by States of arms and ammunition. Nevertheless, he considered that, as the proposal had only just been distributed, it should be examined with care, and he asked that the examination of the text submitted should be continued at a later meeting:

M. GUERRERO (Salvador) drew the attention of Count Bernstorff to the fact that, in the proposal which he had just submitted to the Committee, there was a word which could perhaps facilitate the studies of the Commission which would have to deal with this question; he was alluding to the publicity regarding manufacture of arms and ammunition. He had adopted the word publicity so as to bring the future convention more into line with the convention on the supervision of the trade in arms. The last convention simply contemplated supervision by publicity of the export of arms, and he wished to adopt the same formula. In regard to the time-limit which figured in the last paragraph of his proposal, he was in agreement in principle with M. de Brouckère as to its suppression, since it would create a false impression.

He therefore accepted the proposal for adjournment made by M. Cassin, until such time as all members of the Committee had been able to study at their leisure the text of his proposal.

The CHAIRMAN considered that, in these circumstances, the only thing to do was to adjourn the discussion to the following meeting.

*This proposal was adopted.*

*The meeting rose at 5.45 p.m.*

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## SEVENTH MEETING.

*Held on Monday, September 19th, 1927, at 10 a.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

### 15. Adoption of the Draft Resolution submitted by M. Sokal, Delegate of Poland.

The CHAIRMAN declared the meeting open, and said that there was only one member who wished to speak — M. Loudon. He wondered whether M. Sokal would not first wish to say something by way of an introduction to his proposal, which was worded as follows :

“ The Assembly,

“ Recognising the solidarity which unites the community of nations;

“ Being inspired by a firm desire for the maintenance of general peace;

“ Being convinced that a war of aggression can never serve as a means of settling international disputes and is, in consequence, an international crime;

“ Considering that a solemn renunciation of all wars of aggression would tend to create an atmosphere of general confidence calculated to facilitate the progress of the work undertaken with a view to disarmament :

“ Declares :

“ (1) That all wars of aggression are, and shall always be, prohibited;

" (2) That every pacific means must be employed to settle disputes, of every description, which may arise between States.

" The Assembly declares that the States Members of the League are under an obligation to conform to these principles. "

M. SOKAL (Poland) thought it would be imposing on the kindness of the Committee to add anything to what he had already said in the Assembly and in the Committee. He only wished to submit his proposal to the Committee with the hope that it would be favourably received.

M. LOUDON (Netherlands) said that he had studied with great interest the Polish delegation's proposal, and could say at once that his delegation was disposed to give it support. Without raising anything new, it affirmed the principle which even the Powers which were opposed to the Protocol had adopted, namely, the condemnation of a war of aggression. His own opinion might be considered as lying between the opinion of M. Scialoja, who considered that such a resolution was entirely superfluous and even undesirable because it weakened the Covenant, and the opinion of M. Sokal, who, on the contrary, attached great importance to the resolution, which, according to him (M. Sokal) strengthened the Covenant. He, the speaker, considered that a solemn declaration by some fifty Powers in an Assembly such as that of the League of Nations had without doubt a great moral value. He did not, however, over-estimate the importance of it. He could not help observing that, since the Protocol, which went further than the Covenant, had not been ratified and since there was as yet no definition of the term " aggression " and " aggressor ", a declaration which merely condemned wars of aggression was not sufficient. He had, therefore, stated the other day that it was his intention to propose an amendment the effect of which would be to prohibit any recourse to war. The result of his resolution would be that even the so-called legal wars, in accordance with Article 15, paragraph 7, of the Covenant, would be prohibited. Such a declaration would, morally speaking, fill up the gap in the Covenant by affirming the desire for peace of an Assembly representing fifty nations. It would also be a very great contribution to moral disarmament.

He therefore supported M. Sokal's proposal, reserving the right to take up again later the question of the outlawry of war in a more legal form. Indeed, it was very desirable that the Assembly should recommend the conclusion as between two or several States of a treaty to outlaw war, thus reacting to an impulse from the other side of the ocean which had been felt on the European side, more particularly in France.

The CHAIRMAN asked if M. Loudon proposed an amendment.

M. LOUDON (Netherlands) replied that he was merely proposing to refer to the matter later on.

Count BERNSTORFF (Germany) warmly supported the Polish delegation's proposal, which, according to its author, should be a general declaration of peace and friendship, and he proposed that the resolution should be adopted without further discussion and by acclamation.

The Earl of ONSLOW (British Empire), M. PAUL-BONCOUR (France), M. DE ARMENTEROS (Cuba), General DE MARINIS (Italy) and M. HOLSTI (Finland) supported the proposal of the German delegate.

M. NAGAOKA (Japan) wanted to know whether, in the event of the proposal being adopted by acclamation as was suggested, it would mean that the Committee had no intention of forwarding it to the First Committee.

The CHAIRMAN said that, taking into consideration the clear and precise terms of the resolution, as much from the political point of view as from the legal point of view, he considered that it would be unnecessary to send it to the First Committee.

M. GUERRERO (Salvador) supported the remarks of the Chairman, and agreed with the proposal made by the delegate for Germany.

M. NAGAOKA (Japan) said that, if that was the case, he wished to define the point of view of his delegation on the Polish delegation's proposal.

According to the discussions which had taken place in the Committee, the Japanese delegation had understood that the draft resolution in its entirety would not exceed the obligations laid down in the Covenant. The Japanese delegation accepted the draft resolution, but would like to see a small addition made to it which would not in any way change the meaning. He proposed to add the words " in their mutual relations " at the end of the last paragraph.

M. POLITIS (Greece) stated that he agreed wholeheartedly with the proposal of the German delegate, and agreed with the Chairman that it was unnecessary to forward the resolution to the First Committee. It was essential, he said, that the Polish delegation's proposal should be voted by acclamation and without further discussion, in order that it would retain its moral value.

M. PFLÜGL (Austria) stated that his delegation was of exactly the same opinion as M. Politis.

Dr. NANSEN (Norway) said he agreed with the Netherlands delegation that the proposal should have gone still further, but he supported it as it stood.

The CHAIRMAN summarised the discussion. There were three proposals before the Committee, namely, that of M. Loudon, to insert an amendment of which the delegate of the Netherlands had already outlined the sense; Count Bernstorff's proposal to vote for the resolution by acclamation; and, lastly, the proposal made by the delegate of Japan to add at the end the words: "in their mutual relations".

M. LOUDON (Netherlands) believed that there was a slight misunderstanding. He had merely said, and that also was the opinion of Dr. Nansen, that it would be desirable to extend the condemnation of war laid down in the resolution. He understood, however, in view of the existing situation, that it would be better to be content with M. Sokal's proposal, even if it was not entirely satisfactory. He reserved the right to make a new proposal later on concerning the outlawry of war.

The CHAIRMAN thought that the Committee was unanimous in not wishing to prolong the debate and in desiring to take a vote immediately. Did anyone oppose the addition proposed by the delegate of Japan?

M. DE BROUCKÈRE (Belgium) said that he did not clearly understand the meaning of the amendment proposed by the Japanese delegation. Why was this addition suggested if it did not change the meaning of the resolution?

M. GUERRERO (Salvador) said that he would prefer the Third Committee to adopt the proposal without any modification or addition. According to the draft of the Polish delegation, the proposal was quite general, whereas the effect of the addition proposed by the Japanese delegation would be to limit the force of the proposal to Members of the League of Nations.

M. LOUDON (Netherlands) and Dr. NANSEN (Norway) were in agreement with this opinion.

The CHAIRMAN thought that M. Guerrero was right.

M. NAGAOKA (Japan) said that there had been some misunderstanding. His proposed addition in no way concerned the first paragraph, which applied to wars of aggression, but the second paragraph, which applied to the relations between States which were Members of the League or which were not Members of the League. If the four words proposed were not added, the application of the principle would probably present some difficulty. Nevertheless, the Japanese delegation would not insist on its proposed addition. It would accept this resolution on the understanding that the second paragraph could only apply as between Members of the League.

*The Polish delegation's proposal was adopted unanimously by acclamation.*

#### 16. Constitution of the Sub-Committee.

The CHAIRMAN reminded the Committee that certain questions would be sent to a Sub-Committee. He suggested that the Sub-Committee should be composed of Count BERNSTORFF, M. DE BROUCKÈRE, M. HOLSTI, M. LOUDON, General DE MARINIS, M. NAGAOKA, Dr. NANSEN, the Earl of ONSLOW, M. PAUL-BONCOUR, M. POLITIS, M. SANDLER (replacing M. Hennings), M. SOKAL, the CHAIRMAN and the VICE-CHAIRMAN of the Committee.

*This proposal was adopted.*

#### 17. Discussion of the Proposal of the German Delegation.

Count BERNSTORFF (Germany) said that, before making a declaration in the name of the German delegation, he wished to reply in a few words to M. Paul-Boncour. He was very glad to note M. Paul-Boncour's expression of friendship. He hoped that their peoples would come together as quickly as M. Paul-Boncour and he had done. The German delegation did not desire in any way to dissociate itself from the organisation of security and arbitration which so interested M. Paul-Boncour. He had reminded them of the existence of the legal right of Germany to claim the disarmament of other Powers not only in the interests of his own country. He had worked for several years, even beyond the frontiers of Germany, for the League of Nations, and he therefore knew that a close connection between the League of Nations and the idea of disarmament existed in public opinion. It was for disarmament that the peoples waited. An advance towards the realisation of disarmament was a question of life or death to the League of Nations. It was for that reason that he always spoke of the step which had to be made in the direction of disarmament *pari passu* with the problem of security and arbitration. The trilogy which had so often been mentioned was at the present time made up of two robust brothers, Security and Arbitration, and a little sister Cinderella, who was perishing for lack of care — Disarmament.

The League of Nations should never depart from the path indicated by the resolutions of the Assembly. He would not refer again to the variations which had been attempted

on the original clear idea of security by disarmament. He would go back only as far as 1925. The Assembly of 1925 had expressed the wish for preparatory studies to be undertaken for the organisation of a general Conference for the reduction and limitation of armaments, in order that the Conference might be convened as soon as, from the general security point of view, satisfactory conditions were assured. The moment came when those conditions were realised. The 1926 Assembly had unanimously seen in the Treaty of Locarno a considerable step forward towards the organisation of peace, and the French delegation in the Third Committee had declared that "there was a spirit of calm over a large part of Europe; the Locarno Treaties were in force and Germany was seated in the League of Nations. An opportunity which perhaps would not occur again should not be allowed to escape." The delegate for France had insisted that the year 1927 should be fixed for the date of a general Conference on disarmament. M. Paul-Boncour had proposed in the Third Committee a resolution according to the terms of which this general Disarmament Conference should meet in 1927 "on the basis of the present conditions of regional and general security".

The resolution of the Assembly had not been carried out. The Conference had not taken place. The Preparatory Commission had not finished its work, and some hesitation had been shown in deciding that it would carry on its work at the time which had been proposed. As regarded security and arbitration, much had been done. Germany had accepted in its entirety the Optional Clause of the Statute of the Hague Court. As to disarmament, practically nothing had been fulfilled. Therefore efforts must be concentrated on that matter.

That did not mean that the ideas contained in M. Paul-Boncour's proposal should not be examined in the same positive spirit. What must be avoided was getting into contradiction with the principles on the basis of which the 1926 Assembly had desired the Disarmament Conference to work. A clear distinction must be made between :

- (1) Disarmament carried out on the basis of the present conditions of security ; and
- (2) A development of arbitration and security beyond their present state.

The general Disarmament Conference should not be adjourned until absolute and perfect security was reached. Disarmament and security should progress side by side and not one embarrass the other.

He had serious scruples about enlarging the powers of the Preparatory Commission by charging it with a large number of other problems connected with disarmament. The Preparatory Commission had a clear and precise mission. Its task was to state at what point disarmament was possible having regard to the present conditions of security. Besides, it should not be called upon to discuss the general question of security, because the Commission included States which were not Members of the League of Nations. That was a point which must be looked out for.

The proposal of the German delegation was to ask the Assembly to give in a resolution clear and precise directions to the Preparatory Commission for its future work based on the present conditions of security. In a second resolution, which could be formulated, if necessary, with the assistance of the First Committee, a summary of the views of the Assembly could be given concerning the various suggestions which had been submitted to it by the Netherlands, Norway, Belgium, France and Sweden, and which aimed at developing arbitration and security. Germany was ready to assist in this. He thought that the Council might very well be left to decide whether it was necessary to direct a special commission to work on the question, or whether it would be better to divide the work according to its various aspects and to give it to several bodies.

As to the second resolution, he reserved the right to present proposals at an opportune moment. As to the first resolution, relative to disarmament, he submitted the following proposal :

" The Assembly,

" Having regard to its resolution of September 24th, 1926, which is as follows :

" 'Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25th, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the programme for a Conference on the limitation and reduction of armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this Conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible ;'

" Takes note of the report submitted to it by the Secretary-General and the additional information furnished to the Third Committee by the President of the Preparatory Commission on the Commission's work ;

" Thanks the Commission for what it has done during the present year ; and

" Requests the Council to urge the Preparatory Commission to hasten the completion of the technical work and thus enable the Council to convene the Conference on the limitation and reduction of armaments before the ninth ordinary session of the Assembly."

The CHAIRMAN said that this proposal referred to the questions dealt with in the proposals of the French and Netherlands delegations, and suggested it should be sent along with those proposals to the Sub-Committee.

*The procedure suggested by the Chairman was adopted.*

18. Discussion of the Proposal of M. Guerrero concerning Private Manufacture and Publicity of Manufacture of Arms and Ammunition and of Implements of War (*continuation*).

M. JOUHAUX (France) said he wished to support, with a few brief remarks, M. Guerrero's proposal to convene an international Conference on the supervision of manufacture of arms. Everything had already been said on the matter, and it was not possible to proceed any further with the technical studies on the question. It was precisely laid down in the Covenant that a solution must be found for the question and in that respect the Covenant was in agreement with world public opinion, which rightly considered that the private manufacture of arms was one of the dangers of war; that it was not an industry which was comparable with another; that it was bound up with the politics of the various States; and that consequently, by its very nature, it called for a supervision at once national and international.

Amongst the difficulties which arose in examining the problem was one which the Temporary Mixed Commission and its Sub-Committee had discussed for a long time, namely, that of deciding if they should limit themselves, as explicitly laid down in the Covenant, to working on the private manufacture of arms, or, on the contrary, as suggested in the Covenant — for the latter could be interpreted so as to meet all opinions — State manufacture should also be placed under the same rules. He agreed with the latter thesis, but could not conceal from himself the difficulties which it raised. When the Convention on the supervision of the international trade in arms was discussed, the non-producing countries had rightly protested, because it had imposed supervision on most of them while the producing countries remained outside all supervision. This argument should not be allowed to remain in the shade. Was it of a nature to give rise to a situation where the two points of view would be irreconcilable?

Several years of study on this matter had given him some experience, and, after deep reflection, he considered that it was possible to give satisfaction to both points of view. He recalled that there was already a supervision of international trade in arms which gave publicity to certain productions of arms and ammunition. By adding supervision of private manufacture, the field of publicity would be extended. By joining to it a third element, in regard to which the various technical commissions had succeeded in drawing up a unanimous text, that of similarity in the military budgets of the various States, a certain measure of publicity would be achieved which would cover all material and make it possible to draw up a Convention.

The speaker drew the attention of the author of this proposal to the word "single" in the last paragraph and said that the word need not be an obstacle. The various proposals already voted by the Third Committee, if taken with those which still remained to be discussed, would give satisfaction to all reasonable claims. With the possibility of success in view, the Conference which had been desired for so many years must not be evaded. It would give satisfaction to public opinion, give it confidence in the League of Nations, and prepare that moral atmosphere without which all work on disarmament was impossible.

The CHAIRMAN said that there were several amendments to the text submitted by M. Guerrero, and he proposed that the Committee should now vote upon it.

M. VAN EYSINGA (Netherlands) referred to the third paragraph of the proposal:

"Convinced that the establishment of a Convention for the supervision of private manufacture and the publicity relating to manufacture is *essential* for the putting into force . . ."

He suggested to the author of the proposal that the word "essential" should be replaced by the words "highly desirable", which would give all the elasticity required.

The CHAIRMAN said that M. Guerrero had himself proposed to replace the word "essential" by the words "of the greatest importance".

He said that the last paragraph of M. Guerrero's proposal should read as follows:

"Requests the Council to convey its views to the Special Commission in order that the latter may agree upon a single text which will enable the Council to convene an international Conference as speedily as possible."

*M. Guerrero's proposal as modified above was adopted.*



The CHAIRMAN stated that, as the proposal which had just been adopted would entail certain expenditure, it should be forwarded to the Fourth Committee.

Dr. NANSEN (Norway) asked if the Committee was going to propose the amount of the sum to be granted for the expenditure.

M. GUERRERO (Salvador) drew the attention of M. van Eysinga, Chairman of the Fourth Committee, to the fact that provision had already been made in the 1926-27 budget and that it would only have to be brought forward to the 1927-28 budget.

#### 19. Discussion of the Belgian Delegation's Proposal relating to Aviation.

M. DE BROUCKÈRE (Belgium) submitted his proposal :

" Whereas in certain countries there is at present a close connection, from the technical point of view and from the point of view of organisation, between the requirements and developments of civil aviation and those of military aviation,

" And whereas this connection leads to difficulties in limiting air armaments without hampering civil aviation,

" The Assembly :

" Declares that it is desirable for this purpose that the development of civil aviation should be directed solely towards economic ends to the exclusion of military interests ;

" Recommends all States Members of the League of Nations to act as far as possible on the recommendations made in this connection by the Committee of Civil Aviation Experts of the Preparatory Commission for the Disarmament Conference ; and

" Requests the Council to instruct the Advisory and Technical Committee for Communications and Transit to consider practical methods likely to facilitate the conclusion of the agreements between aviation undertakings in the various countries which are referred to in these recommendations. "

He said that during the work on air disarmament everyone had been struck by the new difficulty which had appeared from the fact that civil aviation could to a large extent be employed for military purposes.

The Military Sub-Commission of the Preparatory Commission had wondered if it was not possible to take certain measures in the organisation of civil aviation to reduce this danger. A Committee of Experts on Civil Aviation had studied the question and had stated unanimously that the best method of making civil aviation as innocuous as possible was to beg the military authorities to take as little notice as possible of civil aviation.

However, at the present moment, the civil aviation companies still required State help, which was only given to them in the form of subsidies on condition that they conformed to certain military requirements. It also appeared that military danger resulting from the extension of civil aviation would be lessened by making the relations between the civil aviation circles of the various countries more close and giving them a more international character.

The conclusions unanimously adopted by the Committee had also been adopted by the Preparatory Commission. He would ask the Third Committee, in its turn, to make a declaration of principle. If the resolution which he proposed was accepted, the Transit Organisation would have to deal with it and be given the necessary powers to carry out a task useful to the success of disarmament.

The Earl of ONSLOW (British Empire) suggested that the words : " Committee of Civil Aviation of the " in the last paragraph but one of the Belgian proposal should be struck out, because the Preparatory Commission itself had dealt with the matter exhaustively, as could be seen from page 10 of the text adopted at a first reading, Article A E. These proposals would thus gain more authority.

M. DE BROUCKÈRE (Belgium) did not see any objection to accepting the modification suggested by Lord Onslow.

M. HENNINGS (Sweden) said that the conclusion arrived at by the Committee of Experts in question had been modified and inserted in the form of precise provisions in a chapter of the draft Convention which the Preparatory Commission had proposed to elaborate. The point at issue, therefore, was to make a separate resolution of one of the chapters of the draft Convention of the Preparatory Commission. It was therefore necessary to take as a basis for discussion not the conclusions of the Committee of Experts but the clauses of the draft Convention.

He therefore wondered whether it was necessary for the Committee to decide immediately, or whether it would not be better to adjourn the decision until all the members had been able to make themselves acquainted with the exact proposals made by the Preparatory Commission.

M. VAN EYSINGA (Netherlands) was glad that the Belgian delegate had taken the initiative in the proposal under discussion. The proposal was to a certain extent a recognition that the resolutions of the Preparatory Commission were not of such small account as some seemed to think.

He agreed with the opinion of Lord Onslow that the text would be somewhat weakened by referring to recommendations by the Committee of Experts. He also supported the proposal by the delegate of Sweden to adjourn the vote on this matter. Lastly, he wished to put a question to the Belgian delegation. Was M. de Brouckère of opinion that it would be wise to ask the opinion of the Second Committee concerning the forwarding of the proposal to the Communications and Transit Committee? Perhaps the adjournment asked for by the delegate of Sweden would permit M. de Brouckère to reply to that question.

M. DE BROUCKÈRE (Belgium) agreed with the amendment proposed by the delegate of the British Empire. As to the remark made by M. van Eysinga, he wondered if it was really necessary to forward the proposal to the Second Committee, as that Committee was already overburdened with work.

On the other hand, he would be very disappointed if, for reasons of procedure or for technical reasons, the solution of the question was subjected to a further delay. If public opinion was to continue to have confidence in the work of the League of Nations, it was absolutely necessary that the work should make some progress, and when a Committee had before it a resolution which, as in the present case, was everywhere received with complete agreement, it would be regrettable not to see it confirmed. Besides, the proposal was very modest. Everybody had agreed that it was necessary to endeavour to make civil aviation peaceful, and, in order to do that, it was necessary to have the closest relationship between the various national organisations. It should not be difficult to forward the proposal to the Transit Organisation, which was housed in the same building; it was merely necessary to climb the stairs.

The CHAIRMAN stated that any Committee had the right to forward any proposal whatever to any organ of the League of Nations.

M. HENNINGS (Sweden) was afraid he had been misunderstood. He had not intended to propose that the question should be submitted to the study of Governments, but merely wished to ask that the vote should be adjourned to a later meeting in order to allow members of the Committee time to study the report.

M. MOTTA (Switzerland) thought that the Committee would meet the wishes of the Swedish delegation. It seemed to him that M. de Brouckère's proposal could be voted upon at the next meeting without the Committee forwarding it to any other organ whatever. The proposal would not, perhaps, have a very great practical effect, but it might be remembered that often even pure declarations of principle had a more or less moral value which should not be under-estimated.

General DE MARINIS (Italy) reminded the Committee that in the Preparatory Commission the Italian delegate had had occasion to make several reservations concerning that matter, which were applicable to several objections which could be made concerning the proposal in question, but the problem under discussion was one which it was desirable to see solved in such a manner that it could be accepted by all States. It was for that reason that the Italian delegation gladly agreed to M. de Brouckère's proposal, which would be of great importance to the study of the problem.

The CHAIRMAN thought that the Committee was in agreement for the adjournment of the vote on this proposal to a later meeting.

*The discussion was adjourned.*

The CHAIRMAN said that the Third Committee had finished the examination of the questions on its agenda with the exception of the proposals of M. Paul-Boncour, the Netherlands delegation and Count Bernstorff, which would be forwarded to the Sub-Committee, as well as the question which had just been discussed, and the Finnish delegation's proposal. M. Holsti had asked that the examination of this last should be adjourned until the items forwarded to the Sub-Committee were returned to the Third Committee.

M. VAN EYSINGA (Netherlands) asked the Chairman if the delegations would have an opportunity to make statements in the Third Committee concerning the Finnish delegation's proposal.

The CHAIRMAN replied in the affirmative.

*The meeting rose at 12.30 p.m.*

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## EIGHTH MEETING

*Held on Wednesday, September 21st, 1927, at 5 p.m.*

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Chairman: M. BENEŠ (Czechoslovakia).

20. Discussion of the Proposal by the Belgian Delegation relating to Aviation (*continuation*).

M. HENNINGS (Sweden) said that this question had been adjourned at his request. He had no objection to make with regard to the proposal.

The CHAIRMAN pointed out that an amendment had been made in the text of the proposal distributed. The last paragraph but one should read: "... recommendations made in this connection by the Preparatory Commission for the Disarmament Conference".

M. COMMÈNE (Roumania) drew attention to the fact that it was understood that the vote would be without prejudice to the problem referred to the Preparatory Commission.

The CHAIRMAN replied that the problem which had been entrusted to the Preparatory Commission for investigation would remain unaffected.

*The proposal was adopted.*

21. Discussion of the Draft Resolution prepared by the Sub-Committee relating to Arbitration, Security and Disarmament.

The CHAIRMAN opened the discussion on the text drawn up by the Sub-Committee (see below). He informed the delegates that the Sub-Committee had studied the three proposals submitted by the German, French and Netherlands delegations and had endeavoured to co-ordinate them. As the result of a very careful discussion, they had been able to come to agreement on the text submitted.

He believed that the draft resolution summed up the various opinions shown in the plenary meeting, and hoped that it would give satisfaction to all:

" The Assembly,

" Taking note of the progress made on the technical side by the work of the Preparatory Disarmament Commission and of the Committee of the Council towards enabling the Council to be rapidly convened and to proceed to a decision in the case of emergency;

" Desirous of bringing about the political conditions indispensable to the success of the work of disarmament;

" Convinced that the main condition of such success is that every State, sure of not having to provide for its security unaided by means of its own armaments, should be able to base it also on the organised collective action of the League of Nations;

" Affirming that such action should aim chiefly at forestalling or arresting any resort to war, and, in case of need, at giving effective protection to any State which is the victim of aggression;

" Convinced that the burdens imposed thereby on States will be the more readily accepted by them in proportion as:

" (a) They are shared in practice by a great number of States;

" (b) The individual obligations of States are more clearly defined and limited;

" I. Recommends the progressive extension of arbitration by means of particular or collective agreements, including agreements between States Members and non-Members of the League of Nations, to promote between all States an increase in that mutual confidence which is indispensable to the success of the Conference on the limitation and reduction of armaments.

" II. Having regard to its resolution of September 24th, 1926, which is as follows:

" ' Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25th, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the programme for a Conference on the limitation and reduction of armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this Conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible';

" Requests the Council to urge the Preparatory Commission to hasten the completion of its technical work and thus enable the Council to convene the Conference on the limitation and reduction of armaments at the earliest possible date.

" III. Requests the Council to give the Preparatory Commission, whose task will not be confined to the preparation of a first Conference on the limitation and reduction of armaments and whose work will have to continue until the final goal has been achieved, the necessary instructions to set up a Committee consisting of representatives of all States which are represented on the Commission and are Members of the League of Nations. This Committee would be placed at the disposal of the Commission and would be instructed to consider, on the lines indicated by the Commission, the measures capable of affording all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments in an international disarmament agreement at the lowest figures.

" The Assembly is of opinion that these measures should be sought :

" In action by the League of Nations with the object of multiplying, generalising and co-ordinating special or collective arbitration and security agreements;

" In systematic preparation of the machinery to be employed by the organs of the League of Nations to enable Members of the League to perform their obligations under the various articles of the Covenant;

" In the agreements which the States Members of the League could conclude among themselves, without prejudice to the obligations of the Covenant, so as to graduate their commitments in proportion to the degree of solidarity existing between them and other States according to the geographical situation; and, further :

" In a request from the Council to the several States to inform it of the measures which they would be prepared to take, without prejudice to the obligations of the Covenant, to support the Council's decisions in the event of a conflict breaking out in a given region, each State declaring that in a given case either all its forces or a certain part of its military, naval or air forces could forthwith intervene in the conflict to support the Council's decisions. "

M. DE BROUCKÈRE (Belgium) was glad to state that, after discussions which had been long solely because of the complexity of the subject, the Sub-Committee had been able to come to a unanimous agreement, an agreement which did not show a new or sudden resolve to alter methods, but testified to the perseverance of the States which, in their endeavours over a period of years to bring about disarmament, had encountered many obstacles, but whose good will had not been crushed or diminished. The resolution submitted was one which continued what had been done in the past, and its essential feature was the reaffirmation of the principles on which agreement had long been reached. From the time when the problem of disarmament had first been approached by the League, those dealing with it had been struck by the close connection between that problem and the problem of arbitration and security. In spite of the progress made in arbitration and in spite of the advance made in security, the connection existed, and it had grown steadily more apparent that, as arbitration expanded, security would increase and with it the possibility of hastening disarmament. Nevertheless, if some progress had been made in arbitration, and even in security, the first step towards disarmament was still in the trial stage. The will to take this step had been shown frequently. The resolution reaffirmed that wish.

In the text submitted by the Sub-Committee would be found a reference to the resolution of September 24th, 1926, which had been prompted by the belief that from Locarno would result the beginning of security in Europe, and that consequently it was necessary to make a start with disarmament. The text submitted by the Sub-Committee embodied the same principle.

The resolution of last year stated that the Disarmament Conference should be convened when the preparatory and technical work had been terminated. It was to be hoped that the present Assembly was still of the same mind. The Sub-Committee was, in any case, of the same mind. It was useless to convene the Disarmament Conference while the technical work was still unfinished. That work had been laborious. It would be resumed and followed up until achieved, and it must be pushed forward as rapidly as possible.

It was also apparent, and no less clearly, that the work with which the Preparatory Commission had been entrusted should be continued; that, once the first step had been taken, much would remain to be done; and that, if it were desired to make disarmament as broad as it must be if it were to be really effective, the work must be co-ordinated.

It was, finally, apparent that the importance of the first step towards disarmament depended upon the measure of security attained, and, consequently, the first effort made to ensure security, to develop arbitration, must be continued henceforward, so that, when the Preparatory Commission had finished its technical work, the States would be in a position to indicate to the Conference as complete a measure of disarmament as possible. The normal method of the League must therefore be retained, and the work of disarmament and the work of security continued simultaneously. It had been enquired whether, side by side with a Committee working in the interval between sessions on the task of ensuring disarmament, it would not be useful to form a Committee to study the question of security. It was obvious that such studies for ensuring real security would be extremely complex and very technical, and that they could be brought to a successful conclusion only by a continuous effort. It had been realised that neither the work of the Preparatory Commission nor that of the Committee for Security — if it might thus be called — would have any real practical result unless it was carried on simultaneously. Experience had shown that in the course of the preparatory work problems of security arose at every moment.

The Preparatory Commission must be in a position to obtain explanations, and M. de Brouckère considered that, once the Committee on Security had been constituted, it should be acquainted with the studies of the other Commission in order to be able to work satisfactorily. A close liaison was therefore indispensable, and it was in order to secure such liaison that it had been proposed to establish not only a moral tie, resulting from the closeness of the goals sought by the two bodies, but also an organic bond, in order that the Security Committee might be at the disposal of the Preparatory Commission on Disarmament in carrying out the enquiries undertaken.

Such was the technical part of the resolution. Agreement had been reached on all points, and it could not have been otherwise, because, since the opening of the session, the ideas expressed had been shared by all Powers alike.

However, it had appeared insufficient simply to indicate the constitution of the Committee which was to hold itself at the disposal of the Preparatory Commission. It has been considered useful to sketch broadly its programme of work, to show in what manner it had to carry out its studies. That was done in the third paragraph of the resolution. It was not necessary to dwell on it. The Locarno Agreements had brought about the conviction that it was possible to take the first step, and it was obvious that the League should look for means of bringing about, side by side with the Locarno Agreements, other more or less similar agreements inspired by the same principle, and creating in certain stated regions conditions of security similar to those contemplated by the Locarno Agreements.

The idea was also expressed that the Covenant contained resources of which full use had not yet been made. The form of words approved by the Sub-Committee was a cautious one, and it must be so in order to dissipate certain apprehensions. Certain delegates had thought that it was being proposed to interpret the Covenant, and by means of that interpretation to impose fresh obligations on the nations. He would repeat that the right of interpreting the Covenant belonged neither to the Council nor to the Assembly, nor to any of the organs of the League. It had also been asked whether it was being proposed to create fresh agreements or add to the Covenant fresh clauses. That was not the object of these studies either. There was no question of defining in a more precise manner the duties of States. For that purpose studies could be carried out, but nothing could be forced on a Government; it was simply proposed to specify the duties imposed on the various organs of the League itself, to create a procedure, and ultimately to endow the League with all the necessary organs in order that the clauses of the Covenant could be applied in the best conditions. A modest task, but useful.

The Covenant had been drawn up eight years ago. It was at the beginning merely an abstract document. It expressed an intellectual conception. It was by the working of the League itself that it became a living reality. Life created each day fresh necessities, and the Covenant must meet them. The object of the Committee was to bring about such an adaptation.

There remained the proposal relating to agreements between States Members of the League. Such agreements would not necessarily be limited to treaties of arbitration or to security pacts, which might go beyond the object sought by the Protocol. There was no question of reviving the latter. Certain States had said that they did not think that they were able to subscribe to it. The idea of a general agreement of all nations on the principles proclaimed in 1924 appeared at the present time unrealisable. But if that idea could not be realised by the entire League of Nations, could not groups of States Members of the League realise it? On the other hand, if a general agreement could not be brought about, it was at least possible to co-ordinate the good intentions that had been expressed. In order to give to that idea a more precise and immediate form, the last paragraph of the resolution contained a very clear proposal — that of endeavouring to determine the extent to which the States Members of the League would be ready to help, and the kind and scope of the assistance which in each event a State Member might expect from its neighbours.

The idea of general arbitration was expressed again in the resolution. It seemed therefore to meet what appeared to be the main preoccupation of the Assembly itself, which had become apparent at the commencement of what might be termed a fresh era of the League.

On the threshold of that fresh era, a kind of general plan of the work to be undertaken was being made, but, being practical and wishing to inaugurate a positive policy, the Members of the League of Nations, having elaborated that plan, showed their desire to work in a systematic fashion, and, wishing to achieve practical results, they agreed to go slowly if the circumstances did not admit of their going fast, to take small steps if necessary, on condition that they were steps forward.

On all these principles agreement had been realised.

He had received the impression during the debates which had taken place that at no time had any deep differences of opinion appeared. Certain delegates had considered that such-and-such an aspect of the problem predominated over another aspect. Nevertheless, the opinion of all the members had been the same with regard to the substance, and it was sufficient to confront the various points of view in order to bring about unanimity.

M. LOUDON (Netherlands) said he wished to revert to a subject which he had already mentioned when he had tried to reassure M. Sokal. He was referring to the idea of adopting some form of proposal recommending Members of the League to make treaties outlawing war between themselves and, above all, with States non-Members. It seemed to him that it was now necessary for the eighth session of the Assembly, which was carrying out such a great effort for peace, not to ignore the sound of the bell which had been heard on the other side of the Atlantic and had been echoed in Europe, where it had received a warm greeting by one of the great Powers of the Continent.

After thinking it over, he had recognised that it was superfluous to submit such a resolution; the essential theory was that the idea should be repeated in the Assembly; once the resolution was put into execution, he was sure that this side of the problem would not be neglected. The Committee for Arbitration and Security, in carrying out its work, would necessarily give vigorous support to everything which would facilitate bringing States together

with a view to peace, and the recommendation of the conclusion of agreements in this way would inevitably be the result. Nevertheless, since he had renounced his intention, he would be glad if the report would specially mention the observation which he had just made.

In regard to the draft resolution itself, he had pleasure in noting that it was full of ideas which lay at the basis of the Netherlands delegation's proposal. It was necessary for a fresh impetus to be given by the Assembly to the preparatory work; it was necessary that the three great principles of arbitration, security and disarmament — which were in the Covenant and were the basis of the Protocol — should be taken up again.

In conclusion, he was glad to say that the guiding ideas contained in the Netherlands delegation's proposal had become widespread and that everybody would contribute to carrying them out successfully. Thus the three great principles of the Protocol guided, subconsciously, all the deliberations.

M. HENNINGS (Sweden) recalled that in the Sub-Committee he had submitted observations concerning the last paragraph of the draft resolution, and he considered he ought to repeat what he had said.

He had doubts, even grave ones, on the expediency of the procedure contemplated and on the possibility of arriving thereby at satisfactory results.

In 1924, M. Branting, during the discussion of the Protocol, had said that the Swedish people did not consider that they had to assume at the outset engagements which would oblige them to give military assistance to other countries and that Sweden did not wish to pledge herself in advance to undertake military sanctions. The attitude of Sweden had thus already been made clear.

Nevertheless, if the Committee was unanimous in adopting the last paragraph of the proposal, in spite of the doubts he had expressed, he would not oppose it; but, if he could agree to the text submitted, it was because he interpreted it in the sense that its adoption would not change in any way the obligations of Members of the League arising out of the Covenant. These obligations would remain in all cases as they were at present. Nothing was added to them or modified by the adoption of the resolution.

He would point out that the interpretation which he had just given had been unanimously approved by the Sub-Committee.

The CHAIRMAN supported the remarks just made by the Swedish representative, and pointed out that from the text it could be clearly seen that the resolution merely constituted an invitation to the Powers; they remained free to do what the resolution asked; no fresh obligations were imposed on them.

M. BIRKE (Denmark), reminding them of the declarations made by the Danish delegation in 1923 and 1924, associated himself with the declaration made by the representative for Sweden.

With regard to the procedure proposed in the last paragraph of the resolution, he wondered if this method of procedure would really bring about a practical result. He considered that the reply could only be a negative one, and he feared that the setback which he foresaw would create an unfavourable atmosphere for the result which they wished to bring about and would cause fresh and regrettable disappointment.

In conclusion, he drew attention to the word "decisions" in the last paragraph. He asked if it would not conform better with the Covenant to replace the word by "recommendations".

Dr. NANSEN (Norway) said he had intended to associate himself with what the Swedish delegate had said, but, after the statement made by the Chairman and in view of the unanimity of the Sub-Committee, he did not think it was necessary to make a declaration in that sense.

M. DE BROUCKÈRE (Belgium) concluded from what had just been said that a certain amount of confusion appeared to exist in some minds.

It was not contemplated that the Council should forward a circular to States asking them what forces they could or would send in the event of a conflict; it was only proposed to forward a suggestion to a committee which would study and consider practical means of carrying it out; for example, it would endeavour to ascertain at what moment and in what circumstances the Council might carry out what was asked of it and to which States it might refer. In a word, it contemplated looking for a method which the Council might employ in such eventualities as could be foreseen.

The CHAIRMAN agreed with the remarks made by M. Birke regarding the word "decisions", and suggested saying in the last paragraph "the Council's decisions or recommendations".

M. BIRKE (Denmark) agreed.

The EARL OF ONSLOW (British Empire) suggested that the observations of the Swedish, Norwegian and Danish delegations and the explanations given by the Chairman and by M. de Brouckère might be inserted in the report, so as to avoid any possible misapprehension.

The CHAIRMAN said that this would be done.

Sir James PARR (New Zealand) expressed his agreement with the last paragraph in the sense explained by M. de Brouckère.



He asked whether it was contemplated that the proposed Arbitration and Security Committee should consist of the same members as the Preparatory Commission, or whether new members could be brought in. The question appeared to be largely if not entirely political and not technical, and therefore it might be advisable to have some new blood in the Committee.

The CHAIRMAN reminded the Committee of the conditions under which the Council had appointed the Preparatory Commission, and stated that the Sub-Committee had been of the opinion that the same composition should be kept for the Committee of Security and Arbitration as for the Preparatory Commission. In this way, the existence of organisations too independent of one another, which would be a serious cause of delay, might be avoided. Furthermore, the Council could always appoint fresh members to the Preparatory Commission if it considered it necessary.

M. MOTTA (Switzerland) wished to define the attitude of Switzerland. The status of the Confederation was a special one. Switzerland, on entering the League, had been allowed to maintain her military neutrality, and no one had ever contested the validity of this special international status. Switzerland had a militia army, whose character was defensive. If all the other States had been able to organise a system like that of Switzerland, the question of disarmament would not have arisen and they would have had peace guarantees for everybody. This situation compelled M. Motta to take up an attitude of reserve, whilst giving his sympathy to and encouraging the efforts which States were making to release themselves from the immense burden of armaments. Since Switzerland possessed a militia army, which could not be touched, for it was its shield and necessarily so, because the guardianship of the Alps had been entrusted to it, it could not take a very definite or influential part in the question of disarmament.

There was a question of procedure. The First Committee had just created a Sub-Committee, whose duty it was to examine, if possible, in agreement with a Sub-Committee of the Third Committee, the legal aspects of the Norwegian delegation's proposal. In the draft resolution under discussion there was an important clause which contemplated adding to the Preparatory Commission a committee composed of politicians and jurists whose duty it would be to study, together with the members of the Preparatory Commission, the special conditions of arbitration and security to be realised in view of disarmament.

What was the relation between that proposal and the Norwegian delegation's proposal examined in the First Committee? Were the two things separate? Some thought they were, but others thought they were not.

Personally, he had no objection to make with regard to the draft resolution under discussion, for he considered it likely to bring about the desired end. But its adoption should not exclude the continuation of the examination by the First Committee of the Norwegian delegation's proposal and the questions allied to it, nor prevent the Third Committee from dealing with the question, since it had been forwarded to the First Committee for examination of the legal aspects, and since also the Third Committee reserved the right to give an opinion on the Norwegian delegation's proposal.

M. DE BROUCKÈRE (Belgium) stated that the situation was as follows: The Third Committee having studied the Norwegian delegation's proposal relative to arbitration, and having considered itself not sufficiently competent in matters of international law, had asked the First Committee to give its opinion. The latter had appointed a Sub-Committee. Ought this Sub-Committee to work in liaison with the Sub-Committee of the Third Committee? He did not think that such a procedure would be useful. The Sub-Committee of the First Committee would report to the First Committee, which would then forward its opinion to the Third Committee.

The Committee whose duty it was to give its opinion and to help the Disarmament Commission would not have to examine the Nansen proposal, but, as circumstances arose, it would have to study all the problems relative to arbitration and security. It was asked of whom this Committee would be composed. It would be composed of representatives of States, and the States would be represented by whom they pleased, either by jurists or by politicians, assisted by legal advisers. A choice could even be made for this Committee from representatives of the Disarmament Commission. Any combination was possible.

M. PFLÜGL (Austria), not having taken part in the general discussion, said that he did not wish that his silence should be interpreted as meaning that the Austrian delegation was indifferent to the conditions or the spirit in which the important question now before the Committee had that year been taken up.

Without being able to contribute very largely to the work, Austria had awaited the results with impatience. Those results were embodied in the resolution which was before the Committee, and he was happy to note that the resolution, while not fulfilling the hopes which he had entertained, gave the maximum which could that year be practically achieved.

The excellent spirit which had resulted in agreement, in the Sub-Committee and the warm welcome which the proposals had met with from all the Committee were a guarantee of the serious efforts which the Committee and the League were making, and showed that the appeal addressed by the Netherlands delegation at the beginning of the Assembly to all States represented had been clearly heard and understood.



In these conditions, he was happy to state that the Austrian delegation accepted the resolution, taking note of the remarks made by the Swedish, Norwegian and Danish delegations and the explanations given by the Chairman.

The CHAIRMAN proposed to close the discussion, and, no other observations being made, considered the resolution as adopted.

*The resolution was adopted.*

## 22. Nomination of Rapporteurs.

The CHAIRMAN proposed the following as Rapporteurs to the Assembly :

On the question of private manufacture of arms : M. GUERRERO ;

On the question of arbitration, security and disarmament : M. DE BROUCKÈRE ;

On the Polish delegation's proposal : M. SOKAL.

*The proposal was adopted.*

The CHAIRMAN thought that it would be necessary, in accordance with precedents, that the Rapporteurs, especially on the principal question, should submit their reports to a plenary meeting of the Committee ; he therefore suggested that the Committee should meet the following afternoon to hear the reports.

M. DE BROUCKÈRE (Belgium) thanked the Committee for the confidence which it had shown him ; he imagined that the Committee would be satisfied with a summarised report, to which would be added the various reservations and observations submitted during the discussion. He could then, before the Assembly, complete his report by an oral statement.

The CHAIRMAN said that he thought the Committee would agree to that arrangement.

*The Committee assented.*

## 23. Procedure.

The CHAIRMAN, reminding the Committee of the request made by M. Motta, said that the First Committee would be glad to have several members of the Third Committee to work with it in a mixed committee in order to come to an agreement on the procedure to be followed.

M. MOTTA (Switzerland) said that he had received no mandate from the First Committee, but, knowing that it desired to have several of its members working in conjunction with a delegation of the Third Committee, he had thought it well to inform them of the situation in order to prevent any confusion. It would therefore be well if the Third Committee would appoint several of its members to work in conjunction with the Sub-Committee of the First Committee ; there would thus be a sufficient guarantee of complete agreement between the two Committees.

The CHAIRMAN suggested M. LOUDON, M. DE BROUCKÈRE, M. GUERRERO and M. POLITIS.

M. DE BROUCKÈRE (Belgium) asked to be excused, as he had not only to prepare his report by the afternoon but also to submit a report to the Assembly.

The CHAIRMAN suggested replacing M. de Brouckère by M. CASSIN.

*The Chairman's proposals were adopted.*

## 24. Declaration by Count Bernstorff relating to the " Armaments Yearbook ".

COUNT BERNSTORFF (Germany) said that he had a declaration to make on the question of the *Armaments Yearbook*, but, in order to avoid wasting the Committee's time, he would request that his declaration should be recorded in the Minutes of the Committee. He reserved the right to revert to the matter on another occasion.

### *Text of the Declaration.*

" It was in 1924 that the Assembly of the League of Nations for the first time approached the question of the *Armaments Yearbook*. Since then, the question has come up at every session of the Assembly and renewed demands have been made for the enlargement and completion of this book. These demands are indeed justified by most cogent reasons. Ever since the League of Nations came into being we have been trying to get a clear and accurate idea of the armaments of the several countries by means of statistical enquiry. And, on re-reading the deliberations and the most interesting resolutions of the Permanent Advisory Commission and the Temporary Mixed Commission of 1920 to 1923, which were approved by the sessions of the Assembly of the League of Nations, we find one idea continually appearing, namely, that a clear and accurate knowledge of the armaments of the several States is the surest means of creating that atmosphere of mutual confidence without which universal peace and disarmament are vain illusions. For this reason, the search for appropriate means of enforcing

the last paragraph of Article 8 of the Covenant has been unceasingly continued. In pursuance of this idea, the Council resolved in July 1923 on the publication of the *Armaments Yearbook*. It stated plainly the objects it intended to attain by means of this publication. Let me recall to your mind the Council's resolution of July 1923, which says that the *Yearbook* is to allow 'of the carrying out as from the present time of the intentions of the last paragraph of Article 8 of the Covenant', and, at the end, that 'the programme of the *Yearbook* would exactly correspond to the terms of the last paragraph of Article 8 of the Covenant'.

" In the light of all this, we are naturally led to enquire how far the *Yearbook* has fulfilled the object set forth in the Council's resolution, and what deficiencies still remain to be made up before it can really be considered as a means towards the enforcement of the last paragraph of Article 8. Under this article, the States undertook to interchange information on three main points :

- " (1) The scale of their armaments ;
- " (2) Their military, naval and air programmes ;
- " (3) The condition of such of their industries as are adaptable to warlike purposes.

" If, with this in mind, we consider the *Armaments Yearbook* in its present form, we are obliged to admit that its contents do not adequately fulfil these three conditions. For, with a few rare exceptions, the *Armaments Yearbook* contains no information which any painstaking statistician could not, before the creation of the League of Nations, have himself collected from the standard publications of the various countries. I am aware that the Council's resolution of July 1923 also says that the information must be 'drawn solely from official and public documents', but I cannot help remarking that, by remaining content to consult sources that are open to everybody, we have not, through the *Armaments Yearbook*, achieved the object expressed in the last paragraph of Article 8 of the Covenant, and, further, that the *Armaments Yearbook* is not going to help us to gain an exact idea of armaments.

" Let me touch on just a few capital points. In order to assess a State's 'scale of armaments', we must have at least an idea of its available strength in the event of a war, both as regards effectives and material. We have, it is true, very precise particulars concerning those States whose armaments are fixed by the Peace Treaties. Belgium has supplied important information as to her war material, but otherwise I can find very little information in the *Armaments Yearbook* concerning war material available in peace time. I can find no particulars at all regarding modern offensive weapons, such as tanks, heavy artillery, bombing aeroplanes, nor as regards stocks of ammunition. If such information is kept secret, in spite of the last paragraph of Article 8 of the Covenant, we shall never succeed in creating an atmosphere of mutual confidence. I need not explain to this audience of specialists why it is precisely those modern implements of war which enable a State to conjure up the terrible danger of a war. I hope, then, that the Preparatory Commission will succeed in reaching a solution that will admit of the *Armaments Yearbook* being compiled in such a way that it will be possible really to ascertain from it the 'scale of armaments'.

" I shall not go into the question of 'military programmes'; there are not many of these in the *Armaments Yearbook*. But the third point seems to me all the more important in that it has not yet been dealt with by the Preparatory Commission. I mean the 'condition of such of the industries as are adaptable to warlike purposes'. Part of the *Armaments Yearbook* deals with this question for each country, and contains statistics on the manufacture, output and exportation of a number of products which might be more or less useful in wartime. I am delighted to observe that, in compliance with the recommendations of the Assembly at its fifth and seventh ordinary sessions, the Secretariat has brought these statistics up to date from year to year. Nevertheless, I am sorry to say that I find hardly any information at all on 'industries adaptable to warlike purposes'. One of the chief of these is the armaments industry, which might indeed legitimately be classed among the armaments of a State. Nobody will dispute that in a war the armaments industry proper, its existence or non-existence, its magnitude and its output, are of supreme importance. And each State can furnish very precise information on this industry, because it exists in peace time.

" I am well aware that little information on the armaments industry is to be found in official and public documents, I hope, nevertheless, that the Members of the League will be prepared to furnish the necessary information in pursuance of the last paragraph of Article 8 of the Covenant, and I trust that the day will come when we shall be able to complete the *Armaments Yearbook* on the lines laid down in the resolution of the Assembly at its fifth session, which requested the Council to develop the very part of the *Yearbook* 'which dealt with industrial and economic resources capable of being utilised for war'.

" I know there is a fear that the *Yearbook* may become too bulky, and I quite agree. But there is no use trying to solve the question by leaving out information which is essential to the purpose laid down in the last paragraph of Article 8 of the Covenant. On the other

hand, certain other particulars might be left out, such as the laws relating to the Army, organisations, etc., which do not change every year and which might perhaps be collected in a separate volume.

" I have the honour to ask the Governments to be good enough to give their consideration to this statement, so that the matter can be taken up again in due course. "

*The Committee rose at 7 p.m.*

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## NINTH MEETING.

*Held on Thursday, September 22nd, 1927, at 4 p.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

25. **Discussion of the Proposal by M. Holsti relating to Financial Assistance to States Victims of Aggression.**

M. HOLSTI (Finland) submitted the following draft resolution :

" The Assembly,

" Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government's proposal for ensuring financial aid to any State victim of aggression ;

" Being convinced of the need for a system of financial aid for contributing to the organisation of security, which is an indispensable preliminary to general disarmament ;

" Requests the Council, with the aid of the competent Committees, to continue its examination of the plan, which the Committee declares to be necessary, and to prepare and complete it with a view to its final adoption either by a Disarmament Conference or by a special Conference to be convened for the purpose. "

He noted that the Bureau had proposed to add a fourth paragraph worded as follows :

" The Assembly suggests to the Council that it would be advisable to submit the plan referred to, and the documents relating to Article 16, prepared by the Legal Section of the Secretariat, to the Committee which it proposes to appoint in pursuance of its resolution relative to arbitration, security and disarmament. "

He thought it more convenient to combine the third paragraph of his proposal and the proposal submitted by the Bureau by adding in the third paragraph, after the word " Committees ", the following words :

" Including the Committee which it proposes to appoint in pursuance of its resolution relating to arbitration, security and disarmament. "

M. LOUDON (Netherlands) considered that the Finnish delegation's proposal deserved the fullest attention because it aimed at a method of preventing aggression by the certainty of the financial aid which the community of States would lend to countries victims of aggression. The proposal had the fullest sympathy of the Netherlands delegation. He supported it in principle, but at the same time considered that it could only become effective with sufficient collaboration on the part of the States Members of the League of Nations.

Nevertheless, the Netherlands delegation would not state, as the British Government had stated, that its final decision would depend on the success of the General Conference on Disarmament.

According to the proposal of the Financial Committee, the guarantees would only come into force following upon a decision by the Council, stating that the Covenant had been broken, and consequently naming an aggressor. So long as such decision did not bind the members of the League — that was to say, so long as the system in force was that of the resolution of October 4th, 1921, which stipulated that it was for each Member of the League to determine for itself whether the Covenant had been broken or no — the Netherlands Government could not give the Council the right to judge if the financial assistance of the Netherlands should be given. That proved once again how essential it was to continue the study of Article 16 of the Covenant, and he was glad to think that the resolutions of the Committee would give that study a fresh impetus.

M. PFLÜGL (Austria) reminded the Committee that the Finnish Government, in its reply to the Financial Committee's report, contemplated the possibility of universal participation in the convention of guarantee which it proposed.

His Government recognised the importance of the tendency shown in this connection, for it considered, in fact, that general agreements on any point whatever were more likely to advance the solution of the disarmament problem than partial agreements. But a general

agreement, of it were possible, required a more extended examination on account of the individual situations of the States which would have to adhere to it.

In accordance with this idea, and in the absence of a reply from the Austrian Government on the substance of the Finnish delegation's proposal, he would limit himself for the moment to welcoming M. Holsti's proposal as amended, to the effect that the Council should be asked to continue the study of the draft scheme with the help of the appropriate Committees. M. Pflügl also wished to consider certain questions which might arise in certain events.

He would congratulate the Financial Committee on its report. He thought he was not mistaken in recognising the able hand of Sir Henry Strakosch in the tracing of the main outlines of the scheme for assisting States victims of aggression.

It was necessary to consider, in the first place, the nature of the guarantee to which States would be asked to subscribe. That guarantee would differ appreciably from those furnished hitherto by several States in connection with the schemes for the financial reconstruction of certain countries, of which Austria was an example. The new guarantee would involve a public non-productive loan, and one which could not fail to meet with difficult conditions on the money market, the choice of which could not in this particular instance be free from political considerations.

Further, the guarantee was extremely likely to become effective in the sense that it might entail the discharge of the obligations assumed by the guarantor States. For, since the financial obligations undertaken by the attacked State would necessarily be incurred in terms of foreign currency, that State would have all the greater difficulty in discharging them.

It would therefore seem that the influence which the guarantor States would be able to exercise in regard to the terms of the loan and the manner in which those States would be able to make claims against the debtor or the securities given by the debtor should receive careful attention. But the most serious difficulties which would be met with in carrying out the suggested plan would without question be those which would be encountered in obtaining the funds themselves. The solution of such difficulties and the efficacy of the contemplated convention would depend to a large extent on the big States whose money markets alone would be capable of providing the necessary credits.

His country, in particular, was under an international financial obligation which forbade it to raise a loan before 1943 without the previous consent of the Committee of Control of the States guarantors of the Austrian Loan. That special case raised a curious situation, although it would certainly never arise. If a State so placed under international financial supervision were the victim of aggression, and if the aggressor were one of the guarantor States, would the latter, having a seat on the Committee of Control, sanction the loan for which the State attacked applied in its defence? He would pass over these difficulties, which would be solved later by the Financial Committee, and merely state that his Government had a great interest in the practical solution of the Finnish delegation's proposal. He cordially supported M. Holsti's proposal.

M. POLITIS (Greece) stated that he was authorised to declare that the Greek Government wholeheartedly supported the Finnish delegation's proposal. It considered that the proposal was in direct agreement with the principles of the Covenant, especially with the clauses of Article 16, and it was willing to participate within its modest means in the organisation of the financial assistance to be given by the League of Nations to States victims of aggression.

M. BIRKE (Denmark) said that, while voting for the Finnish delegation's proposal, the Danish delegation wished to emphasise at the same time that it only constituted a recommendation for a further study of the problem, with a view to a better elucidation of the character and scope of the obligations which would arise from the proposed arrangement, and of the conditions on which it would be put into practice. The study of the last point was well worth the special attention of the appropriate Committees, which would have to continue the examination of the proposal in order to give it sufficient effectiveness to be of real service to the cause of peace and to give it in such a way that the desired end might really be reached without running the risk in certain cases of going contrary to the ideas which gave rise to the proposal.

He would add that his delegation agreed with the opinion of the Bureau of the Third Committee that the consideration of the proposal should be included in the general studies of disarmament, to which it naturally belonged.

The Hon. Alexander CADOGAN (British Empire), speaking on behalf of the Earl of Onslow, said that he had intended to endorse in that Committee the statement made to the Council by Sir Austen Chamberlain to the effect that the British Government welcomed the scheme and had hopes of its ultimate success. In making that statement, Sir Austen had intimated that the British Government attached certain conditions to their adherence to the scheme, one of which was that it must form part of a general disarmament scheme; and, in that connection, he desired to draw attention to the last words of the resolution:

"With a view to its final adoption either by a Disarmament Conference or by a special Conference to be convened for the purpose."

On that he wished to make a small reservation to the effect that, evidently, if that Conference were to be convened and meet before the Disarmament Conference, it might be difficult for the British Government to give its adherence at once.

In reply to the Chairman, the Hon. Alexander Cadogan thought it would be quite sufficient if his statement were put on record in the Minutes.

M. WORM-MULLER (Norway) said that, while voting in favour of the proposal to study in further detail the important project under examination, it was his duty to indicate a difficulty under which he laboured. The Norwegian delegation could not give an opinion on the substance of the question, although it received the project with much sympathy. The plan contemplated the voting of credits, and the Norwegian Government could not undertake engagements before the question was put before Parliament.

M. DE BROUCKÈRE (Belgium) said that he did not rise in order to make reservations with regard to the Finnish delegation's proposal. His Government had already made known its views before various organs of the League, and had always given to the proposal its unconditional support. It did not wish merely to give its sympathy but would do all it could to bring about the success of the scheme as soon as possible.

He nevertheless considered it indispensable to make a reservation with regard to the remarks made by the preceding speakers; that reservation would apply specially to the remark made by M. Loudon. The Netherlands delegate had said, first, that his Government sympathised with the proposal, but added that the undertaking which the Netherlands would make would be accompanied by a reservation. In other words, the Netherlands Government would itself judge if there had been an act of aggression or not.

That might constitute a moral undertaking of great scope, but, since financial questions were under consideration, he wondered whether a bank would accept a signature under such conditions. M. Loudon based his reservations on an interpretation of Article 16 of the Covenant, and thought that each Member of the League should take a decision. Personally, he was not of that opinion. He thought that, by reason of the first paragraph, each Member had to take a decision, but that, in virtue of the second paragraph of the same article, the Council itself had to take a decision, since it had to make recommendations; those recommendations would have no weight if the Council, as far as it was concerned, had not itself considered whether there had been an act of aggression or not.

He therefore agreed with M. Loudon that it would be necessary to study Article 16 further, and he thought that such studies would serve to clear up the point of view of each of the members of the Committee. On the other hand, he considered that there should not be any attempt at an interpretation of the Covenant, as that was not within the powers of the Committee.

The Netherlands delegate had stated that the resolution of 1921 was in force. He, however, was not of that opinion. The resolution was authoritative in view of its origin, but not an official interpretation.

The authors of the interpretation of 1921 had themselves specified that their resolutions would have no weight until after the adoption of certain amendments to Article 16. Those amendments had not yet been ratified. He would put the following question: Could it be said that the fact that Members of the League of Nations had refused their adhesion to the interpretation given at that time had increased its value so that it now had become certain and compulsory, whereas such had not been the case when it was voted upon?

The Committee was faced with an interpretation for which he had the greatest respect but which no Government was compelled to obey. Under such conditions the question remained untouched. They could in the future take decisions, but they had no right to give an interpretation.

M. PAUL-BONCOUR (France) emphasised the fact that the French Government, both in the Preparatory Commission and in the Council of the League of Nations itself, had already shown very clearly its approval of the Finnish delegation's proposal. Consequently, the French delegation fully associated itself with the studies which would be continued in order to put the proposal into definite shape. Under what form would the studies continue? That was the most interesting problem to be solved for the moment. It was clear that the proposal had a purely technical aspect which could only be examined by the special Committees and notably by the Financial Committee, which was already studying it. On the other hand, it could not be denied that the problem was connected with all the questions relating to security. Consequently, the Committee whose formation was contemplated in the resolution adopted the previous day and the object of M. de Brouckere's report should deal with it as one of the principal factors of security, to which a greater precision might be given. He associated himself with due discretion with the observations that M. de Brouckere had just made. He recognised that each nation was free to make all the reservations which it considered necessary concerning future engagements, although when the possibility of such engagements was mentioned it was not necessary to make reservations, since each would enter into such engagements to the extent in which it felt bound to do so.

The French delegation would like to point out that all these further definitions of security with which the Third Committee was dealing were connected with the success of a conference on the reduction of armaments and that the reduction of armaments would obviously be proportional to the guarantees which would be shown on the "security" side of the balance-sheet. Therefore it was essential to give the maximum guarantees possible to those States which effected reductions. There were here exhibited the two aspects of the international mind.

M. SOKAL (Poland) said that his delegation wished to express again its warm support of the Finnish delegation's proposal relating to financial assistance to States victims of aggression. The Polish delegation had several times already supported it in the Committee of the Council and in the Preparatory Commission. He would ask the delegates to refer to a detailed memorandum from the Polish Government with regard to the scheme drawn up by the Financial Committee (Annex 1). From the point of view of the Polish financial legislation, there was no objection to assuming a guarantee such as the Financial Committee contemplated. With regard to the scheme, it was simply a question of preparing carefully the machinery which would work if the necessity arose. The better the financial machinery was regulated, the more automatic and rapid would be its functioning, and the plan of financial assistance would have better chances of becoming a real obstacle to aggression and an effective element of security, although it was evident that the putting into force of the plan would still be subordinate to a series of political and legal solutions which were at the basis of the problem of security.

In that sense he fully associated himself with the words spoken by M. de Brouckère and M. Paul-Boncour, and he thought that their explanations would give satisfaction to all the authors of reservations.

M. MOTTA (Switzerland) was grateful to M. de Brouckère for having raised the question. But the interpretations of M. de Brouckère called for necessary reservations. The question of the scope of Article 16 of the Covenant and of the competence of the Council had always been a thorny problem. M. de Brouckère had rightly reminded them of the interpretation of the resolution of 1921. Those who had voted for it were unanimous and doubtless remained faithful to their conception, especially as several of them had been called upon to explain the scope of Article 16 to their Governments and their Parliaments.

M. Motta said he did not wish to open a discussion on the point, which would lead too far, but he wished to emphasise the central fact that it was necessary to distinguish very clearly between the legal and the moral values. The Council had the right to give recommendations. These would have a greater value than the legal value of a decision, but they would only be recommendations. It was the national Governments which would take the decisions. It was thus that the position of the Council with regard to the national Governments had always been interpreted. No doubts should be raised as to that position, otherwise the whole discussion would be re-opened.

He supported the Finnish delegation's proposal. It should lead to a study and then a scheme, which would be submitted either to the Disarmament Conference or to a special conference. The representative of the British Empire had just said that the scheme would have a different aspect according to whether it came before the Disarmament Conference or before a special conference held previous to the Disarmament Conference. It was not his business to express any opinion whatever on the attitude of the British delegate, but he considered that, when the question was raised in a concrete form at a conference, each State would have the right to discuss it and to adhere or not. At the present moment it was merely proposed to undertake a very important study, and no commitments were involved.

M. COMNÈNE (Roumania) said that he had followed the Finnish delegation's proposal since its inception. If its various transformations were taken into account, with the documentation accompanying it and the work of the various committees or commissions, it might be said that the problem had been greatly reduced in its scope. The Finnish delegation was contented, so all was well. However, the resolution, having come before the Committee, had given rise to a certain number of reservations. The Roumanian delegation had understood that reservations would be made when the question arose of combining that special problem with all the questions concerning security, and that the matter would only be dealt with and its importance recognised if disarmament could go on at the same time, the two questions being indissoluble. Certain reservations, however, had been made in the Committee which, if they became general or were adopted by a certain number of delegations, would reduce the Finnish delegation's proposal to naught. He would ask to be excused for speaking so freely, but he was forced to say with a certain amount of uneasiness that, every time a question of security was raised, it met with considerable difficulties. If this uneasy state of mind was fully shared by public opinion, it was to be feared that there would be no very favourable feeling towards disarmament, particularly in certain countries most exposed to aggression.

In conclusion, he would state that the Roumanian delegation gave its unconditional support to the Finnish delegation's proposal.

M. LOUDON (Netherlands) said that M. de Brouckère appeared to have the impression that the Netherlands delegation considered that the present state of affairs was ideal. He would like to remove that impression. He could not entirely agree with M. de Brouckère's opinion, for the resolution of October 4th, 1921, voted by the Assembly laid down guiding principles. It was there stated:

" The resolutions and the proposals for amendment of Article 16 which have been adopted by the Assembly shall, so long as the amendments have not been put into force in the form prescribed by the Covenant, constitute rules for guidance which the Assembly recommends as a provisional measure to the Council and to the Assembly of the League of Nations in application of Article 16. "



And further :

“ It was for the Members of the League of Nations themselves to determine whether the Covenant had been broken. ”

A close study of everything in connection with Article 16 would bring about, he hoped, another state of affairs than that existing at present ; but in the meanwhile they were obliged to carry on according to the rules which had been given them.

M. HENNINGS (Sweden) supported M. Motta's conclusions and would vote for the Finnish delegation's proposal.

M. HOLSTI (Finland), to remove any possible misunderstanding, pointed out that it was clearly stated in the Finnish memorandum that the question of financial aid should be an integral part of the programme of the Disarmament Conference.

M. GUERRERO (Salvador) supported the Finnish delegation's proposal and suggested that the Minutes of that meeting should be sent to the organs which would have to carry out the study of the proposal, so that they would be informed of the reservations made, since those reservations raised fresh questions for examination. For example, what would be the situation with regard to a State which had adhered with reservations to the scheme of financial assistance, and which was attacked, when it asked for financial assistance from other States which had accepted the principle of assistance without any reservation ?

M. DE BROUCKÈRE (Belgium) was sorry if his words should lead the Committee into a long legal discussion. He would therefore content himself with noting the reservations made by the delegates of Switzerland, Sweden and the Netherlands, but he would strictly maintain his opinion.

M. LOUDON (Netherlands) stated that he also maintained his opinion, and that he and M. de Brouckère were therefore quite clear concerning their reciprocal attitude.

General DE MARINIS (Italy) stated that the Italian delegation reserved the right to make its opinion on the Finnish delegation's proposal known in the Committee which would undertake the study of it.

M. NAGAOKA (Japan) agreed with M. Motta's conclusions and accepted the Finnish delegation's proposal. He also accepted the suggestions made by M. Guerrero, but, since the proposal would be examined either by the Disarmament Conference or by a special conference, he reserved the full liberty of Japan's opinion until that time.

The EARL OF LYTTON (India) presumed he was right in assuming that delegates voting for the resolution did not commit their Governments definitely to the action contemplated therein. He had no instructions from his Government on the matter, which it had not had an opportunity of studying. He assumed the Committee would merely recommend the proposal for further examination and that the various Governments would have another opportunity of expressing their adherence or making reservations. If that were the case, he agreed with the rest of the Committee.

The CHAIRMAN, replying to the delegate for India, stated that it was for the time being only a question of stating an opinion on the principle of the study of the proposal, the definite questions relative to its substance being reserved. He added that the scheme itself had been presented with a view to the study of the proposal in the most general form, and that each Government, before committing itself, would obviously be given an opportunity of studying the final text.

He reminded them that the Financial Committee was at that moment drawing up a very precise scheme based on the Finnish delegation's proposal, and that it had already arrived at certain conclusions, which, however, still remained to be studied. The Secretary-General had asked the various Governments to express their opinion concerning these conclusions, and those which had replied had stated that they were in principle in favour of the proposal. But they reserved to themselves the right to study the final text in order not to commit themselves until something definite was submitted to them.

M. HOLSTI (Finland) agreed with what the Chairman had said.

The CHAIRMAN declared the discussion closed and proposed to take a vote. All the declarations which had been made in the Committee showed that they were ready to accept the principle of the study of the proposal, and the reservations which had been made would figure in the Minutes.

The Bureau proposed to add an additional paragraph to the Finnish delegation's resolution explaining in a clear manner what the procedure would be for the study of the resolution by the Committee of Security of the Preparatory Commission. The amendment suggested by the Bureau would only complete the text of the proposal. It would also be amended in order to mention the observations made by various Governments, and M. Guerrero's proposal relative to the minutes of the Third Committee. The whole of the resolution would read as follows :

“ The Assembly,

“ Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government's proposal for ensuring financial aid to any State victim of aggression ;



" Being convinced of the need for a system of financial aid for contributing to the organisation of security, which is an indispensable preliminary to general disarmament:

" Requests the Council to continue its examination of the plan, which the Committee declares to be necessary, and to prepare and complete it with a view to its final adoption, either by a Disarmament Conference or by a special Conference to be convened for the purpose;

" Suggests to the Council that it would be advisable to submit the plans referred to, the documents relating to Article 16 prepared by the Legal Section of the Secretariat, the observations sent in by various Governments, and the Minutes of the meeting of the Third Committee to the Committee which it proposes to appoint in pursuance of its resolution relative to arbitration, security and disarmament. "

M. HOLSTI (Finland) said that, during the course of the general debate, he had had the honour to thank two Governments, the British and the Czechoslovak, for their very favourable answers to the letter of the Secretary-General with regard to the report of the Financial Committee. Now, that day three other Governments had declared their adhesion to the report. He therefore wished to thank very respectfully the Polish, Roumanian and Greek Governments for their answers.

*The resolution was adopted.*

**26. Proposal by Dr. Nansen relating to Arbitration : Procedure.**

The CHAIRMAN said that the Nansen proposal relative to arbitration had been forwarded to the First Committee, which had sent it to a Sub-Committee on which several members of the Third Committee had been asked to sit. The Mixed Committee thus constituted had, after studying the question, arrived at decisions which would be submitted to the First Committee at its meeting on Friday. Under these conditions, it would be necessary to hold over the discussion of the matter until the following meeting.

**27. Discussion of M. Guerrero's Report relating to the Private Manufacture and Publicity of the Manufacture of Arms, Ammunition and Implements of War (Annex 2).**

The CHAIRMAN said that M. Guerrero's Report on the Private Manufacture and Publicity of Manufacture of Arms was now under discussion.

M. NAGAOKA (Japan) drew the attention of the Committee to the form of drafting adopted by the Rapporteur where it was stated, in the middle of the fourth paragraph, " the Committee thinks that this solution . . . " In his opinion, during the discussion which had taken place, things did not appear to be quite as clear as stated by the Rapporteur nor did it seem that unanimity had been reached. As a matter of fact, the Japanese delegation had submitted an observation. He could not accept the suggested text and thereby compromise the attitude of the Japanese representative at the forthcoming Conference.

Consequently, he suggested that the phrase be modified as follows : " Certain delegations thought that this solution . . . " In this manner, with the reservation which he had just made, the position of Japan would be clearly understood.

The CHAIRMAN noted the reservation made by the delegate of Japan.

M. GUERRERO (Salvador), Rapporteur, replied that the suggested drafting did not commit States in any way; the phrase which the Japanese representative wished to modify was drafted in the conditional tense; it did not affirm anything. It limited itself to suggesting an idea and did not imply any engagements on the part of States which adopted the resolution.

M. NAGAOKA (Japan) pointed out that the paragraph still conveyed a kind of instruction from the Third Committee to the special Committee. This instruction was contrary to the opinion of the Japanese Government, which found it difficult to accept the formula.

M. GUERRERO (Salvador), Rapporteur, suggested that the Japanese reservation might be met by modifying the phrase as follows : " with the exception of the Japanese delegation, the Committee thinks that this solution . . . "

M. NAGAOKA (Japan) did not think that such a text would be very agreeable to read. He suggested saying : " Certain delegations thought that this solution . . . " Account would thus be taken of the reservations put forward by other States.

General DE MARINIS (Italy) recalled that, during the first reading, the Italian delegation had been of the same opinion as the Japanese delegation, but had added that it would make every effort to endeavour to bring about an agreement and facilitate the convening of the Conference. He agreed with the opinion expressed by the Japanese representative and asked that the text should be drafted in such a manner that it would not make any direct allusion to a delegation.

M. GUERRERO (Salvador), Rapporteur, proposed saying : " The Committee was nearly unanimous in considering that this solution . . . "

M. NAGAOKA (Japan) accepted that wording.

General DE MARINIS (Italy) considered that this drafting exactly conveyed the facts: whereas Japan had presented its reservation, the Italian delegation again declared that it would use all its efforts to overcome the difficulties.

*The draft report as amended was adopted.*

M. GUERRERO (Salvador), Rapporteur, said that the draft resolution and the report which had just been adopted by the Third Committee could not be considered as being ready for submission to the Assembly until after the Fourth Committee had given its opinion on the credit to be allocated for the item in the following year's budget. If the Fourth Committee refused the credit in question, it would be necessary for the Third Committee to examine again the situation which would arise from such a refusal.

The CHAIRMAN suggested that the Third Committee should nominate M. Guerrero to approach the Fourth Committee to inform it, if the need arose, of the decisions taken by the Third Committee.

*This suggestion was adopted.*

*The meeting rose at 6.10 p.m.*

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### TENTH MEETING.

*Held on Friday, September 23rd, 1927, at 11 a.m.*

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Chairman: M. BENEŠ (Czechoslovakia).

#### 28. Amendment to the Resolution relating to Arbitration, Security and Disarmament adopted at the Eighth Meeting.

The CHAIRMAN said that a certain number of delegates had drawn his attention to the following passage of the resolution adopted at the eighth meeting: ". . . a Committee consisting of representatives of all the States which have seats on the Commission and are Members of the League of Nations". There were two shades of opinion concerning that proposal, and he hoped that the addition of the following text would be considered as a satisfactory compromise: "Other States represented on the Commission being invited to sit on it if they so desire".

If the amendment were accepted it would naturally entail certain modifications in the report.

M. LOUDON (Netherlands), in his capacity as President of the Preparatory Commission, wholeheartedly supported the Chairman's proposal. He said he was certain that he was voicing the feelings of all the members of the Preparatory Commission in supporting that suggestion, in view of the great importance which was attached to the United States continuing to lend their valuable assistance.

Dr. NANSEN (Norway) said that, as that Committee was political, there might be other States not at present members of the Preparatory Commission which it might be desirable to include. He understood that the wording did not prevent the Council taking such a step, although the text only mentioned those which were members of the Preparatory Commission.

The CHAIRMAN pointed out that the Council always had the right to appoint fresh members.

*The amendment was adopted.*

#### 29. Discussion of the Report by M. de Brouckère relating to Arbitration, Security and Disarmament (Annex 3).

M. DE BROUCKÈRE (Belgium), Rapporteur, said that the last two paragraphs of Part 2 should remain in abeyance until a decision had been taken by the First Committee; the eighth paragraph of Part 3, in view of the decision which had just been taken, ought to be completed by the following words: "States non-Members of the League and members of the Preparatory Commission being" — that went without saying — "invited to sit on it if they so desire"; finally, the ninth paragraph should be deleted.

The EARL OF ONSLOW (British Empire) said the text of the last paragraph was not very clear. He therefore suggested an amended text for the second part of this paragraph.

M. DE BROUCKÈRE (Belgium) suggested that, while the amendment was being translated and distributed, the Committee should take up the discussion of the report page by page.

*This proposal was adopted.*

M. SOKAL (Poland) asked, with regard to the first sentence of the report, that in view of the unanimous welcome which the Polish delegation's proposal had everywhere received, he might be allowed to submit a verbal report to the Assembly.

M. DE BROUCKÈRE (Belgium) and the CHAIRMAN agreed, but pointed out that the text of the proposal would in any case have to be submitted to the Assembly in print.

#### *Part 1.*

M. COMNÈNE (Roumania) proposed to commence as follows the last sentence of the first paragraph: "Without prejudice to the work of the Preparatory Commission with regard to the problem of aviation...".

M. DE BROUCKÈRE (Belgium) accepted this addition, which was supported by M. SOKAL (Poland).

*The amendment was adopted.*

#### *Part 2.*

M. COMNÈNE (Roumania) asked that the following sentence should be added to the third paragraph: "On the other hand, certain other delegations warmly supported the Finnish delegation's proposal".

M. DE BROUCKÈRE (Belgium) thought that perhaps such an addition would create a bad impression. He suggested that the second paragraph should be redrafted as follows: "The Committee, which received the Finnish delegation's proposal with the greatest interest, suggests..." (the remainder without change).

M. LOUDON (Netherlands) supported that proposal.

*The amendment of the Rapporteur was adopted.*

*The last two paragraphs were held over pending the decision of the First Committee, but, on the proposal of M. PAUL-BONCOUR (France) supported by Dr. NANSEN (Norway), the Committee, with every confidence, left it to the Rapporteur to make the necessary alterations in his text. Nevertheless, if there were widely different points of view as between the two Committees, the Rapporteur and the Chairman would again convene the Third Committee.*

#### *Part 3.*

Count BERNSTORFF (Germany) recalled that the resolution of the seventh ordinary session of the Assembly stated that the meeting of the Disarmament Conference should take place before the eighth session of the Assembly. He asked the Rapporteur if it would not be possible to include the assurance given by the President of the Preparatory Commission to the effect that the Commission would be convened for the following November.

M. DE BROUCKÈRE (Belgium) said that the reply to Count Bernstorff's request should come from the President of the Preparatory Commission.

Count BERNSTORFF (Germany) said that he did not wish to force the hand of the President of the Preparatory Commission, but would be glad if M. Loudon's declaration were reiterated.

M. LOUDON (Netherlands) recalled that, during the March session, he had not made a definite statement; he had simply asked the Commission kindly to allow him a certain latitude; at the same time, he had expressed the hope that the following session might be held in the month of November.

Count BERNSTORFF (Germany) pointed out that he was not referring to the words spoken by M. Loudon in March, but to a more recent declaration made in the Sub-Committee.

M. LOUDON (Netherlands) thought there was some misunderstanding. Though he was in favour of meeting as soon as possible, no undertaking had been given to that effect.

M. HENNINGS (Sweden) thought it would be as well to leave the fixing of the date to the discretion of the President of the Preparatory Commission.

M. PAUL-BONCOUR (France) thought that it might possibly be unwise to mention a date in the report. It would be of interest, however, if there were a mention that the Preparatory Commission would meet as soon as possible in order to allow the Special Committee to commence its work.

The CHAIRMAN said that he noted the declarations that had just been made by several delegates, and thought that the first eight paragraphs of Part 3 of the report might be adopted with the amendment approved at the commencement of the debate, which was as follows: "States non-Members of the League, and represented on the Preparatory Commission, being invited to sit on it if they so desire".

The ninth paragraph should be deleted.

General TANCZOS (Hungary), referring to the tenth paragraph, recalled that they had stated that certain States placed in a special geographical situation would be represented by a member. He asked if it was possible to establish a roster for the States placed in similar situations.

M. DE BROUCKÈRE (Belgium) drew the attention of his colleagues to the fact that a report could not change the rules of a Committee.

General TANCZOS (Hungary) remarked that the following sentence "The Committee does not mean that the Preparatory Commission as at present composed should be perpetuated" was already a proposal.

M. DE BROUCKÈRE (Belgium) pointed out that the phrase was inserted in order to show that no proposal was made which the Council could consider as indiscreet.

The CHAIRMAN said that the question put a short time before by Dr. Nansen related to the same subject. He thought that the problem rested with the Council.

Sir George PEARCE (Australia) drew attention to the eleventh paragraph: "That the resolution which the Third Committee has the honour to submit . . .". A number of resolutions were being submitted, and he suggested that it should either indicate the resolution referred to or that it should be in the plural.

M. DE BROUCKÈRE (Belgium) said that, in order to meet Sir George Pearce's remark, he suggested replacing in that paragraph "the resolution" by "this resolution".

Sir James PARR (New Zealand) said he would like the opinion of the Rapporteur with regard to the twelfth paragraph. He would ask whether the proposals were not really in pursuance of the Covenant and in furtherance of the obligations and duties cast upon the nations in the League by the Covenant, and whether there was any objection to saying so. He thought it would be a matter of considerable moral advantage if they could connect the proposals with the Covenant itself. The impression conveyed by that sentence and the prior one was rather that the present proposal stood independent of the Covenant, which he considered unfortunate.

M. DE BROUCKÈRE (Belgium) drew Sir James Parr's attention to the next paragraph, which seemed to meet his wishes. There were two distinct points. Certain States could undertake between themselves to apply the Covenant under certain conditions and in a particularly rigid form. Other countries could undertake obligations that certain States would not consider as being a necessary result of the Covenant. Sir James Parr's suggestion might give rise to difficulties precisely in respect of those States which did not wish to bind themselves. It was indicated that certain States had decided to apply the Covenant and make special agreements. Those which remained outside those arrangements would appear less anxious to apply the Covenant.

The engagements entered into by reason of the Covenant were contained in the Covenant; if everybody were not in agreement as to the efficacy of these engagements, it seemed, nevertheless, difficult to state that a fresh treaty only confirmed the Covenant. Such a treaty could in certain cases go beyond that. It would appear possible to indicate that such a resolution could not result in any supplementary obligation for any State without its giving a fresh signature.

*The tenth, eleventh and twelfth paragraphs were adopted.*

M. LOUDON (Netherlands) asked the Rapporteur if there was any objection to beginning the last paragraph but one with the following sentence:

"During the discussions which took place, the attention of the Committee was drawn to the importance to be attached from the point of view of security to the conclusion of agreements, especially as between Members and non-Members of the League, on the lines which have been advocated in the United States, i.e., agreements for the outlawry of war."

M. DE BROUCKÈRE (Belgium) had no objection to M. Loudon's proposal.

*The amendment was adopted.*

The EARL OF ONSLOW (British Empire) submitted the following amendment to the last paragraph of the report, to be placed after the words "their intention in every conceivable case":

"On the contrary, the idea is that the Special Committee should advise on the measures to be taken to invite States to give an indication of the measures they might be prepared to take to support the Council's decision in the event of a conflict occurring in a given region, it being understood that any reply to an invitation of this nature from the Council must rest entirely within the discretion of the Member States. Such information would prove of value at a general Conference when States are invited to take any steps for the fixation of the level of their armaments."

General DE MARINIS (Italy) said that he supported the amendment made by Lord Onslow.

Count BERNSTORFF (Germany) suggested that the last sentence of the amendment be redrafted as follows: "Such information would prove of value at the general Conference at which States will be invited . . ."

M. PAUL-BONCOUR (France) criticised the expression "flexibility of the Covenant" in the last paragraph but one of M. de Brouckère's report. The speaker said that he himself had used the expression "flexibility of the Protocol". There could be no question of the flexibility of the Covenant, since the proposed resolution gave Members of the League of Nations the right to subject themselves to supplementary obligations. Secondly, there was Lord Onslow's amendment. He did not think it was possible by means of the report to endeavour to modify or attenuate the resolution on which agreement had been reached. Besides, the resolution was much more clear than the British delegation's proposal. He would add that M. de Brouckère, in his report, was not referring to a drastic investigation which might have very serious consequences; but simply showed that it would be for the Committee which was about to be formed to determine the manner in which, and the moment when, the Council would carry out that enquiry so as to obtain a precise balance-sheet to forward to the Conference. The text of the British delegation weakened the force of the resolution, which required States to inform the Council of the measures they would be prepared to take, whereas the British delegation's amendment required only an indication of the measures which they might be prepared to take. Between these two expressions was the same difference as between an engagement and an indication. On the other hand, the amendment said that such information would prove of value for a general conference, when the States would be invited to take steps. M. de Brouckère's report was certainly more precise. Lastly, the British delegation stated that "any reply . . . must be entirely within the discretion of the Member States". He would accept the text on condition that it would not mean that, once engagements were undertaken, they could be cancelled.

M. DE BROUCKÈRE (Belgium), Rapporteur, to meet the objection regarding the words "flexibility of the Covenant", proposed simply to delete them.

With regard to the British delegation's amendment, on which France and the British Empire seemed to be at a disagreement, he was obliged to make a choice, and he preferred his own drafting. First, the amendment referred to "decisions or recommendations of the Council in the event of a conflict". He thought that such an expression was somewhat harsh; he himself had made use of the word "eventualities" and had been reproached, in certain private conversations, with having gone a little too far. On the other hand, Lord Onslow suggested ". . . measures they might be prepared to take to support the Council's decision or recommendation". If that proposal were maintained, the discussion which had nearly broken out on the previous day would be re-opened with regard to the question as to who would make the decision in the event of a conflict. With regard to the words "in replying . . . must be entirely within the discretion of the Member States", he considered that the idea was already expressed in the report in the twelfth paragraph.

In conclusion, he would point out that in his draft several elements of a solution might be found, unless it was preferred to amend the British delegation's amendment.

The EARL OF ONSLOW (British Empire) said he found it very difficult indeed to understand the second part of the last paragraph of the report and he thought the best thing was to put down exactly what was the intention of the British delegation. M. Paul-Boncour had said that he accepted the text relating to the replies to be forwarded to the Council on condition that States should not have an opportunity of modifying their undertakings afterwards. It was rather difficult to require that replies should be regarded as valid for ever. For example, treaties might very often be denounced. Perhaps that could be made clear.

As to the last part of the amendment, he suggested that it might be said:

"The object of this information is to facilitate the indication in the Convention for the general limitation of armaments of the lowest possible level for their respective armaments."

Sir James PARR (New Zealand) agreed with Lord Onslow that the text of the report was not satisfactory. He drew attention to the sentence which read: "It is desirable to make it quite clear what is meant by the invitation to the Council referred to therein". He took it that the invitation was not to the Council, but was from the Council to the States asking them what they were prepared to do. Then M. de Brouckère had gone on to explain what that invitation was, and that the Committee was to consider what methods of consultation should be employed. That did not make the invitation clear. What was to follow after they had considered the methods of consultation? Upon the text of the resolution the Committee were all agreed. He would be quite content, without any explanation of the text, to leave it to the Preparatory Commission, under which the Committee worked, to take its own line with regard to the method of consultation. He was of opinion that the text of the resolution was in itself sufficient, and thought some latitude of construction might be left to those eminent and able Committees and to the Council itself.

M. SOKAL (Poland) concluded from the explanations given by Lord Onslow that he merely wished for certain changes in the drafting. If that was so the Rapporteur, Lord Onslow and M. Paul-Boncour might be trusted to make the necessary alterations in the draft.

M. PAUL-BONCOUR (France) accepted the ideas implied in Lord Onslow's remarks that, whatever the form and the time of the consultation of the Council, States would remain free to reply or not. If they replied, they could do so in whatever manner was most suitable to them. The greatest liberty should be left, otherwise serious difficulties would result.

The CHAIRMAN thought that M. Sokal's proposal might be adopted. He suggested that General de Marinis might also take part in the drafting Sub-Committee.

M. LOUDON (Netherlands) also approved of M. Sokal's proposal, but considered that the importance of the question justified a further meeting of the Committee.

The CHAIRMAN replied that the Bureau of the Assembly had decided to put the report they were now discussing on the Assembly agenda for the following morning. If M. Loudon thought that a meeting of the Committee was necessary, it could take place that afternoon before the Assembly.

M. SOKAL (Poland) did not think that very serious alterations would be made in the text. When the final text was drawn up, it could be sent to members of the Committee, and the Committee could meet if a request for its convocation was forwarded to the Chairman.

The CHAIRMAN considered that it would be better to have another meeting of the Committee.

*The meeting rose at 1.20 p.m.*

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#### ELEVENTH MEETING.

*Held on Friday, September 23rd, 1927, at 3.30 p.m.*

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Chairman : M. BENEŠ (Czechoslovakia).

30. Discussion of the Report by M. de Brouckère relating to Arbitration, Security and Disarmament (*continuation*).

*Part 3. Last Paragraph.*

The CHAIRMAN read the following text submitted by the Committee to replace the last paragraph of the draft report :

"As the last lines of the text have given rise to certain observations, it may be well to define their meaning. There is no question of asking the Council to send to States Members of the League a questionnaire regarding their intention in all imaginable cases. The idea which the Committee wishes to express is that the Committee which it has suggested should be set up should be instructed to study the form in which the Council should ask the different States to inform it what measures they would be prepared to take to support its recommendations or decisions in certain cases which the said States might indicate. It is understood that States will have all possible liberty to reply in such manner as they think best to these enquiries by the Council.

"The object thus sought is to render it easier for individual States, at the Disarmament Conference, to fix the lowest possible figure for their armaments, by enabling them to graduate them in proportion to the guarantee of security afforded by the assistance on which in certain circumstances they might be able to rely."

M. CASSIN (France) suggested a modification of the French text which did not affect the English text.

M. DE BROUCKÈRE (Belgium), Rapporteur, accepted that modification.

Sir James PARR (New Zealand) said that he was now perfectly satisfied with the new text.

*The text proposed by the Committee was adopted.*

*Part 2. Fourth Paragraph.*

The Committee then passed on to the examination of the following text submitted to replace the fourth paragraph of Part 2 :

"As regards the proposal submitted to the Committee by Dr. Nansen on behalf of the Norwegian delegation, the Committee, having regard to the importance of its

legal aspect, asked the First Committee to give it preliminary consideration. The Third Committee entirely agrees with the views put forward by the First Committee in the following report :

“ ‘ The Committee does not consider itself in a position to study the Norwegian proposal in detail during the present session of the Assembly.

“ ‘ It endorses the opinion of the Third Committee favouring the study of a general Convention for compulsory arbitration through the instrumentality of the Committee provided for in the resolution concerning arbitration, security and disarmament voted by the Third Committee on September 21st, 1927.

“ ‘ The enquiry should include in its scope the possibilities of the development of arbitration in all its aspects.

“ ‘ The Committee begs to indicate the following points for enquiry :

“ ‘ (a) Means should be sought for encouraging and promoting the acceptance of the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice and the conclusion of special treaties for judicial settlement, arbitration and conciliation.

“ ‘ (b) In any investigation into the methods of pacific settlement of disputes between States, special attention should be paid to the procedure of conciliation, which is of the utmost importance.

“ ‘ (c) Very special attention should also be given to the question of the relations between the Council's and the Assembly's mediatory action and the procedures of arbitration and conciliation.

“ ‘ (d) In studying a general Convention for compulsory arbitration, enquiry should be made as to how the Convention could be given sufficient flexibility to permit the contracting States to adjust the obligations assumed to their particular circumstances. ’ ”

The EARL OF ONSLOW (British Empire) called attention to the fact that the First Committee had used the expression “ general Convention ”, whereas Dr. Nansen's proposal was for an optional Convention for compulsory arbitration.

M. DE BROUCKÈRE (Belgium) thought that, when the First Committee had chosen that expression, it had wished to show that the proposal was for a Convention open to all States and not between two States only. But, if there was any uncertainty, he suggested replacing the words “ The Third Committee entirely agrees with . . . ”, at the beginning of the text proposed, by the words “ The Third Committee notes . . . ”

General TANCZOS (Hungary) supported M. de Brouckère's suggestion, as the initiative had been due to him.

M. CASSIN (France) said that the First Committee had given its opinion, and the Third Committee must express the wish that the study of the Convention should be undertaken by a Committee. By merely saying “ notes ”, the Third Committee would take no decision and the proposed Committee would not deal with the question.

With regard to Lord Onslow's remark, he would suggest that the exact title of the Norwegian delegation's proposal should be used, for there was no question of preparing a general Convention on compulsory arbitration for the Powers which did not wish it.

M. DE BROUCKÈRE (Belgium) said that the Third Committee could not amend the reply of the First Committee ; they could merely note what had been done. He did not think that the Third Committee should do otherwise than forward the question to the Committee which was to be formed. The proposal would automatically be forwarded in view of the fact that the Committee had adopted Resolution No. 5, which said :

“ The Assembly considers that these measures should be sought :

“ In action by the League of Nations, with a view to promoting, generalising or co-ordinating special or collective agreements on arbitration and security. ”

By virtue of that resolution, Dr. Nansen's proposal would be considered by the future Committee. Lord Onslow had suggested adding the following to the commencement of the text regarding Dr. Nansen's proposal :

“ With regard to the proposal submitted by Dr. Nansen on behalf of the Norwegian delegation regarding a draft optional Convention for obligatory arbitration of disputes . . . ”

*The above text thus amended was adopted..*

### 31. Closure of the Session.

The CHAIRMAN stated that the questions on the agenda of the Third Committee had all been considered. All fully realised the importance of the work of the Third Committee, which had been asked to examine proposals submitted by the Netherlands, Polish, German, French



and Norwegian delegations. The Committee had touched on practically everything which had been done during the course of the last three years in the field of disarmament. As a result of the Netherlands delegation's proposal, the principles of the Protocol of 1924 had been again discussed. Nothing in this Protocol had been changed or denied. They had taken up its various principles one after another and had adopted certain resolutions based on them. In a word, the Committee had worked in the spirit of the three principles of the Protocol, applying them to the fresh situation. But, above all, the Committee had looked for new methods and procedure. On the one hand, it had followed up the work on arbitration and security, and on the other hand it had worked to hasten the convening of the Disarmament Conference.

The results of these discussions could be considered as satisfactory. The work of the Committee had succeeded admirably.

He thanked all the members of the Committee for the work which they had done and the Rapporteur for his valuable collaboration.

To M. de Madariaga, the Secretary of the Committee, he spoke as follows: "Before we part, it only remains for me to carry out the usual and pleasant duty of thanking our Secretary, M. de Madariaga. Unfortunately, to-day I have to express our gratitude tempered by the sadness which we all feel. You know that he is shortly leaving us, that a famous British university wishes to have the assistance of his great talents for the teaching of Spanish literature. For this reason it has invited one of the finest writers in that language to join it. He also happens to be a writer of perfect English and of equally good French, and a fascinating lecturer in any one of these three languages.

"With his departure the continuity of the work which we have been engaged on for several years will in some measure be weakened. He was Secretary of the Temporary Mixed Commission, which was the first to undertake the study of the problems of security and disarmament. He has lived through the discussions regarding mutual assistance. He was at our side during the drafting of the Protocol. He followed all our technical work and is, perhaps, the only one amongst us sufficiently competent to steer himself through the study of all the documents relating to land, sea and air.

"The League of Nations gained by his high scientific culture and literary gifts, which enabled him to adapt himself at once to the entirely new work which was asked of him. This author became, to our great benefit, a model international official, devoted to his work and capable of inspiring devotion, attached to a living ideal and helping to make it live. His impartiality has never been tainted with the spirit of the doctrinaire. For many years we have all appreciated his collaboration and his sense of proportion and knowledge of what was possible. Knowing the truth, he had the courage to state it.

"It is indeed sometimes difficult for an official to explain to the public the work to which he is devoted, but that was a task which did not present any difficulties to M. de Madariaga, who on many occasions has explained to many different audiences the rôle played by the League of Nations with regard to disarmament. In losing him we would lose not only the kindest of helpers but also the best of propagandists, were I not certain that in his new post he will assist the League of Nations with all his ability and will continue to encourage and inspire devotion to it. I am also certain that he will often think of Geneva and of his friends whom he leaves there, and I trust that his work will not prevent him from coming back amongst us often to receive the warm welcome which will show him our esteem and affection.

"Once more I express to him, in the name of you all, my sincere thanks."

Count BERNSTORFF (Germany) said that he was sure he was speaking on behalf of the members of the Committee in thanking the Chairman who had so ably directed the debate. The happy results achieved by the Committee could not have been reached without the energy, impartiality and courtesy of its Chairman.

M. LOUDON (Netherlands) wished to associate himself with the words spoken by Count Bernstorff.

Then, addressing M. de Madariaga, he declared that, in his position as President of the Preparatory Commission for the Disarmament Conference, he was especially able to appreciate the prolific work of M. de Madariaga, his talents and his great devotion. He must confess that he owed a grudge to England for depriving the League of Nations of such a valiant champion of disarmament.

He was certain that he was interpreting the sentiments of all by stating that it was not only the talent, erudition and tact of M. de Madariaga which they had all appreciated so highly but also his kindly qualities, which had won for him the admiration and affection of all.

The EARL OF ONSLOW (British Empire) wished to add his word to what had been so eloquently said by Count Bernstorff and M. Loudon. The Committee had had a very difficult task, and its successful conclusion was, he felt, due to the high degree of tact, skill and impartiality and all the other qualities which went to make such a good Chairman.

He also associated himself with the eloquent words which had been addressed to M. de Madariaga, but he would observe in reply to M. Loudon's remark concerning his country, that what was a loss to the one was a gain to the other.

M. DE MADARIAGA, Secretary, replied in the following words:

"The Secretariat of the League of Nations has inherited from the eminent gentleman who has directed it since the beginning the traditions of the admirable English Civil Service, the traditions of silence. If I have asked you to allow me to break this excellent tradition to-day,

it is only because I have two duties, both of them very agreeable, to carry out. The first is to thank, very respectfully, the Third Committee, which I have served to the best of my ability for the last six years, for the kind words which they have said and for which I am very grateful. You have been kind enough to say that I have served the Committee well ; in order to do this, it was sufficient for me to draw inspiration from the methods and ideals which have prompted the eminent statesman by the side of whom I am proud to be — especially at this time, when I am about to leave the work on disarmament. A great English author, Bernard Shaw, said : ' Those who can, do ; those who cannot, teach '. The Chairman of this Committee, who is at the same time a famous statesman and professor, has proved that those words are not true. That consoles me, since I am about to leave the field of political administration for the field of teaching.

" The second duty which remains to me to carry out is not less agreeable ; you have told me that I have served you well : you have not taken into consideration how much the small merit which I may have had is due to my colleagues in the Disarmament Section. The loyalty and ability of the male and female personnel of this Section is such that he would be a very poor chief who could not have done good work ; I wanted to be allowed to take advantage of this opportunity of saying this clearly and publicly. Please allow me at a time when I am leaving you to wish you the greatest success in the brave and courageous work which you have undertaken. "

*The meeting rose at 5 p.m.*

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ANNEXES

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Annex 1.

FINANCIAL ASSISTANCE TO STATES VICTIMS OF AGGRESSION.

OBSERVATIONS BY THE POLISH GOVERNMENT ON THE REPORT OF THE FINANCIAL COMMITTEE.

*Letter to the Secretary-General of the League of Nations.*

In your note C.L.77.1927.IX, dated July 11th, you were good enough to draw the Polish Government's attention to the Financial Committee's report on financial assistance to States victims of aggression, and to the extract from the Minutes of the Council's meeting of June 17th at which this report was discussed.

In acknowledging receipt of these documents, which the Polish Government has noted with great interest, I have the honour to inform you that the Polish Government is in full agreement with the plan of financial assistance drawn up by the Committee.

I also desire to inform you that, as far as Polish financial legislation is concerned, no objection exists to assuming, after due legislative sanction, a guarantee such as that contemplated by the Financial Committee.

In the hope that the general debate arising on the Financial Committee's draft will reinforce the principle of financial assistance, I have the honour to forward you herewith a few observations by my Government which may perhaps assist in deciding the lines of the detailed investigations the resumption of which is contemplated by the Council and the Financial Committee.

(Signed) F. SOKAL,  
Minister Plenipotentiary,  
Delegate to the League of Nations.

MEMORANDUM.

I.

Before going on to consider the plan of financial assistance, the Polish Government wishes to say how much it appreciates the task performed by the Financial Committee. The practical spirit which inspires the Committee's work is, in its opinion, one of the surest guarantees that — after the settlement of certain points which it may be desirable to clear up — the draft will really become a powerful instrument of relief to a State victim of an attack.

The better the financial mechanism is regulated, the more automatically and rapidly will it come into play, and the greater the likelihood that the plan of financial assistance will become a real obstacle to aggressive tendencies and an effective factor of security. Although, of course, the application of the plan is still subordinate to a series of political and legal solutions which lie at the root of the problem of security, and which the League of Nations has not yet succeeded in achieving, the financial scheme is none the less a great step forward.

The difficulties encountered by the League of Nations in finding an immediate solution for the political problems to which we have alluded should not, however, put a stop to the practical work relating to financial assistance. On the contrary, it is desirable to continue the task undertaken, in order to provide the League of Nations with an instrument of financial assistance which should be as effective as possible.

The conditions and the ways and means of its application may be determined later, when the progress made in the organisation of security and in the work of disarmament permits.

II.

The Polish Government considers that the practical value of the plan would be greatly enhanced if the number of signatory States was as large as possible, whether they are Members of the League or not. It is true that the signature of the Convention by a State not a Member of the League would place it in a highly privileged situation as compared to the States Members. On the other hand, the accession of certain States outside the League would be likely to make the practical realisation of financial assistance very much easier.

It is important to enquire how far the financial scheme ensures that rapidity of assistance on which its effectiveness in a large measure depends.

The negotiations relative to the terms and to the issue of the loan will necessarily take a considerable time.

It must not be forgotten that the mobilisation of the "specific guarantees" and the issue of the loan will take place in a period of disturbance, in time of war or threatened war, *i.e.*, at a moment which will be highly critical for the credit of the borrowing State and attended by an almost inevitable nervousness of the financial markets.

The situation will be made still more delicate by the fact that the organs of the League of Nations called upon to pronounce upon the conditions of the loan will have to reconcile, on the one hand, the interests of the guaranteeing and of the super-guaranteeing Powers and of the subscribing public, and, on the other hand, those of the State receiving international assistance. While, in the interest of the former, it will be necessary to insist on the security and yield of the loan, the situation of the State attacked in relation to the League will also require legitimate consideration.

### III.

In these circumstances, it would be highly desirable to emphasise in the proposed plan the principle of *reimbursable advances* on the yield of the loan, to be placed at the disposal of the State attacked immediately upon its request for financial assistance.

The extreme difficulty of determining in advance the conditions of a short-term operation should not, however, deter the League of Nations from endeavouring to find a satisfactory formula.

Several systems might be considered: Either the obligation inscribed in the "General Super-Guarantee Bonds" to pay immediately for the benefit of the State attacked a certain part of the capital of the guaranteed block (with subsequent distribution between the States subscribing the ordinary guarantee) — a device to which there might be budgetary objections; or, again, national flotations for three or five years on the markets of financially strong States ("super-guarantors"), the yield of which would be advanced by these Governments against a special bond to the State attacked after the latter undertaking to conclude subsequently a long-term loan — a plan which would not be unattended by certain financial complications. It is difficult, moreover, to specify in advance in an international convention on what terms and at what time the banks interested in certain financial advantages which might be offered by the provision of financial assistance would be called upon to make advances on the yield of the future loan.

It might thus be necessary to revert to the study of the idea of the *accumulation of an international reserve fund* intended for advances to an attacked State on a decision and on the terms to be fixed by the Council. This reserve might be formed by annual payments by all the signatories to the convention, amounting to a certain percentage (say 30 per cent) of their present contribution to the expenses of the League. This reserve fund, which would be administered by a trustee appointed by the Council, might be deposited at sight in banks of the first rank in the various countries and might be distributed among them in such a way that the sum granted by each Government would preferably be deposited in one or more banks of its country. In this way the sums in question would not be withdrawn from the economic life of the countries which had granted them. Furthermore, the bringing into action of the fund in time of crisis would present little more difficulty than the mobilisation and rapid readjustment of the guarantees, at least one of which — that of the aggressor State — of a varying amount, would no doubt be lacking.

As soon as the plan of financial assistance came into play, this fund would serve in whole or in part as a reimbursable advance on the yield of the loan.

### IV.

The further investigation of the scheme of assistance will doubtless include the settlement — at any rate, in principle — of some other technical points affecting both the interests of the debtor State and of the guaranteeing Powers.

In the first place, it would appear advisable to consider the possibility of a settlement of the dispute, owing to the political action of the Council, subsequent to the issue of the loan, without recourse to war, or, if war should occur, of its very brief duration. The State attacked would then be responsible for the service of a debt contracted in critical circumstances. It would appear that the principle of early repayment and of the conversion of the debt upon equitable terms both for the borrower State and the banks should be included in the future agreement.

### V.

Provision should also be made for methods of *repayment*, in full or in part, to the guaranteeing Powers in the event of its being necessary to convert their bonds into cash. The guarantors would then be in possession of a certain amount of the loan, which would make them direct creditors, with all the resultant legal consequences.

Moreover, it appears to be necessary to provide for *general priority* of the obligations arising from the primary and super-guarantees realised for the benefit of the State attacked, supposing that the latter were unable, as a consequence of the war, to make payment, and that it should therefore require international relief by means of "relief credits" or similar financial measures.

#### VI.

The question of the *financial liquidation of the war* is not dealt with in this report, which is confined to the relations between the debtor State and its guarantors. The political situation at present does not appear to call for the investigation and immediate solution of that question.

#### VII.

Although the plan of financial assistance does not exclude the possibility of granting relief to several States attacked, and does not define the measures to be taken should the State which is the victim of an aggression require other international loans in addition to the financial assistance of the League of Nations, it might perhaps be well to consider these two questions. The first hypothesis would appear to require the distribution of the maximum amount contemplated by the Committee between the States attacked, which would involve several loans issued on terms corresponding to the individual credit of the countries of issue, some of which would probably prove more advantageous than the others, or, in order to obviate this, such an increase in the maximum (without, of course, exhausting it) as might be deemed sufficient to cover the initial financial requirements of more than one Power. Serious complications might also ensue if the State victim of aggression should, for unavoidable reasons, have failed during the war to meet the service of the loan obtained under the Committee's plan and be forced to contract other loans. Its credit might then be damaged to a greater extent than would have been the case if it had not appealed to the League of Nations for financial assistance.

#### VIII.

The Polish Government in no wise claims to have exhausted the questions which might arise under the Financial Committee's plan nor to have solved all the technical difficulties to be overcome before definite shape is given to the agreement. It will refer more fully to these matters in due course.

From a general standpoint, however, and without any intention at present of indicating the possibilities of extending the financial plan, it has occurred to the Polish Government that other methods of financial assistance might be considered, apart from the public issue of a loan under the auspices of the League of Nations.

In its resolution of December 8th, 1926, paragraph 7 (b), the Council instructed the Financial Organisation, "having regard to the financial assistance provided for in Article 16 of the Covenant . . . , to consider the Finnish proposal *and all other similar measures* with a view to the establishment of a common scheme of financial assistance . . . ."

Although the arrangement proposed by the Financial Committee constitutes a fundamental part of the scheme of financial assistance, it would be advisable, when circumstances permit, to undertake a thorough investigation of certain other questions to which the principle of financial assistance inevitably gives rise. It is sufficient to mention the obligations resulting from "mutual support in the financial . . . measures which are taken . . . in order to minimise the loss resulting from the above measures" to the Members of the League, and, apart from Government action, certain forms of international assistance to be granted to the bank of issue of the country which is the victim of aggression.

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#### Annex 2.

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### PRIVATE MANUFACTURE AND PUBLICITY OF THE MANUFACTURE OF ARMS AND AMMUNITION AND IMPLEMENTS OF WAR.

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#### DRAFT REPORT TO THE ASSEMBLY SUBMITTED BY M. GUERRERO (SALVADOR).

On several occasions the Assembly has emphasised the importance it attaches to the establishment of a Convention on the supervision of the private manufacture of arms and ammunition and implements of war. In the second paragraph of the resolution adopted on September 25th, 1925, the Assembly "invites the Council to continue the preliminary work

on the subject of the control of the private manufacture of arms and ammunition and implements of war, so that a draft Convention may be prepared as speedily as possible and that the Council may summon an international Conference to consider it, if possible, before the next Assembly”.

Last year, the Third Committee considered the difficulties which the Council had encountered in carrying out the wishes expressed in such plain terms by the Assembly in 1925. Undaunted by these difficulties, the Assembly again expressed the desire that this work should be continued, so that the Conference might be summoned, if possible, before the eighth ordinary session of the Assembly. That the eighth session of the Assembly is confronted by the same situation as the preceding sessions of the Assembly is due beyond doubt to the fact that the difficulties already alluded to have unfortunately not been solved. As may be seen in the report of the Special Committee, which has been laid before the Assembly, there are fundamental differences of opinion as to the proper manner in which to consider this question.

In some quarters it is thought preferable to adhere strictly to the terms of Article 8 of the Covenant, and to confine the projected Convention to the supervision of private manufacture proper. Others would like to include State manufacture. Among the latter, in addition to the United States Government, which has expressed its views on this subject very clearly and precisely, are to be found many non-producing countries which fear to be placed in a flagrantly inferior position as regards security if the publicity precautions contemplated in the Convention for the supervision of the international trade in arms are not extended to cover direct purchases of arms by producing countries from national factories. As the Assembly will remember, it was this apprehension that found expression in the resolution embodied in the Final Act of the Convention of May-June 1925, in which the Conference declared that the Convention for the supervision of the international trade in arms and ammunition and implements of war “ must be considered as an important step towards a general system of international agreements regarding arms and ammunition and implements of war, and that it is desirable that the international aspect of the manufacture of such arms, ammunition and implements of war should receive early consideration by the different Governments”.

The Third Committee has been obliged to recognise that the two attitudes described above came into opposition in the Special Committee, and that it proved impossible to reconcile them. The Third Committee unanimously agrees, however, that the solution of this problem is intrinsically indispensable, and that it might have an excellent effect on the general problem of disarmament. The Committee thinks that this solution might perhaps be sought in a Convention which, while subjecting private manufacture to supervision, would extend to State manufacture such of the supervisory regulations as more particularly concern publicity; this would satisfy the non-producing countries and at the same time would meet the wish of certain other countries that consideration should be given to the special conditions of State manufacture.

On this subject the French delegation made a suggestion to the effect that the publicity of State manufacture should be secured by the strict application of Article 8 of the Covenant to particulars of military, naval and air expenditure, because, if each country's expenditure on war material were made public, information would thus be furnished which should satisfy the requirements of non-producing countries.

It is with this end in view that the Third Committee has the honour to propose that the Assembly adopt the following resolution :

“ The Assembly,

“ Having noted the report of the Special Committee appointed by the Council to draft a Convention on the supervision of the private manufacture and the publicity regarding the manufacture of arms and ammunition and of implements of war ;

“ Re-affirming the importance it attaches to the establishment of a Convention which would enable non-producing and producing countries to be placed on an equal footing, as contemplated in the declaration embodied in the Final Act of the Conference for the Supervision of the International Trade in Arms and Ammunition and of Implements of War ;

“ Convinced that the establishment of a Convention for the supervision of private manufacture and the publicity regarding manufacture is of the highest importance for the putting into force of the Convention on the International Trade :

“ Requests the Council to convey its views to the Special Committee, in order that the latter may agree upon a single text which will enable the Council to convene an international conference as speedily as possible. ”

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Annex 3.

ARBITRATION, SECURITY, DISARMAMENT AND THE WORK OF THE  
PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

DRAFT REPORT TO THE ASSEMBLY, SUBMITTED BY M. DE BROUCKÈRE (BELGIUM).

The Third Committee has submitted to the Assembly a special report on the Polish delegation's proposal and another on the investigations made with a view to the establishment of a Convention for the supervision of the private manufacture of arms, ammunition and implements of war.

The present report will deal with the other questions submitted to us.

I.

The Committee found in particular that the investigations undertaken under the direction of the Preparatory Commission demonstrate the necessity of taking certain precautions to prevent the development of civil aviation being hampered by military considerations and diverted for the same reasons into a direction which might constitute a serious obstacle to the establishment of international confidence. The Committee trusts that the Assembly will adopt the resolution which it proposes, in order to obviate this risk.

The Committee has taken note with the keenest interest of the enquiries undertaken by the Committee of the Council and the technical organisations working under its direction with regard to the methods and regulations which would enable the Council to take as expeditiously as possible such decisions as may be necessary to enforce the obligations of the Covenant, and the most suitable measures to facilitate the working of the League organisations in time of emergency. The Committee considered these questions simultaneously with the proposal on the Assembly's agenda to the effect that it should be laid down as a principle that it is the obligation of the Governments Members of the League to facilitate by every means in their power the meeting of the Council in time of emergency.

The Committee proposes for the Assembly's adoption two resolutions on these questions, to which it attaches genuine importance.

II.

The resolution which the Third Committee proposes that you should adopt, regarding the system proposed by the Finnish Government for affording financial assistance to States victims of aggression, is linked up with the investigations made by the Secretariat in regard to Article 16 of the Covenant.

Realising the importance of these questions, the Committee proposes that they should continue to be investigated by the Special Committee referred to below.

In the course of discussion certain delegations made reservations on a number of points; these are recorded in the Minutes of the ninth meeting (September 22nd).

As regards the proposal submitted to the Committee by Dr. Nansen on behalf of the Norwegian delegation, the Committee, having regard to the importance of its legal aspect, asked the First Committee to give it preliminary consideration. The Third Committee entirely agrees with the views of the First Committee on this subject, both as regards the programme of work, which should be as suggested by the Norwegian delegation, and as regards the recommendation made by the First Committee on the subject of procedure.

As it is proposed to appoint a Special Committee (see below) to deal with the questions of arbitration and security, there would seem to be every advantage in this Committee dealing also with the problems raised by the Norwegian delegation's proposal.

III.

Lastly, the Assembly referred the Netherlands delegation's proposal to the Third Committee. The French and German delegations submitted kindred proposals direct to the Committee.

It appeared on examination that, so far from being antagonistic, the three texts expressed similar ideas, and formed the most admirable complements to one another. It was accordingly found possible to combine them in a single resolution, which met with unanimous approval. We need only reproduce the text here with a few brief remarks.

All the delegations were agreed that the work for disarmament should be prosecuted with the utmost energy.

The Assembly at its seventh ordinary session had decided that, in the present conditions with regard to regional and general security, the work of the Preparatory Commission should be continued, no effort being spared to bring it to a successful conclusion as quickly as possible, and that the Conference itself should be convened as soon as the preliminary technical work was completed.

All the delegations remain faithful to this view, and urge that a further effort should be made to reach the conclusion without delay. At the same time, all realise that the proposed movement along the road to disarmament will be only the first step, and must be followed by others before any real general disarmament can be achieved.

It is recognised on all hands that the greater the improvement in the conditions of security and the more decided the nature of the first step, the sooner the subsequent steps will be taken. The Committee therefore feels that, with a view to reaching definite solutions as quickly as possible, the study of the questions of arbitration and security should be resumed on systematic lines.

The Committee is accordingly making definite proposals to the Assembly for the organisation of a Committee which would study, under the direction of the Preparatory Commission, the best means of giving all countries the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures.

The Third Committee considers that the Committee in question should include representatives of all the States which have seats on the Preparatory Commission and are Members of the League.

In making this proposal, the Third Committee does not wish to exclude from the proposed Committee the representatives of non-Member countries which have been invited to sit in the Preparatory Commission itself; its intention is simply to respect the reserve which these countries have from time to time displayed when questions of security and arbitration have come up for discussion in the Preparatory Commission. Needless to say, the Committee is entirely convinced that the co-operation of those countries in the study of the questions of security and arbitration — if they should decide to co-operate — would contribute very largely to the achievement of the desired results.

It should be observed that in urging, at the beginning of Part 3 of the resolution, that the work of the Preparatory Commission must continue until the final goal — general disarmament — has been reached, the Committee does not mean that the Preparatory Commission as at present composed should be perpetuated, but simply wishes to point out that, whatever success the first measures of disarmament may have, the question has a character of continuity which calls for uninterrupted work.

A number of delegations desire to make it clear that the resolution which the Third Committee has the honour to submit for the Assembly's approval is not to be interpreted as in the slightest degree affecting the obligations incumbent on the Members of the League in virtue of the Covenant.

The Committee unanimously agrees that these obligations remain unaltered, neither diminished nor increased, by the adoption of such a resolution.

With regard to the final paragraph of the resolution, the Committee desires to point out that the agreements therein mentioned are not in any way to be confused with such alliances as it was possible for countries to contract for political purposes of one kind or another before the Covenant of the League established general principles and obligations which introduced a measured harmony into international life. The agreements referred to in the resolution are to be regarded as instruments for increasing the flexibility of the Covenant, and enabling States which wish to enter into closer mutual engagements than are provided by the Covenant to help each other to discharge more effectively, so far as they are concerned, the obligations embodied in the Covenant itself. These agreements, therefore, are to be regarded simply as instruments for applying the principles of the League more effectively in specific regions.

The final lines of the resolution have given rise to certain observations, and it is therefore desirable to make it quite clear what is meant by the invitation to the Council referred to therein. It is not meant that the Council should be asked to send a questionnaire to the States Members concerning their intentions in every conceivable case; on the contrary, the idea is that the Special Committee should consider what methods of consultation the Council might employ in order that, in certain specified eventualities, and more particularly when States are called upon at a general conference to enter into engagements with regard to the level of their armaments, they may be informed as reliably as possible of the extent of the assistance on which they can count should occasion arise.

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#### Annex 4.

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### REPORT AND DRAFT RESOLUTIONS SUBMITTED BY THE THIRD COMMITTEE TO THE ASSEMBLY.

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Rapporteur: M. DE BROUCKÈRE (Belgium).

The Third Committee has submitted to the Assembly a special report on the Polish delegation's proposal and another on the investigations made with a view to the establishment of a convention for the supervision of the private manufacture of arms, ammunition and implements of war.

The present report will deal with the other questions submitted to us.

\* \* \*

The Committee found, in particular, that the investigations undertaken under the direction of the Preparatory Commission demonstrate the necessity of taking certain precautions to prevent the development of civil aviation being hampered by military considerations and diverted for the same reasons into a direction which might constitute a serious obstacle to the establishment of international confidence. Without prejudice to the work of the Preparatory Commission with regard to the problem of aviation, the Committee trusts that the Assembly will adopt the resolution which it proposes, in order to obviate this risk (resolution No. I).

\* \* \*

The Committee has taken note with the keenest interest of the enquiries undertaken by the Committee of the Council and the technical organisations working under its direction with regard to the methods and regulations which would enable the Council to take as expeditiously as possible such decisions as may be necessary to enforce the obligations of the Covenant, and the most suitable measures to facilitate the working of the League organisations in time of emergency. The Committee considered these questions simultaneously with the proposal on the Assembly's agenda to the effect that it should be laid down as a principle that it is the obligation of the Governments Members of the League to facilitate by every means in their power the meeting of the Council in time of emergency.

The Committee proposes for the Assembly's adoption two resolutions on these questions, to which it attaches genuine importance (resolutions Nos. II and III).

\* \* \*

The resolution which the Third Committee proposes that you should adopt regarding the system proposed by the Finnish Government for affording financial assistance to States victims of aggression is linked up with the investigations made by the Secretariat in regard to Article 16 (resolution No. IV).

The Committee, which received the Finnish proposals with the greatest interest, suggests that they should continue to be investigated by the special Committee referred to below.

In the course of discussion, certain delegations made reservations on a number of points; these are recorded in the Minutes of the ninth meeting (September 22nd).

\* \* \*

As regards the proposal submitted to the Committee by Dr. Nansen on behalf of the Norwegian delegation, regarding a draft optional convention for obligatory arbitration of disputes, the Committee, having regard to the importance of its legal aspect, asked the First Committee to give it preliminary consideration. The Third Committee notes the opinion expressed by the First Committee contained in the following report:

" The Committee does not consider itself in a position to study the Norwegian proposal in detail during the present Assembly.

" It endorses the opinion of the Third Committee favouring the study of a general convention for compulsory arbitration through the instrumentality of the Committee provided for in the resolution concerning arbitration, security and disarmament voted by the Third Committee on September 21st, 1927.

" The enquiry should include in its scope the possibilities of the development of arbitration in all its aspects.

" The Committee begs to indicate the following points for enquiry:

" (a) Means should be sought for encouraging and promoting the acceptance of the optional clause of Article 36 of the Statute of the Permanent Court of International Justice and the conclusion of special treaties for judicial settlement, arbitration and conciliation.

" (b) In any investigation into the methods of pacific settlement of disputes between States special attention should be paid to the procedure of conciliation, which is of the utmost importance.

" (c) Very special attention should also be given to the question of the relations between the Council's and the Assembly's mediatory action and the procedures of arbitration and conciliation.

" (d) In studying a general convention for compulsory arbitration, enquiry should be made as to how the convention could be given sufficient flexibility to permit the contracting States to adjust the obligations assumed to their particular circumstances."

\* \* \*

Lastly, the Assembly referred the Netherlands delegation's proposal to the Third Committee. The French and German delegations submitted kindred proposals direct to the Committee.

It appeared on examination that, so far from being antagonistic, the three texts expressed similar ideas, and formed the most admirable complements to one another. It was accordingly found possible to combine them in a single resolution, which met with unanimous approval (resolution No. V). We need only reproduce the text here with a few brief remarks.

All the delegations were agreed that the work for disarmament should be prosecuted with the utmost energy.

The Assembly, at its seventh ordinary session, had decided that, in the present conditions with regard to regional and general security, the work of the Preparatory Commission should be continued, no effort being spared to bring it to a successful conclusion as quickly as possible, and that the Conference itself should be convened as soon as the preliminary technical work was completed.

All the delegations remain faithful to this view and urge that a further effort should be made to reach the conclusion without delay. At the same time, all realise that the proposed movement along the road to disarmament will be only the first step, and must be followed by others before any real general disarmament can be achieved.

It is recognised on all hands that the greater the improvement in the conditions of security and the more decided the nature of the first step, the sooner the subsequent steps will be taken. The Committee therefore feels that, with a view to reaching definite solutions as quickly as possible, the study of the questions of arbitration and security should be resumed on systematic lines.

The Committee is accordingly making definite proposals to the Assembly for the organisation of a Committee which would study, under the direction of the Preparatory Commission, the best means of giving all countries the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures.

The Third Committee considers that the Committee in question should include representatives of all the States which have seats on the Preparatory Commission and are Members of the League, other States represented on the Commission being invited to sit on it if they so desire.

It should be observed that, in urging at the beginning of Part 3 of the resolution that the work of the Preparatory Commission must continue until the final goal — general disarmament — has been reached, the Committee does not mean that the Preparatory Commission as at present composed should be perpetuated, but simply wishes to point out that, whatever success the first measures of disarmament may have, the question has a character of continuity which calls for uninterrupted work.

A number of delegations desire to make it clear that this resolution, which the Third Committee has the honour to submit for the Assembly's approval, is not to be interpreted as in the slightest degree affecting the obligations incumbent on the Members of the League in virtue of the Covenant.

The Committee unanimously agrees that these obligations remain unaltered, neither diminished nor increased by the adoption of such a resolution.

During the discussions which took place, the attention of the Committee was drawn to the importance to be attached, from the point of view of security, to the conclusion of agreements, especially as between Members and non-Members of the League, on the lines which have been advocated in the United States, *i.e.*, agreements for the outlawry of war.

With regard to the final paragraph of the resolution, the Committee desires to point out that the agreements therein mentioned are not in any way to be confused with such alliances as it was possible for countries to contract for political purposes of one kind or another before the Covenant of the League established general principles and obligations which introduced a measured harmony into international life. The agreements referred to in the resolution are to be regarded as means for enabling States which wish to enter into closer mutual engagements than are provided by the Covenant to help each other to discharge more effectively, so far as they are concerned, the obligations embodied in the Covenant itself. These agreements, therefore, are to be regarded simply as instruments for applying the principles of the League more effectively in specific regions.

As the last lines of the text have given rise to certain observations, it may be well to define their meaning. There is no question of asking the Council to send to States Members of the League a questionnaire regarding their intention in all imaginable cases. The idea which the Commission wished to express is that the Committee which it has suggested should be set up should be instructed to study the form in which the Council should ask the different States to inform it what measures they would be prepared to take to support its recommendations or decisions in certain cases which the said States might indicate. It is understood that States will have all possible liberty to reply in such manner as they think best to these enquiries by the Council.

The object thus sought is to render it easier for individual States, at the Disarmament Conference, to fix the lowest possible figure for their armaments, by enabling them to graduate them in proportion to the guarantee of security afforded by the assistance on which in certain circumstances they might be able to rely.

*Draft Resolutions submitted to the Assembly by the Third Committee.*

*Resolution No. I.*

" Whereas in certain countries there is at present a close connection, from the technical point of view and from the point of view of organisation, between the requirements and developments of civil aviation and those of military aviation ;

" And whereas this connection leads to difficulties in limiting air armaments without hampering civil aviation ;

" The Assembly :

" Declares that it is desirable for this purpose that the development of civil aviation should be directed solely towards economic ends to the exclusion of military interests ;

" Recommends all States Members of the League of Nations to act as far as possible on the recommendations made in this connection by the Preparatory Commission of the Disarmament Conference ;

" And requests the Council to instruct the Advisory and Technical Committee for Communications and Transit to consider practical methods likely to facilitate the conclusion of the agreements between aviation undertakings in the various countries which are referred to in these recommendations. "

*Resolution No. II.*

" The Assembly,

" Having taken note of the report approved by the Committee of the Council on March 15th, 1927, with regard to the methods and regulations which would enable the Council to take such decisions as may be necessary to enforce the obligations of the Covenant as expeditiously as possible :

" Approves this report and recommends its adoption by the Council as a valuable guide which, without restricting the Council's liberty to decide at any moment the best methods to be adopted in the event of any threat to peace, summarises the results of experience, of the procedure already followed and of the studies so far carried out with a view to the best possible organisation of its activities in case of emergency. "

*Resolution No. III.*

" The Assembly,

" Being desirous of adopting all measures likely to make possible the prompt application of the system contemplated by the Covenant for the maintenance of peace, and of giving to States Members of the League of Nations a greater feeling of security ;

" Convinced that, in this connection, it is of the utmost importance to ensure the rapid working of the organs of the League of Nations at times of emergency ;

" Considering that their intervention in the shortest possible time may prove to be an essential condition for the prevention of war ;

" Trusting that greater facilities for the immediate operation of the machinery of the League of Nations will assist the work of disarmament ;

" Inspired by the spirit and provisions of the Covenant :

" Reasserts that it is the obligation of the States Members of the League of Nations to facilitate by every means in their power the rapid meeting of the Council in times of emergency ;

" Invites the States Members of the League of Nations to take in advance all necessary measures for this purpose ;

" Congratulates the Council on having studied the question, to which the Assembly attaches the greatest importance, and requests the Council to continue its studies, particularly in regard to telephonic communications between the seat of the League and the different capitals, the identification of aircraft making journeys of importance to the League of Nations at times of emergency, the establishment of a radio-telegraphic station at the seat of the League, the adaptation of a landing-ground in the neighbourhood of the seat of the League, and, more generally, provisions enabling the League of Nations to be prepared at any moment to meet any emergency with the greatest possible rapidity. "

*Resolution No. IV.*

“ The Assembly,

“ Having taken note of the plan submitted to the Council by the Financial Committee with regard to the Finnish Government’s proposal for ensuring financial aid to any State victim of aggression ;

“ Being convinced of the need for a system of financial aid for contributing to the organisation of security, which is an indispensable preliminary to general disarmament ;

“ Requests the Council to continue its examination of the plan, which the Committee declares to be necessary, and to prepare and complete it with a view to its final adoption either by a Disarmament Conference or by a special conference to be convened for the purpose.

“ The Assembly suggests to the Council that it would be advisable to submit the plan referred to, and the documents relating to Article 16 prepared by the Legal Section of the Secretariat, the observations submitted by the several Governments and the Minutes of the discussions in the Third Committee on this subject, to the committee which it proposes to appoint in pursuance of its resolution relative to arbitration, security and disarmament.”

*Resolution No. V.*

“ The Assembly,

“ Noting the progress achieved in the technical sphere by the Preparatory Commission for the Disarmament Conference and by the Committee of the Council towards enabling the Council to be rapidly convened and to take decisions in case of emergency ;

“ Being anxious to bring about the political conditions calculated to assure the success of the work of disarmament ;

“ Being convinced that the principal condition of this success is that every State should be sure of not having to provide unaided for its security by means of its own armaments and should be able to rely also on the organised collective action of the League of Nations ;

“ Affirming that such action should aim *chiefly* at forestalling or arresting any resort to war and *if need be* at effectively protecting any State victim of an aggression ;

“ Being convinced that the burdens which may thereby be imposed on the different States will be the more readily accepted by them in proposition as :

“ (a) They are shared in practice by a greater number of States ;

“ (b) The individual obligations of States have been more clearly defined and limited :

“ 1. Recommends the progressive extension of arbitration by means of special or collective agreements, including agreements between States Members and non-Members of the League of Nations, so as to extend to all countries the mutual confidence essential to the complete success of the Conference on the Limitation and Reduction of Armaments ;

“ 2. Recalls its resolution of September 24th, 1926, which reads as follows :

“ ‘ Being desirous that the investigations, in regard to which the Assembly itself took the initiative in its resolution of September 25th, 1925, should be brought to a successful conclusion as soon as possible, it requests the Council to call upon the Preparatory Commission to take steps to hasten the completion of the technical work and thus be able to draw up, at the beginning of next year, the programme for a Conference on the Limitation and Reduction of Armaments corresponding to existing conditions in regard to regional and general security, and it asks the Council to convene this Conference before the eighth ordinary session of the Assembly, unless material difficulties render this impossible ’ ;

“ Accordingly requests the Council to urge the Preparatory Commission to hasten the completion of its technical work and to convene the Conference on the Limitation and Reduction of Armaments immediately this work has been completed ;

“ 3. Requests the Council to give the Preparatory Commission, whose task will not be confined to the preparation of an initial conference on the limitation and reduction of armaments, and whose work must continue until the final goal has been achieved, the necessary instructions for the creation without delay of a Committee consisting of representatives of all the States which have seats on the Commission and are Members of the League of Nations, other States represented on the Commission being invited to sit on it if they so desire.

“ This Committee would be placed at the Commission’s disposal and its duty would be to consider, on the lines indicated by the Commission, the measures capable of giving all States the guarantees of arbitration and security necessary to enable them to fix the level of their armaments at the lowest possible figures in an international disarmament agreement.

" The Assembly considers that these measures should be sought :

" In action by the League of Nations with a view to promoting, generalising, and co-ordinating special or collective agreements on arbitration and security ;

" In the systematic preparation of the machinery to be employed by the organs of the League of Nations with a view to enabling the Members of the League to perform their obligations under the various articles of the Covenant ;

" In agreements which the States Members of the League may conclude among themselves, irrespective of their obligations under the Covenant, with a view to making their commitments proportionate to the degree of solidarity of a geographical or other nature existing between them and other States ;

" And, further, in an invitation from the Council to the several States to inform it of the measures which they would be prepared to take, irrespective of their obligations under the Covenant, to support the Council's decisions or recommendations in the event of a conflict breaking out in a given region, each State indicating that, in a particular case, either all its forces, or a certain part of its military, naval or air forces, could forthwith intervene in the conflict to support the Council's decisions or recommendations. "